

Agenda item:

Title of meeting: Cabinet
Date of meeting: 9 July 2019
Subject: The Aquind Interconnector Project
Report From: Chief Executive
Report by: Paddy May, Strategy Unit
Wards affected: All
Key decision: No
Full Council decision: No

1. Purpose of report

1.1. The purpose of this report is to provide Cabinet with information about the proposal by Aquind Ltd to develop an electricity interconnector and to outline what some of the implications for Portsmouth might be. The report also seeks the advice of members on how we should respond to this proposal.

2. Recommendations

2.1. Cabinet is recommended to:

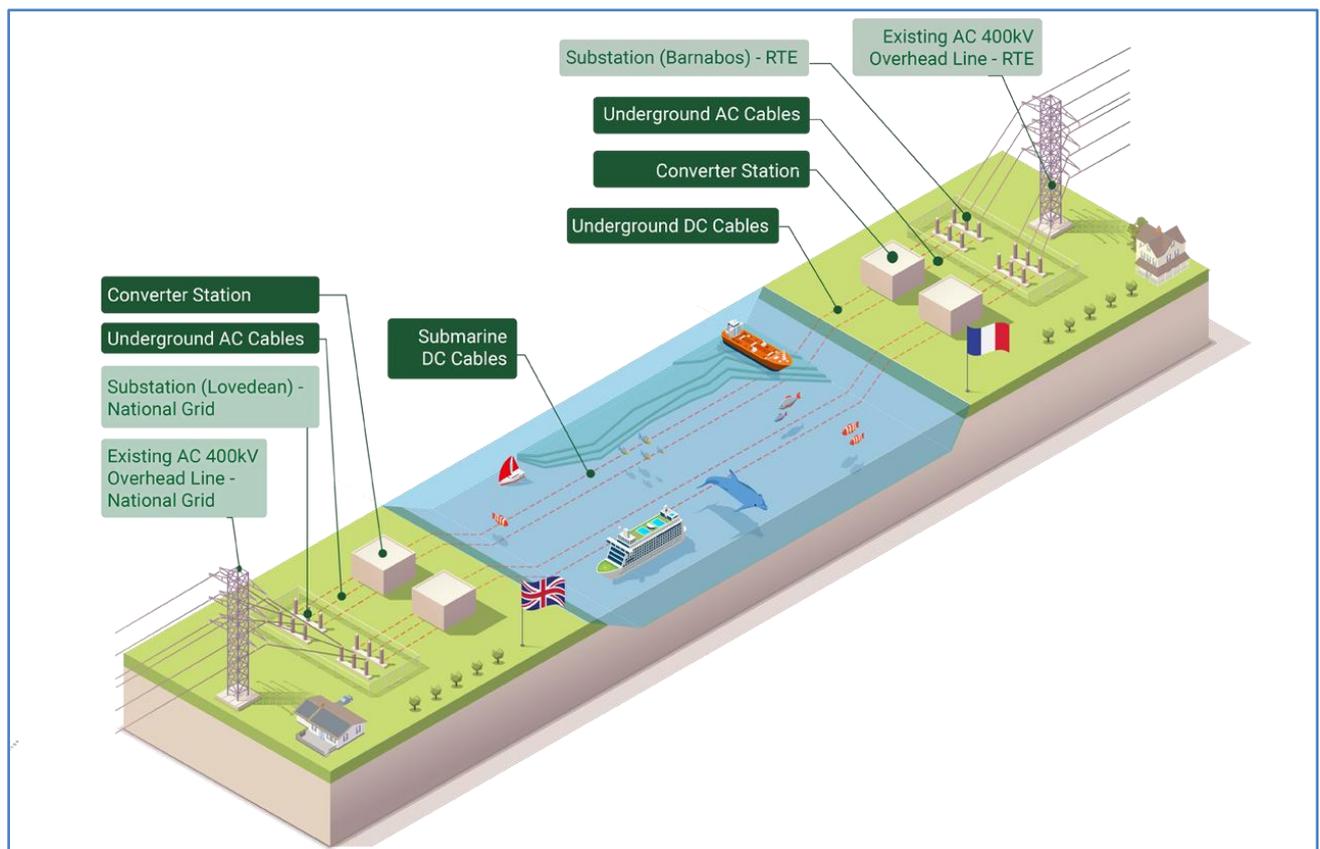
- 2.1.1 Note that Aquind are seeking to develop an electricity Interconnector between the UK and France with a converter station in Lovedean. They are proposing to "land" the high voltage DC (HVDC) electricity cable at Eastney and run it up through Portsmouth to the converter station at Lovedean.
- 2.1.2 Note that despite representations from Portsmouth City Council that the Aquind proposal should be determined by the relevant local planning authorities (including Portsmouth City Council), the Government has decided that the proposal was a 'Nationally Significant Infrastructure Project' that should be determined by the Secretary of State through the Development Consent Order process.
- 2.1.3 Seek the support of Full Council to reinforce the Cabinet's objection to the route of the HVDC cable whilst also working constructively with Aquind and other stakeholders.
- 2.1.4 Agree that the Council responds to this proposal in a coordinated way and where possible works with neighbouring councils on any common approaches.

