



National Infrastructure Planning  
Temple Quay House  
2 The Square  
Bristol, BS1 6PN

Customer  
Services: 0303 444 5000  
e-mail: [NorthShropshireReinforcement@planninginspectorate.gov.uk](mailto:NorthShropshireReinforcement@planninginspectorate.gov.uk)

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To Interested Parties, Statutory Parties  
and Other Persons invited to the  
Preliminary Meeting

Your Ref:

Our Ref: EN020021

Date: 27 March 2019

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Dear Sir/ Madam

## **The Planning Act 2008 – Section 89 and The Infrastructure Planning (Examination Procedure) Rules 2010 – Rule 8 etc**

### **Application by SP Manweb for an Order Granting Development Consent for the Reinforcement to the North Shropshire Electricity Distribution Network**

#### **Examination Timetable and procedure**

Following the Preliminary Meeting which took place on 20 March 2019, this letter provides you with the Examination Timetable, details of the publication of the Examining Authority's (ExA) Written Questions and other important information about the Examination.

All documentation associated with this project, including a note of the Preliminary Meeting and the audio recording taken at that meeting, can be found using this link:

<https://infrastructure.planninginspectorate.gov.uk/projects/west-midlands/reinforcement-to-north-shropshire-electricity-distribution-network/?ipcsection=docs>

#### **The Examination Timetable**

In the light of discussions and suggestions made at the Preliminary Meeting, I have made a Procedural Decision about the way the application will be examined. The final Examination Timetable is attached at **Annex A**.

Please note that the Examination Timetable contains a number of deadlines for receipt of information by the Planning Inspectorate. All deadlines are at 11:59pm on the date specified. and if you do not make your submissions by the dates specified in the timetable, I may disregard them.

I request that where practicable, Interested Parties send electronic copies of their submission as email attachments to the project mailbox: [NorthShropshireReinforcement@planninginspectorate.gov.uk](mailto:NorthShropshireReinforcement@planninginspectorate.gov.uk) on or before the applicable deadline. Electronic attachments should be clearly labelled with the subject title and not exceed 12MB for each email. All submissions must be made in a format that can be viewed in full on the National Infrastructure Planning website. Providing links to websites where your submissions can be viewed is not acceptable.

Any submissions that exceed 1500 words should also be accompanied by a summary; this summary should not exceed 10% of the original text.

If I consider it necessary to vary the Examination Timetable during the Examination, notification will only be sent to Interested Parties and Other Persons<sup>1</sup> invited to the Preliminary Meeting. The changes will be published on the North Shropshire Reinforcement project page of the National Infrastructure Planning website.

## Other Procedural Decisions

**Annex B** contains important details and clarifications about my other Procedural Decisions, reaffirming those made before or following the Preliminary Meeting. These include:

- **Written Questions;**
- **Statements of Common Ground;**
- **Local Impact Report; and**
- **Accompanied Site Inspection.**

## Written Representations

All Interested Parties are now invited to submit Written Representations and any comments on the Relevant Representations already submitted. These should be submitted by Deadline 1 in the Examination Timetable (**Annex A**).

Written Representations can cover any relevant matter and are not restricted to the matters set out in my Initial Assessment of Principal Issues discussed at the Preliminary Meeting and included in my Rule 6 letter<sup>2</sup>. Nor are they restricted to the content of my Written Questions (see next heading, below).

Any person, other than the Applicant, who submits a Written Representation must identify those parts of the application with which they agree and those parts with which they do not agree, explaining the reasons why<sup>3</sup>. Interested Parties should also provide with their Written Representations "*the data, methodology and assumptions used to support their submissions*"<sup>4</sup>.

