



SUBMISSION TO THE SECRETARY OF STATE FOR ENERGY SECURITY AND NET ZERO FROM VIOLA LANGLEY (INTERESTED PARTY IN THE MATTER OF THE AQUIND INTERCONNECTOR DCO PROPOSAL), SUBMITTED ON BEHALF OF LET'S STOP AQUIND BY EMAIL 18/2/2025

Let's Stop Aquind's response to the Ministry of Defence's objections to the Aquind Interconnector and associated issues

1. Position of the MOD

On 22nd August 2024 an OPEN statement on behalf of the Ministry of Defence was published on the Planning Inspectorate website.

The full document¹ provides the context for the objections but, in brief, *"The reasons why the Proposed Development is a cause of significant concern for the MOD and reasons why the MOD considers development consent should be refused necessarily involve information regarding UK defence and national security which it would be contrary to the national interest to disclose. They are therefore set out in CLOSED submissions" (point 2.0 of the document).*

LSA asks the SofS to pay careful attention to the MOD's "significant concern" (point 2.0) with regard to the risks to UK defence and national security posed by the Proposed Development. Specific concerns have necessarily been laid out in closed submission, but if the proposal could create any potential risks to national security either now or in the future, LSA implores the SofS to prioritise the protection of our national defences, in which the city of Portsmouth has played such an integral part over centuries.

The document also states that *"What can be said in these submissions is that the Proposed Development would unacceptably impede and compromise the safe and effective use of a key defence asset, HMNB Portsmouth, and RN operations in the area of HMNB Portsmouth and the English Channel, including unacceptably limiting military training. This represents a clear risk to UK defence and national security."* (para 2.1)

LSA trusts that appropriate weight will be given to the statement from James Muncie, Deputy Director, Directorate of Economic Security and Statecraft for the MOD, referring to *"the national security risks posed by the granting of a Development Consent Order ('DCO') related to the Aquind Interconnector project."*

¹ Application for a Development Consent Order by AQUIND Limited - OPEN statement on behalf of the Ministry of Defence 22/8/24

<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN020022/EN020022-005270-Ministry%20of%20Defence.pdf>



The same applies to the letter from Capt Lee McLocklan, Captain of the Base (Portsmouth) and Deputy Naval Base Commander of HMNB Portsmouth, in which he confirms that in his view *“the Proposed Development would clearly and unacceptably impede and compromise the safe and effective use of HMNB Portsmouth, and the necessary military training required for its safe and effective use.”* (para 2.2 of the MOD document).

The MOD accepts that whilst the applicant *“has made offers to permit MOD oversight of the Proposed Development in its email of 12 April 2024, the MOD does not consider that these would sufficiently mitigate MOD’s concerns. The MOD does not consider any other sufficient or appropriate mitigation to be available.”* (para 2.3) It concludes *“Development consent for the Proposed Development should therefore be refused.”* (para 2.4)

On behalf of the 4,000+ members of the LSA Facebook group, and the thousands of Portsmouth residents who signed petitions instigated by Portsmouth MPs from both main political parties, LSA fully supports the MOD position and their welcome intervention in this matter.

2. Aquind’s response to the MOD

On 14th October 2024 Aquind’s lawyers, Herbert Smith Freehills LLP, sent a 38-page document to the Secretary of State challenging the MOD’s objections. For reasons unknown it was only revealed to the public on the PINS website three months later. It has now been published in full².

Paragraph 59 onwards in particular was met with incredulity by members and supporters of the campaign group ‘Let’s Stop Aquind.’ In the opinion of LSA, the response from Aquind’s lawyers is attacking, threatening and dictatorial. They accuse the MOD of *“abusing the issue of national security in the planning process”* and *“potentially behaving unlawfully in respect of this matter”* (para 59 of the document).

To then question the experience of the Captain of the Naval Base in Portsmouth shows scant respect for the institutions that safeguard our citizens. *“We must also query the experience of Captain Lee McLocklan to opine on this matter”* (para 60) and *“We therefore wish to put on record concerns about the experience of Captain McLocklan to make the statements he does on the impacts of the Proposed Development.”* (para 62)

Aquind also claims to be *“surprised and disappointed by the comments in the statement of James Muncie”*, whose current role is head of Counter Economic Threats: Security and

² AQUIND Limited - Applicant’s Response to MoD Open Submissions 14.10.24
<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN020022/EN020022-005280-AQUIND Interconnector - Applicant's Response to MoD Open Submissions - 14.10.24.pdf>



Capability for the MOD. James Muncie oversees the development of policy around how the MOD should protect its capabilities and assets from national security threats arising from economic activity. Yet Aquind also call into question Mr Muncie's judgement. LSA finds this extraordinary.