2.1.5 Note that any additional external costs incurred in the current year associated with the need to make an informed and considered response to the proposal will be met from the Council's Corporate Contingency.

3. Background

3.1 Aquind Ltd is proposing to construct and operate an underground and marine electricity interconnector between the south coast of England and Normandy in France (the AQUIND Interconnector). This interconnector will have capacity to transmit up to 16 million MWh (or 16 TWh) of electricity annually or approximately 5% of Great Britain's total electricity consumption and 3% of the French total electricity consumption. The technology used will allow the flow of electricity both ways. Aquind are proposing that the interconnector cable will come ashore at Eastney and that the cable will run up through Portsmouth to a converter station in Lovedean. This converter station will convert the electricity from direct current (DC) to alternating current (AC) and will feed the AC electricity into the National Grid (or will convert national grid power from AC to DC to transmit to the French converter station in Normandy).

3.2 The diagram below is from the Aquind website and shows how the concept of the interconnector will work.



3.3 Aquind have stated that in 2015 National Grid confirmed their substation at Lovedean, near Waterlooville, as the preferred substation which would

connect the interconnector to the national electricity network. In June 2016, AQUIND signed a grid connection offer with National Grid for connection to the existing Lovedean substation. AQUIND then considered their preferred options for the preferred locations for the converter station, the landfall point and the HVDC cable route. They identified their preferred landfall point as Eastney (their documentation refers to a car park near Fort Cumberland). Aquind stated that they looked at alternative landfall sites, including Hayling Island, but that they discounted this because of the difficulties in crossing Langstone Harbour and the use of the Hayling road bridge for the crossing.

- 3.4 Whilst the exact route for the HVDC cable, once it has hit land, is yet to be finalised, documents from Aquind have stated that the route for the HVDC cable will follow built-up urban areas within Portsmouth including Eastney, Milton, Anchorage Park and Drayton. Their initial proposal was that the HVDC cable will be buried, along with a data cable, within hard standing areas of existing Portsmouth highways including the A288, the A2030 (Eastern Road) and Farlington Avenue, before heading on to Lovedean via Purbrook and the A3. We are currently discussing with Aquind how disruption can be minimised and so, for example, we are exploring with them whether the cable could go between the Eastern Road and the coastal defences rather than along the Eastern Road. It should be noted that although a route up through Langstone Harbour would minimise disruption this would not be acceptable in planning terms because of international and national ecological designations relating to the harbour. The Council will also want to ensure that any construction will not materially impact on air quality and air pollution either directly or through any congestion caused. This is something that will need to be negotiated with Aquind.
- 3.5 On 19 June 2018, Aquind sought a Direction from the Secretary of State for Business, Energy and Industrial Strategy under section 35 of the Planning Act 2008 (the 'PA 2008') that their proposal be treated as development for which development consent under the PA 2008 is required. Leaders of the Local Authorities in the area wrote to oppose this proposal. However, on 30 July 2018, the Secretary of State issued a Direction confirming that the development should be treated as a Nationally Significant Infrastructure Project. The Secretary of State decided this because:
- The proposal is similar in size to a generating station that would qualify to be considered as nationally significant.
 - Following the process through the Planning Act 2008 development consent process, provides the certainty of a single, unified consenting process and fixed timescales.
 - It reduces the need to apply for separate consents from the Marine Management Organisation and local planning authorities.

This means that Aquind must submit an application for a Development Consent Order ("DCO") to the Secretary of State to obtain the necessary consents for the construction and operation of the proposal. Because of this, Portsmouth and neighbouring authorities will not be the planning authority for the proposal, but will be a consultee and will be able to submit

evidence to the Planning Inspector who will be considering the application on behalf of the Secretary of State. The Inspectorate will subsequently make a recommendation to the relevant Secretary of State. Details of the application and supporting documents are on the following website:

<https://infrastructure.planninginspectorate.gov.uk/projects/south-east/aquind-interconnector/>

- 3.6 To summarise, Aquind have obtained agreement from the Secretary of State that their proposal is a project of national significance and that since it will be dealt with through the DCO process, the relevant Secretary of State will make a decision having received a recommendation from a Planning Inspector. The Council will be able to make representations to the Inspector but will not be making the decision.

4. Timeline

- 4.1 Aquind undertook consultation on its proposals between 27/2/19 and 29/4/19. The consultation documents are still available to view and download on their consultation website at www.aquindconsultation.co.uk. The City Council had concerns about the consultation process but notwithstanding this, the Director of Regeneration at Portsmouth City Council provided a detailed response to their consultation document. This is attached as Appendix 1 and is summarised in Section 5 below.
- 4.2 Aquind have stated that they expect to submit their DCO application in quarter 3 2019. After receipt of the application, there will be 28 days for the Planning Inspectorate to review the application and decide whether or not to accept it for examination. If the timeframe is met, and the proposal is accepted for examination, the public and other consultees will be able to give their written views on the proposal before the public examination starts. It is expected that the public examination would take place in Spring 2020 and could last up to 6 months. The Planning Inspectorate will make a recommendation to the Secretary of State (within three months of the close of the public examination). The Secretary of State will have a further three months to make the final decision.
- 4.3 Aquind have stated that if they obtain a DCO that they expect to start construction works in early 2021 with the interconnector becoming operational by 2023.