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<sup>1</sup> Other Persons are persons that I chose to invite to the Preliminary Meeting, in addition to the prescribed persons listed in section 88(3) of the Planning Act 2008 – see 'Your status in the Examination and future notifications' below

<sup>2</sup> <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN020021/EN020021-000304-NSRP%20Rule%206%20Letter%20and%20Annexes.pdf>

<sup>3</sup> Required under Rule 10(4) of The Infrastructure Planning (Examination Procedure) Rules 2010

<sup>4</sup> <https://www.gov.uk/government/publications/planning-act-2008-examination-of-applications-for-development-consent>

## ExA's Written Questions

I have compiled Written Questions (WQ) about the application and the representations received so far. These questions are published on the project page of the National Infrastructure Planning website:

<https://infrastructure.planninginspectorate.gov.uk/projects/West%20Midlands/Reinforcement-to-North-Shropshire-Electricity-Distribution-Network/>

Answers to my WQs must be provided by Deadline 2 in the Examination Timetable (**Annex A**).

If you require a hard copy of my WQs, please contact the Case Team who will send you one.

## Hearings

The Examination Timetable at **Annex A** includes periods of time reserved for any hearings to be held, and I will notify all Interested Parties of any hearings scheduled as part of the Examination at least 21 days in advance of them taking place. That notification will include an additional deadline for Interested Parties to inform the Planning Inspectorate if they wish to attend the notified hearing(s).

**Annex C** provides details about what Interested Parties should include in a request to be heard at a hearing, and the procedure that will be followed at hearings.

## Accompanied Site Inspection

Information about the Accompanied Site Inspection, scheduled to take place on 11 April 2019, is also contained in **Annex B**.

## Management of information

All documentation and audio recordings associated with the examination of this application can be found using this link:

<https://infrastructure.planninginspectorate.gov.uk/projects/west-midlands/reinforcement-to-north-shropshire-electricity-distribution-network/?ipcsection=docs>

**Annex D** provides details of locations in the vicinity of the Proposed Development at which all Examination documents can be viewed electronically, free of charge.

Advice to Interested Parties about how to access and navigate the Examination Library is also provided at **Annex D**.

The Planning Inspectorate has a commitment to transparency. Therefore, all information submitted for this project (if accepted by me as the ExA) and a record of any advice which has been provided, is published at:

<https://infrastructure.planninginspectorate.gov.uk/projects/West%20Midlands/Reinforcement-to-North-Shropshire-Electricity-Distribution-Network/>

Please note that in the interest of facilitating an effective and fair examination, we consider it necessary to publish some personal information. To find out how we handle your personal information, please view our Privacy Notice.

## **Your status in the Examination**

You have received this letter because you fall within one of the groups described in this FAQ document: <https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/2019/02/Status-faq.pdf>

If your reference number begins with 2001 and 2002 you are in Group A. If your reference number begins with NSRP-SP you are in Group B. If your reference number begins with NSRP-OP you are in Group C.

If having read the FAQ document published at the link above you are still unsure about your status, please contact the Case Team using the details at the top of this letter.

## **Award of costs**

You should be aware of the possibility of the award of costs against parties who behave unreasonably.

To assist understanding of what 'unreasonable behaviour' means in the context of an Examination under the PA2008, you may find it helpful to read the government guidance 'Awards of costs: examinations of applications for development consent orders' (July 2013)<sup>5</sup>. It is in everyone's interest that information is brought forward as early as possible in the examination process so you are encouraged to do so.

Finally, I look forward to working with all parties in the examination of this application.

Yours faithfully

*Paul Hudson*

## **Examining Inspector**

### **Annexes**

- A** Examination Timetable
- B** Procedural Decisions made by the Examining Authority
- C** Requests to appear and procedure to be followed at hearings
- D** Availability of representations and application documents

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<sup>5</sup> <https://www.gov.uk/government/publications/awards-of-costs-examinations-of-applications-for-development-consent-orders>

## Examination Timetable

The Examining Authority (ExA) is under a duty to **complete** the examination of the application by the end of the period of six months beginning with the day after the close of the Preliminary Meeting.