Aquind's lawyers go on to say *"it is also clear that in presenting this position the MoD has not conducted itself in the collaborative manner which national policy requires"* and *"It is not clear whether the proposed mitigation has been assessed by the MoD at all."* (para 66).

It appears that Aquind fail to understand that certain matters must remain confidential for reasons of national security.

They clearly aim to persuade the SofS that the Aquind Interconnector project should take precedence over proven risks to national security, stating that *"Should any reasons provided by the MoD not relate to the character of the use of the land they will not serve a planning purpose and they will not be a material planning consideration. This includes where the underlying reasons serve an ulterior purpose, however desirable that purpose may seem to be in the public interest. Any such non-planning reasons must not be taken into account for the purposes of deciding the Application."* (para 70)

LSA is astonished that Aquind's lawyers should seek to dictate to the SofS what he can and cannot do, in effect threatening legal action if his decision is not to their liking.

Stephen Morgan MP for Portsmouth South, Penny Mordaunt former MP for Portsmouth North, and Suella Braverman, MP for Fareham and Waterlooville have all put on public record that they regard Aquind a threat to national security. Mr Morgan referred to *"security concerns"* in a Parliamentary Statement³, Ms Mordaunt has criticised the scheme as *"unnecessary and unsafe"* in a public statement⁴ and Mrs Braverman stated that the project *"threatens our national security"* in her recent letter to you⁵.

³ Hansard Volume 699: Aquind Interconnector debated on Tuesday 13 July 2021
<https://hansard.parliament.uk/commons/2021-07-13/debates/3B1E8921-1757-4E8A-B180-FF9FBB3B83CE/AquindInterconnector>

⁴ Portsmouth MP Penny Mordaunt claims controversial Aquind project would damage national security. The News, Portsmouth 29/9/21 <https://www.portsmouth.co.uk/news/opinion/columnists/mp-penny-mordaunt-claims-aquind-project-would-damage-national-security-3401669>

⁵ Suella Backs Local Council's Efforts to Stop the Aquind Interconnector Project. Suella Braverman 25/11/24
<https://www.suellabraverman.co.uk/news/suella-backs-local-councils-efforts-stop-aquind-interconnector-project>



Amanda Martin, MP for Portsmouth North, also resolutely opposes the Aquind scheme⁶. Every MP and councillor of all political stripes along the proposed 12-mile route to Lovedean in the South Downs fervently opposes the Aquind interconnector for well documented reasons^{7 8}.

Contrary to Aquind's misleading conclusions⁹ to the results of their so-called 'survey', the people of Portsmouth do not want it either. The SofS should not base his decision on this deeply flawed PR exercise, where the sample was tiny (478 respondents out of a population of over 200,000), it was not clear how the respondents were recruited or incentivised, and in which the words 'Aquind' and 'interconnector' were not mentioned. The structure and wording of the questions, which initially focused on attitudes to energy costs and net zero, appeared to position an anonymous "transmission link" as panacea to both, while obscuring the minimal cost savings proposed by the project (£3.15 per household pa¹⁰) the true source of the power imported (nuclear), the true route (through the South Downs) and scale (a 5-7 year building project) of the disruption from the DCO, and deliberately hid Aquind's toxic brand name from the respondents¹¹.

3. The first refusal overturned

Aquind must not be allowed to bulldoze its way through the decision-making process as well as the city of Portsmouth and surrounding area. The DCO must surely be refused for good this time, especially given that the High Court Judge who overturned the first refusal in

⁶ New Portsmouth Labour MP urges government to "permanently halt" interconnector scheme. The News, Portsmouth 13/8/24 <https://www.portsmouth.co.uk/news/politics/portsmouth-labour-mp-halt-aquind-interconnector-scheme-4740040>

⁷ Portsmouth council keeps up pressure over Aquind interconnector plans. BBC News 12/9/23 <https://www.bbc.co.uk/news/uk-england-hampshire-66786345>

⁸ Councillors back motion to join objectors of the Aquind Interconnector project. Havant Borough Council 16/1/25 <https://www.havant.gov.uk/news/2025/councillors-back-motion-join-objectors-aquind-interconnector-project>

⁹ Company claims Portsmouth backs interconnector in poll as protestors brand it "grossly misleading". The News, Portsmouth 12/7/24 <https://www.portsmouth.co.uk/news/politics/aquind-portsmouth-poll-misleading-energy-interconnector-scheme-4701573>

¹⁰ AQUIND Interconnector - Reducing energy prices. Aquind Limited <https://aquindconsultation.co.uk/>

¹¹ Luminate: Portsmouth Study Analysis Report - A poll of Portsmouth residents on their attitudes to energy. Savanta 9/7/24 <https://savanta.com/knowledge-centre/press-and-polls/portsmouth-poll-luminate-consulting-9-july-2024/>



January 2023, did so based on misinformation that was never corrected by Aquind’s lawyers.