5. Implications for Portsmouth

- 5.1 Whilst Portsmouth will not be making the planning decision on this proposal, it is important that we continue to fully engage with the process to ensure that if Aquind are given permission to proceed with their proposal that we are able to represent the interests of Portsmouth and the residents of the City. A range of different services are engaged with the proposal including planning, highways, parks and property. If the proposal goes ahead we will also have an important issue of helping to communicate to our residents.
- 5.2 As stated above the Director of Regeneration responded to the Aquind consultation (see Appendix 1). This consultation response made the following key points in the summary:

- Alternative options for connecting to the national grid not properly explored
- Alternative options for landfall not properly explored with inconsistent application of factors e.g. the constraints for Hayling Island about Langstone Harbour and the road bridge also apply to the Portsmouth proposal
- Insufficient consideration of the disruption to Portsmouth of the construction works and insufficient account taken of the environmental, social and economic effects of the proposal and different options
- Insufficient promotion of the consultation and concerns about the quality of the consultation process
- The need to consider the cumulative impact of this with other development proposed such as the flood defence work
- Guarantees that appropriate mitigation will be in place to counter the disruption caused during the development phase
- The establishment of a "fund for community" to benefit the communities affected by hosting the development

The response also looked in detail at traffic and transportation issues, air quality issues, impact of coastal flood defences, archaeology issues and impacts on socio-economics / human health.

- 5.3 If Aquind are successful in their DCO application it is worth noting that they will be seeking Compulsory Purchase Powers to acquire land or interests in land to implement their proposals. As a recognised Statutory Provider they do have certain rights to undertake works but they have stated they will be seeking CPO Powers in addition to these rights. They have advised that these powers would not be used on any residential properties within Portsmouth but this process could affect interests held by the Council.
- 5.4 Members are asked to consider whether they wish to maintain the Council's approach that we should object to the route of the HVDC and that it should not be laid in Portsmouth. It is suggested that the views of Full Council are sought to confirm whether this is the view of the Council.
- 5.5 However, whilst the City Council may wish to object to the proposal, or aspects of the proposal, it is important that we maintain a positive working relationship with Aquind. We have a Duty to Cooperate with Aquind as they develop their proposal and we have already worked jointly with them on a number of studies. We are in the process of signing a planning performance agreement with them which will enable further joint work to be undertaken. We need to work with Aquind to make sure that if the project goes ahead the people of Portsmouth are not disadvantaged by the project. This would mean, for example, that if community facilities are lost during or because of the construction, that replacement facilities are available or reinstated to at least as good a standard.
- 5.6 With a complex project such as this, it is important that we respond as one organisation. Processes have been put in place to help facilitate this and officers are looking to strengthen this with arrangements to log all

engagements with Aquind. Regular meetings are also taking place to ensure that everyone is aware of what is happening on the Aquind project. The Aquind proposal will also impact on neighbouring authorities (including Hampshire County Council as the Highways authority and Havant BC, East Hants DC and Winchester CC as planning authorities). Whilst our interests might not always align, it is important that where possible we seek to promote a common line on common issues. Officers are working with their colleagues in neighbouring councils to try to ensure that this happens but we still need to make sure that all decisions are within the overall PCC approach that is agreed.

- 5.7 Whilst the planning performance agreement will help fund posts / backfill and a number of the joint studies and work needed on the Aquind proposal, we may wish to commission some of our own studies as well. This will require resource and we may wish to instruct Counsel for the examination or for legal advice before the examination. If this can be done jointly with others it will reduce the cost, but officers will need to identify what potential costs may be needed to deal with the Aquind Project and come back to Members with further details. We will seek to recover costs, where possible, from Aquind in terms of the time that is being spent on this project. Officers will also need to develop a detailed project plan of what needs to be done in line with the key milestones detailed in Section 4.

6. Reasons for recommendations

- 6.1 The Aquind project has potential significant implications for the City and so it is important that Members are aware of the proposal and what the implications might be. As a Council we need to be aware that there may be resource implications for us to deal with the Aquind project and that we will need to respond in a positive and coordinated way.

7. Equality impact assessment (EIA)

- 7.1 With this project being an Aquind Project dealt with through the Secretary of State it will be for them to ensure that the appropriate impact assessments, including the equalities assessment, are fully completed.

8. Legal Implications/City Solicitor comments

- 8.1 Legal comments are made throughout the report in as far as they relate to the procedural steps involved in a DCO application.
- 8.2 The Council is considering whether to enter into a planning performance agreement with Aquind to recover associated costs to the planning department in undertaking the additional work that will be required of the department as a consultee to a DCO application.
- 8.3 The Council is highly likely to instruct Counsel at the inquiry stage to present its position on the scheme as a consultee.

9. Director of Finance and Information Services comments

- 9.1 If the Council maintains its position of objecting to the route of the HVDC cable then it may need to incur significant expenditure. The exact amount of expenditure is at this time unknown. For any necessary additional expenditure in 2019/20, required to make an informed and considered, the

Council will need to release funding from the Corporate Contingency. Any necessary additional expenditure beyond the current financial year will need to be reviewed as the challenge develops and factored into the forthcoming budget process. Any expenditure that the Council incurs is spent at risk.

- 9.2 As well as incurring external expenditure the Council will also need to dedicate internal staff resources to this project and re-prioritise resources accordingly.
- 9.3 Should the HVDC be laid on land, the Council will need to work closely with Aquind to ensure that as a minimum is in a no worse financial position.

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location

Appendices:

Appendix 1 - PCC Consultation Response to Aquind Ltd

Signed by:

.....
DAVID WILLIAMS
Chief Executive

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by on

..... Signed by:



Aquind (by email)
aquindconsultation@becg.com

Regeneration
Civic Offices
Guildhall Square
Portsmouth
PO1 2AU

29 April 2019

Dear Sir/Madam

Re: Aquind Interconnector consultation response

Thank you for the consultation on this project and Portsmouth City Council's response is set out below.

1. A summary of key concerns

- 1.1 The proposal should demonstrate that there is a need for any new electricity infrastructure project of this nature and clarify whether the original business case is still valid, from when the National Grid Transmission Studies identified 10 substations that could accommodate the Interconnector. The reasons for early discounting of 7 substations should be included.
- 1.2 The Council considers the project should be determined by the relevant local authorities through the planning application process rather than a Development Consent Order. By a joint letter with East Hampshire District Council, Hampshire County Council, Havant Borough Council, South Downs National Park Authority and Winchester City Council dated 11 March 2019 the Council wrote to the Secretary of State to confirm this point.
- 1.3 The rejection of the potential location of Chickerell, near Weymouth, was made on the basis that a connection would require "rebuild of the substation and wider reinforcements across the network" (para 2.4.3.5 of PEIR Chapter 2). The Overarching National Policy Statement for Energy (ONPSE EN-1) recognises the need for new network infrastructure but that the suitability of appropriate solutions based upon technical considerations and constraints alone would not balance consideration of wider environmental effects. In this context, the Council's view is that insufficient consideration has been given to assessing alternative landfall options along the south coast particularly those that would not cause major disruption in a highly built up area such as Portsmouth.
- 1.4 Available information on alternative options and their impacts appears inconsistent and insufficient to judge the conclusions drawn. Consideration of alternative landing points and cable routes for the Interconnector appears incomplete. Hayling Island, for instance, is discounted for constraints associated with crossing Langstone Harbour and inability of Langstone bridge to carry the cables; the same constraints exist for Eastern Road bridge that also forms a crossing of the same environmentally sensitive harbour. Cabling along the former Hayling railway 'Billy' line could have significant benefits during construction compared with a highway route, for any future disruption of repair/maintenance of the Interconnector over its lifetime use and path improvement upon completion.

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- 1.5 The Council reserves its position in relation to the use of CPO powers by the Developer. The Council expects that the Developer will seek to demonstrate that the project meets an overriding public interest in order to justify the use of such powers which at this stage is not proven. As this is subject to further negotiation the Council would welcome further information from the Developer regarding its intentions in this regard. The Council will seek to robustly protect its landholdings and anticipates that the Developer will seek first to acquire any land or interests in land by genuine negotiation in the standard way, and only consider CPO powers as a matter of last resort. The Council anticipates needing to make further representations in relation to CPO issues at later stages of the process.
- 1.6 The promotion of the formal consultation in local media and via social media is considered insufficient. More resources/advertising should be allocated to promoting the consultation events and promoting the consultation to the wider population as well as those directly impacted by the proposed cable route; for example, people who use the recreational areas that will be affected would likely be unaware of the consultation and would have missed this opportunity to voice their opinion. The engagement with other stakeholders, community or interest groups and others who may have an interest in the proposed development as well as hard to reach groups has not been sufficient for a project of this size and significance.
- 1.7 The Council note the options appraisal for a converter station around Lovedean reference avoiding 'densely populated areas' to the east and south as well as the constraint of a 'well-traversed highway network', which is contradicted by the selection of Portsmouth as the location for the substantive part of the cable route. Covering just 40sqkm, Portsmouth is the most densely populated city outside of London, at over 5000 people per sq km. The A2030 (Eastern Road) conveys in excess of 40,000 vehicles per day and represents only 1 of 3 road links between Portsea Island and the mainland. Any reduction in capacity on one of these three key routes seriously reduces the resilience of the already strained highway network in Portsmouth.
- 1.8 A final route through Portsea Island and the mainland beyond has yet to be defined. It is not clear why Portsmouth has been chosen as the landfall point for the on-shore cable and even if large parts of the route were to be off-highway, there would still be considerable scope for disruption. It has been suggested the cable route will encroach into the highway as little as is practicable, however, in certain locations this will be unavoidable. The implications of cabling through the highway would, however, be far greater than off-road routing and result in severe impacts upon traffic movement with significant disruption and inconvenience to city residents, businesses and visitors. Queueing, diverted or rat-running traffic will significantly impact air quality, detrimentally impairing the ability of PCC to achieve its statutory obligations.
- 1.9 In national policy, where a new energy NSIP may give rise to substantial impacts on the surrounding transport infrastructure, including during its construction phase, the applicant should mitigate these impacts of the development. Given the serious congestion on the local highway network this must look beyond simply Construction Management to mitigate issues in construction.
- 1.10 A fund for community benefits to secure localised improvements for road users must also assist project mitigation. Biodiversity enhancement measures and a delivery programme for such improvements at Eastney beach after completion of works for the landfall underground connection bay would also form essential mitigation works.
- 1.11 The potential for cumulative effects and co-ordination of the Interconnector project with other development schemes must be assessed. A number of planned works and events conflict with the proposed cable route(s). The most significant of these will be the Coastal flood defences being renewed along both the eastern side of Portsea Island and the Seafrost, Eastney to Old Portsmouth; these schemes will clash with the Interconnector construction programme. Whilst coastal defences work will not encroach into the A2030, there will be a