Justice Lieven was under the misapprehension¹² that Aquind’s undersea high voltage and data cables would run between Le Havre and Portsmouth when the French landfall site was changed by Aquind as early as 2020 to Pourville near Dieppe, 60 miles east of Le Havre¹³ (p4 Project Routing). Given that the basis for Aquind’s JR hinged on the question of whether or not alternative routes had been sufficiently explored, this misunderstanding, which could have easily been corrected in court, mistakenly appeared to give weight to Aquind’s landfall choice of Portsmouth on the grounds of cost.

4. Unanswered questions about Aquind’s fibre optic telecommunications network

In their response to the MOD’s submission, Aquind’s lawyers state¹⁴ that:

*“It has been confirmed by Aquind that **the use of the fibre optic cables for commercial telecommunications purposes** has been removed from the Order’ and therefore any such use of the spare fibre optic cables would not be permitted by any Order made for the Proposed Development”* (para 6 page 2).

However, Aquind is still planning to install high-capacity fibre-optic communications hardware alongside the HVDC interconnector cables from France, despite its recent denials.

As LSA concludes in its previous submission to the SofS: *“While Aquind has removed **the wording** relating to the commercial use of the surplus capacity of these fibre-optic cables in its plan, the vast majority of the hardware which would be required (the high-capacity fibre-optic cables themselves, the Optical Relay Stations at Fort Cumberland and the telecoms equipment at the termination station at Lovedean) all still remain in its application to be activated at a later date.”*¹⁵

¹² Aquind -v- BEIS Approved Judgment (The Facts Section 9) <https://www.judiciary.uk/wp-content/uploads/2023/01/Aquind-v-SSBEIS-2023-EWHC-98-Admin-24.1.2022-Lieven-J.pdf>

¹³ Request for Exemption – Project description AQUIND Interconnector. Ofgem 18/12/20 https://www.ofgem.gov.uk/sites/default/files/docs/2020/12/request_for_exemption_executive_summary_and_document_summary.pdf

¹⁴ AQUIND Limited - Applicant's Response to MoD Open Submissions 14.10.24 <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN020022/EN020022-005280-AQUIND Interconnector - Applicant's Response to MoD Open Submissions - 14.10.24.pdf>

¹⁵ UNANSWERED QUESTIONS ABOUT AQUIND’S FIBRE-OPTIC COMMUNICATIONS NETWORK. Let's Stop Aquind 21/2/24 <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN020022/EN020022-005175-Let's%20Stop%20Aquind%20-%2021%20February%202024.pdf>



Aquind would still have the ability to activate the telecommunications network for commercial purposes at a later date as the hardware would still be in place. In fact, the company has signalled its intentions in its own words¹⁶:

“the Applicant confirms it is not amenable to wording the effect of which is to prevent any future use of the fibre optic cables to be installed for commercial telecommunications where otherwise authorised for that use in the future.” (para 5.37 page 33)

Portsmouth and Winchester City Councils have also flagged this to successive Secretary of States on numerous occasions, while LSA has likened the HVDC power cable trenching to a “Trojan Horse” for the communications network. Portsmouth City Council even referred to the commercial use of the fibre-optic cables as the “tail that wags the dog” in Aquind’s plans, concluding that: “The Applicant is therefore being clear in this response about its intentions, which are that, irrespective of any DCO which excludes the commercial FOC... the Applicant intends to install additional FOC fibres in any case which are not related to the interconnector.”¹⁷

Consequently LSA would like to know if the SofS is able to answer any of the six key questions raised in its submission on this subject¹⁸.

5. Conclusion

LSA’s position is clear – the risks posed by this project to our national security, to the environment, to our health and to the businesses of Portsmouth and the South Downs are simply not justified by the pitiful benefits proposed by the Applicant. **We therefore implore the SofS to stop this scheme once and for all. Refuse the DCO - STOP AQUIND.**

Viola Langley, Interested Party on behalf of Let’s Stop Aquind 18/2/25

¹⁶ Applicant's Response to the Second Information Request. AQUIND Limited 16/9/21 https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN020022/EN020022-004075-Applicant_s%20Response%20to%20the%20Second%20Information%20Request.pdf

¹⁷ RE: Comments from Portsmouth City Council as an Interested Party on the responses to the Secretary of State's 2 September 2021 request to the Applicant in respect of Application by AQUIND Limited for an Order granting Development Consent 30.09.2021 <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN020022/EN020022-004106-Portsmouth%20City%20Council%20-%2030%20September%202021.pdf>

¹⁸ UNANSWERED QUESTIONS ABOUT AQUIND’S FIBRE-OPTIC COMMUNICATIONS NETWORK. Let's Stop Aquind 21/2/24 <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN020022/EN020022-005175-Let's%20Stop%20Aquind%20-%2021%20February%202024.pdf>