number of associated HGV movements, as compound space is extremely restricted. Due to constraints imposed upon these works as a result of the protections placed upon Langstone Harbour, no delay can be accepted as the programme is carefully planned to avoid impacting on protected wildlife for overwintering periods.

- 1.12 The absence of a clear rationale and weighting of environmental, social and economic effects, taking into account of technical feasibility, call into question the discounting of the East Wittering cable route where crossing private land could have significant benefits during construction compared with mainly highways routing.

Specific topics

2. Traffic and transport (Chapter 21)

- 2.1 The likely traffic delay resulting from the development is noted with many links within Portsmouth predicted to experience Major Adverse impacts (listed within Appendix 21.2). It is suggested that LinSig software will be used to model the impact of temporary traffic signals; this software will not model the wider network and detail cumulative impacts and therefore is highly unsuitable and not fit-for-purpose to accurately predict the likely impact of lane and road closures, especially on those routes deemed most sensitive. Modelling must account for wider issues/development closures that affect the network during the construction phase. This is especially important with regards emergency services response; statistics from South Central Ambulance Service (SCAS) show that for every one minute of delay to their response, patients' life expectancy decreases by 10% in cases of cardiac arrest. It will therefore be necessary to understand the scale of any delays caused in order for emergency services to be able to respond accordingly.
- 2.2 A defined route through Portsmouth has yet to be determined and remains unclear whether the favoured route is entirely through Highways land or varying between Highway and privately owned land. This is especially prevalent in the Milton area of Portsmouth where two very different alignments are indicated. The implications of the Highway route would be far greater than the mostly off-road route however both potential alignments would be expected to cause significant disruption to residents, businesses and visitors.
- 2.3 The A2030 - Eastern Road - is a prime example; large parts of it will be significantly affected over an extended period of time. The A2030 conveys in excess of 40k vehicles per day and forms one of only three road links between Portsea Island and the mainland. Any reduction in capacity on one of these three key routes will seriously reduce the resilience of an already strained highway network in Portsmouth. Given the density of population in Portsmouth and significantly congested road network, a development of this type in this location would be highly unsuitable and it must be questionable what appropriate mitigation would be capable of being implemented to manage the impacts of the works.
- 2.4 Significant impacts would be experienced by all road users along the routing of the cable during construction. The roads proposed to form the cable route through Portsmouth are mostly classified roads and form a corridor linking the eastern areas of the city to the national strategic network. It is expected that motorised users of the affected roads and non-motorised users including pedestrians and cyclists will be significantly affected.
- 2.5 Some details of potential vehicle movements have been given in the PEIR that may not be expected to be material to the operation of the highway network *provided these movements take place outside of peak periods*. Works are suggested to take place between 07:00-19:00 each day, however, it is unlikely that such working hours could be permitted. Planned works on traffic sensitive routes in the city are normally only allowed during off-peak hours, which in practice are typically between 09:30-15:30 each day. Portsmouth also operates a number of works embargoes coinciding with major events, Bank Holidays and for the entire month of

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- December. Only emergency works will be permitted during these periods. The currently proposed construction programme does not appear credible given the likely restrictions on road space in Portsmouth.
- 2.6 Abnormal loads are briefly noted in Chapter 21 of the PEIR. The frequency and/or proposed route of abnormal loads are not detailed. Aquind's consultants have suggested that 50T cable drums would be brought to site each day from the Ferryport (where the cable drums are proposed to be stored). This would result in abnormal loads being transported through the centre of Portsmouth on a daily basis, which would inevitably disrupt traffic and bus services even if undertaken outside of peak hours.
- 2.7 A detailed Construction Traffic Management Plan would be required, with a tailored CTMP produced for each phase detailing the Traffic Management requirements, to manage traffic effectively and minimise delays. Details of consultation carried out with residents should also be included, to be agreed with the LHA. A full set of Traffic Management drawings will be required as part of the CTMP which will be agreed by the LHA and Colas. Presently the traffic management drawings are very high level and simply indicate where lane closures/road closures are required, and additional table in Appendix 21.1 details this in more detail. It is suggested that roads closed will allow vehicular access for residents outside of working hours; this will be unacceptable, access to residents and business should be retained at all times.
- 2.8 At engagement meetings with Aquind's transport consultants, it was suggested that due to the scale of the project, more than one contractor is likely to be granted contracts for work packages associated with this project. It is of paramount importance that coordination is achieved between the two (or more) contractors as delays to one (or more) of the contractors have the potential for additional and unnecessary delay especially of working on the same section of road. The CTMP should detail how this relationship would work if multiple contracts are to be awarded and who will ultimately be responsible for coordinating highways works.
- 2.9 The City Council is currently in receipt of ministerial directives from DEFRA with regard to the Air Quality in Portsmouth. Whilst the areas subject to these directives are not located along the proposed cable routing, it is likely that the works will result in diverting trips to the other two main routes which each have a ministerial directive placed upon them (A3 & A2047). Recent Air Quality modelling also suggests that the air quality in Portsmouth is worsening with the areas of exceedance likely to increase from 4 to approx. 12. Compliance in the areas subject to ministerial directives must be achieved by mid-late 2021, putting this date firmly within the construction period for this project. A sustained period of disruption as would be caused by the proposed works has the very real potential of contributing further to the poor air quality in Portsmouth and this in itself should be a key reason to consider alternative routes outside of the city.
- 2.10 The Overarching National Policy Statement for Energy (ONPSE EN-1), in para 5.13.6, states that a new energy NSIP may give rise to substantial impacts on the surrounding transport infrastructure, including during the construction phase of the development. The applicant should mitigate these impacts with an aim to secure more sustainable patterns of transport development when considering mitigation measures (para 5.13.9); funding to bring forward proposals for increased capacity in the P+R (Tipner) earlier may, for instance, present an effective management measure for road congestion and mitigate against contributing to poor air quality.
- 2.11 Network co-ordination will be required for major events that form important contributors to the city's local economy as a visitor destination, such as Bank Holiday weekend music events and The Great South Run. The latter is a 10km road race held in Southsea and Eastney every October that require extensive road closures. No highway works can be in place during such major events. The proposed programme of works for the development will likely clash with significant schemes being delivered in Portsmouth and risks delaying these work packages; in

the case of proposed works associated with the Transforming Cities Fund any delay could jeopardise the overall delivery given the time restrictions likely to be placed upon the funding. The City Council, in conjunction with Hampshire County Council and the Isle of Wight Council, has been shortlisted for a share of this Fund. The proposed cable route will intersect and travel along sections of the route proposed to form the new South East Hampshire Rapid Transit (SEHRT) network. If successful in obtaining funding, the programme of works will run until 2022 and is time limited. Implementation of what will be a congested delivery period could not be delayed nor could newly installed highway infrastructure be disturbed or undermined.

- 2.12 Through a PFI, Colas contractually undertake the network duty of coordination of third parties/statutory undertakers on the public highway acting as Local Highway Authority. All works on the public highway are required under the New Roads and Street Act and Traffic Management Act to have notices served correctly on the Street Works Register, appropriate traffic regulation orders etc. Colas highlight a need for collaborative working/programming and raise concern that presently the PEIR provides no details on of procedural requirements for any highways works, including any necessary seasonal embargo or other traffic sensitivity limitations.

3. Air Quality (Chapter 22)

- 3.1 The PEIR appears to significantly downplay the potential effects on Air Quality, detrimentally impairing the ability of PCC to achieve its statutory obligations (see para 2.9 above).

4. Impact on Coastal Flood Defences

- 4.1 The potential cable routing through the recently a completed Flood Defence bund along Milton Common raises serious concerns about the integrity of the defence bund and resulting effects on liabilities and guarantees for these completed works. There is no information on maintenance of the defence works, reference to relevant guidance or construction into flood defence as a last resort option.
- 4.2 The PEIR states "flood defence integrity would need to be maintained". The suggested routing "via the footpath which forms part of the sea defences" does not recognise that the cables would not be formed in a surface layer trench of the bund but require excavation into the sea defences designed as lower level rock armour along the foreshore.
- 4.3 The potential impact on flood risk cover fluvial and pluvial rather than on coastal or tidal effects, which is disappointing when options for part of the works to be through existing Flood Defence infrastructure is included. There is no sequential test assessment of route options.
- 4.4 Phase 4 of the North Portsea Island defence scheme will be on site and under construction over the proposed period for the Aquind project. There is no indication of where Aquind propose compounds along Eastern Road. From work already undertaken and pre-construction planning and agreements for Phase 4 of the North Portsea Island defence scheme it is clear that compound space along the A2030 corridor is severely limited.

5. Socio-Economics/Human Health (Chapters 24 & 25)

- 5.1 A detailed assessment of the impact on individual parks, recreation, sports pitches and other areas of open space provision will be required. Any loss of open space will result in significant adverse effects on health and well-being. Although described as temporary and will be restored upon completion, the PEIR identifies an integral part of understanding of the impacts on open space and recreational areas will be the duration of construction activities. The timing/programming of works associated with sports pitches will also inevitably be integral to potential impacts. The following sub-paragraphs set out particular considerations that the Developer will need to take account of in carrying out a detailed assessment.

- 5.2 There is no mitigation or reprovision of open space and sports pitches during the period of works with detrimental effects on leisure/recreational provision, play facilities serving local communities, interruption to tenancies of allotment plots affecting the health and well-being of residents.
- 5.3 It is anticipated that there may be a negative impact on the operations of the municipal golf course with potential loss of membership and casual play on the local leisure/recreation offer, and effects on trading operations of leaseholders and concessions.
- 5.4 It is considered that there may be an impact on, and loss of, open space for the holding of events or use to support events elsewhere in the city.
- 5.5 The Developer will need to assess the impacts of a loss of established or mature trees and their contribution to air quality, health and well-being that cannot be readily compensated for in the shorter-term by equivalent numbers of replacement (smaller) tree planting.
- 5.6 The temporary loss of parking provision that serves the open spaces during construction will affect public access to these spaces. A localised change to patterns of dog walker activity would be likely to impact recreational disturbance on the SPA for waders and brent geese. In this context, a financial contribution will be necessary to mitigate the impact on the SPA.
- 5.7 It is expected that there will be a long-term impact on land drainage, water pipe and irrigation networks from heavy plant movements and cable excavations.
- 5.8 The proposed programme of cable works will potentially give rise to a loss of business activity within the city due to increased congestion.

6. Archaeology (Chapter 20)

- 6.1 In relation to land between the north side of the railway mainline and the administrative boundary of the city there are no cultural heritage assets recorded. There are some fields, open space north of the reservoir and Zetland field that may contain as yet unrecorded archaeological features although the majority of the route follows the existing road network where the likelihood of exposing archaeological features and/or deposits is considered to be negligible.
- 6.2 The land south of the railway mainline follows the existing road network (A2030) as well as Farlington playing fields where there no cultural heritage assets are recorded but the possibility remains of yet unrecorded archaeological features within the recreational ground. Land south of the A27 and Eastern Road roundabout consists of intertidal mudflats within Langstone Harbour. This is a drowned prehistoric landscape with the possibility of uncovering ancient peat deposits, as well as stray archaeological finds. Opposite the junction of Norway Road/Eastern Road is Kendall's Wharf where previous Geotechnical surveys have not recorded any archaeological features or deposits although the potential for as yet unrecorded features does remain, albeit not high.
- 6.3 Much of the route south of Kendall's Wharf to Milton Common follows the existing road network where the likelihood of exposing archaeological features and/or deposits is considered to be negligible. Other parts of Milton Common are made up largely of modern waste material, dumped over former intertidal mudflats and clays where the archaeological potential is considered to be negligible.
- 6.4 Land further south between Milton Common and Henderson Road splits the potential route two ways. One follows the existing road network where the likelihood of exposing archaeological features and/or deposits is considered to be negligible. The other includes (1) the area of relative high ground immediately to the east of St James' Hospital believed to have been occupied in the prehistoric era and any construction may expose archaeological features and/or stray finds and (2) the cable route crosses the line of the former Portsmouth Canal and whilst excavations may expose infilled remains of the canal basin (yet to be properly recorded), it is doubtful works would expose enough of the feature for interpretable sections to be

recorded. The route also crosses the allotments to the south of Locksway Road; this area contains no recorded heritage assets, although there is potential for as yet unrecorded archaeological features and/or deposits to be found.

- 6.5 At its far south-east end the cable route crosses surviving WWII Beach Defences at Eastney. It would be necessary for construction to avoid damage to these defences. The areas of beach and adjacent to it are considered of low archaeological potential, although as always there is a chance of as yet unrecorded archaeological features and/or deposits being exposed during groundworks. As for Fort Cumberland Road and private road linking it, the likelihood exposing archaeological features and/or deposits is considered to be negligible.
- 6.6 A full archaeological survey along the final cable route through the city should be provided.

7. Other heritage assets (Chapter 20)

- 7.1 Although the final cable route is still to be defined, at Eastney is Fort Cumberland (a scheduled monument and Grade II* listed building) as well as WWII Beach Defences (Grade II listed structures). Along the proposed cable route on the A2030, at its junction opposite Burrfields Road, is Great Salterns (Grade II listed building). Any impact on these heritage assets should be avoided.
- 7.2 In response to Historic England's scoping opinion response that particular attention should be paid to Fort Cumberland and an expectation that all options to choose a route that will not impact the Fort will be explored, the PEIR confirms the proposal would entail no physical impacts within or near the scheduled monument constraint area and the onshore cable route would be buried with no setting impacts.

8. Ground conditions (Chapter 18)

- 8.1 There are areas of significant site contamination along the identified route options and areas that have been previously remediated. Until the applicant assesses available records and create a conceptual model with knowledge about what is known about the ground conditions it remains problematical to comment further.
- 8.2 The boreholes locations shared by the applicant with the City's Contaminated Land Team were chosen for convenience and access rather than pollution risk. The initial survey is only indicative and there will be additional phase of works to consider ground pollution. The sampling to assess pollution along the length of the cable route and assess risks before starting any works should target areas of pollution and be based on a Conceptual Model of the risks created in accordance with CLR11 and following BS10175:2011+A2:2017 'Investigation of Potentially Contaminated Sites Code of Practice'.
- 8.3 The survey by Aquind was to be completed at a later date by completing the desk study research and then undertaking further sampling as suggested in the updated Conceptual Model. Whilst most proprietary environmental searches will highlight areas of industrial use and so likely pollution, commercial searches do not include records that should be viewed for other site investigations and other sources of information such as historical petroleum storage, trade directory entries that are often variable between companies. The PEIR confirms councils have been contacted but it does not follow BS10175 because the information gathering phase has not yet been undertaken - at this stage the consultations from other local authorities have been 'noted' but not responded to. The work deviates from best practice and risks not adequately assessing pollution. It is expected this will be corrected when all responses have been consolidated.
- 8.4 Without the adequate level of detail about the sample locations and defined cable route, the survey cannot be targeted and the assessment of risks cannot be undertaken. The PEIR confirms the applicant intend checking council records for the full cable route and updating their conceptual model.

- 8.5 Whilst a general Method Statement should be in place to resolve unforeseen pollution encountered, there should be assessment and remediation documents in place for foreseeable areas to guide site working, remediation and waste disposal.
- 8.6 The PEIR confirms the applicant would not intentionally import contaminated soils that could pollute aquifers but detail is required as clean soil only must be used for restoration of areas of public open space.
- (a) The remediation of any disused landfill sites that the cable route may encounter must not be compromised, and the quality of restoration soils left at the surface should be proven clean and documented as such so no concerns are created and the migration of bulk gases (carbon dioxide and methane) must be prevented both during and after works
 - (b) If crossing the city's coastal defences that are in places created using restoration soils, the structural integrity must be ensured and chemical suitability of the soils in this area of public access maintained and proven clean
 - (c) Any polluted locations or areas of remediation should be known in advance, and the approach to these areas to ensure no new exposures, not allowing the movement of pollution, both during and after works should be documented in advance of works.

9. Onshore Ecology (Chapter 16)

- 9.1 The level of assessment and information on biodiversity is still being formulated, including mitigation to secure enhancement measures.
- 9.2 Until the defined route is identified there is potential for significant effects on bird disturbance to the Solent SPAs (notably the adjacent Langstone and Chichester Harbour SPA, designated predominantly to protect over-wintering birds) and Functionally Linked Land lying outside the physical boundaries of the SPA/Ramsar sites used by birds associated with the designated sites or measures for mitigation required to reduce impacts to acceptable levels to ensure the Conservation of Habitats and Species Regulations 2017 (the Habitat Regulations) and integrity of any relevant European sites are met. The impacts must be appropriately considered through a Habitats Regulations Assessment.

10. Cumulative effects (Chapter 28)

- 10.1 Chapter 28 has yet to be completed although sets out the intended methodology. In the absence of assessment the applicant and relevant local authorities should agree the approach to assessment and mitigation of how such a proposal would be implemented alongside other developments.
- 10.2 New development at Fraser Range Eastney (at para 28.6.3.7) is identified. A planning application for this site, ref 19/00420/FUL, has been formally submitted for new housing (for around 130 dwellings) with sea defence works, which is pending registration.
- 10.3 Reference is also made to Coastal Defence Schemes for Portsea Island (at para 28.6.3.8). A planning application for Phase 4(A) of the North Portsea Island defence scheme, between Kendall's Wharf and the A2030 (Eastern Road), was formally submitted on 23 April 2019. Furthermore, the £115 million Southsea Sea Defence project is also expected to be submitted by the end of May 2019; it covers a 4.5km stretch of seafront, from Old Portsmouth to Eastney, designed to protect 8,077 homes and 704 businesses from the risk of tidal flooding for the next century. Construction is programmed to start in early 2020 and the project completed in 2026. Further details of the project can be found at: <https://southseacoastalscheme.org.uk/>

11. Land acquisition and rights over land (Chapter 24)

- 11.1 In addition to comments at para 1.5, with reference to the Council's position on the use of CPO powers, whilst reserving its position in this regard, the acquisition of any easements in

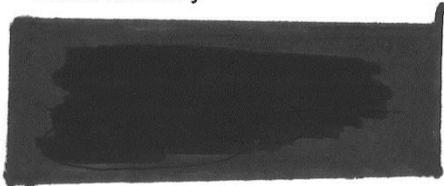
highway subsoil must be subservient to the rights and obligations of the Highway Authority and the management needs of the Highway network.

- 11.2 The Council also reserves its position regarding the temporary use of any Council land affected by the current proposals including acquisition of any interest in land within 1km of the landfall for construction, and operation of infrastructure required, as such details are unknown at this stage.

12. Conclusions

- 12.1 The City Council anticipates that all the issues identified above will be addressed in the formal documentation that will be submitted as part of your DCO application. The Council is willing to work with you on this as appropriate.
- 12.2 The City Council does, however, reserve its right to add to and/or expand on the matters raised herein as the application progresses.

Yours faithfully

A large black rectangular redaction box covering the signature area.

Tristan Samuels
Director of Regeneration