Item	Matters	Due Dates
1	<b>Preliminary Meeting</b>	<b>Wednesday 20 March 2019 (10.00am)</b>
2	<b>Issue Specific Hearing</b>  Dealing with matters relating to the draft Development Consent Order (DCO)	<b>Wednesday 20 March 2019 (2.00pm)</b>
3	<b>Issue by the ExA of:</b>  <ul style="list-style-type: none"> <li>• Examination Timetable</li> </ul> Publication of:  <ul style="list-style-type: none"> <li>• The ExA's Written Questions</li> </ul> Notification by the ExA of an Accompanied Site Inspection to take place on Thursday 11 April 2019	<b>Wednesday 27 March 2019</b>
4	<b>Deadline 1</b>  Deadline for receipt of:  <ul style="list-style-type: none"> <li>• Comments on Relevant Representations (RRs);</li> <li>• Summaries of all RR's exceeding 1500 words;</li> <li>• Written Representations (WRs);</li> <li>• Summaries of all WRs exceeding 1500 words;</li> <li>• Local Impact Report(s) from local authorities;</li> <li>• Statements of Common Ground (SoCGs) requested by the ExA;</li> <li>• Notification by Interested Parties of wish to attend the Accompanied Site Inspection;</li> <li>• Suggested locations for site inspections and justification for consideration by the ExA;</li> </ul>	<b>Friday 29 March 2019</b>

	<ul style="list-style-type: none"> <li>• Post hearing submissions including written submissions of oral cases;</li> <li>• Notification by Statutory Parties of wish to be considered an Interested Party;</li> <li>• Any further information requested by the ExA under Rule 17 of the Examination Rules<sup>1</sup>.</li> </ul>	
5	Accompanied Site Inspection	<b>Thursday 11 April 2019</b>
6	<p><b>Deadline 2</b></p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Comments on WRs;</li> <li>• Comments on any SoCG;</li> <li>• Comments on Local Impact Report(s);</li> <li>• Responses to the ExA's Written Questions;</li> <li>• Revised draft DCO from the Applicant;</li> <li>• Comments on updated application documents (submitted by the Applicant on 18 March 2019 and accepted by the ExA at the Preliminary Meeting);</li> <li>• Comments on any further information requested by the ExA and received to Deadline 1;</li> <li>• Any further information requested by the ExA under Rule 17 of the Examination Rules</li> </ul>	<b>Wednesday 24 April 2019</b>
7	<p><b>Deadline 3</b></p> <ul style="list-style-type: none"> <li>• Notification by Affected Persons of wish to speak at a Compulsory Acquisition Hearing;</li> <li>• Notification by Interested Parties of wish to speak at Open Floor Hearing;</li> <li>• Any revised / updated SoCG;</li> <li>• Comments on the Applicant's revised draft DCO;</li> </ul>	<b>Tuesday 14 May 2019</b>

<sup>1</sup> The Infrastructure Planning (Examination Procedure) Rules 2010

	<ul style="list-style-type: none"> <li>• Comments on responses to the ExA's Written Questions;</li> <li>• Comments on any further information requested by the ExA and received to Deadline 2;</li> <li>• Any further information requested by the ExA under Rule 17 of the Examination Rules.</li> </ul>	
8	<p><b>Deadline 4</b></p> <p>Deadline for receipt of:</p> <ul style="list-style-type: none"> <li>• Comments on any revised/updated SoCG;</li> <li>• Revised draft DCO from the Applicant;</li> <li>• Comments on any further information requested by the ExA and received to Deadline 3;</li> <li>• Any further information requested by the ExA under Rule 17 of the Exam Rules.</li> </ul>	<b>Tuesday 4 June 2019</b>
9	<p>Publication by the ExA of:</p> <ul style="list-style-type: none"> <li>• The ExA's Further Written Questions (if required).</li> </ul>	<b>Wednesday 12 June 2019</b>
10	Notification by the ExA of further hearings (if required)	<b>By Friday 14 June 2019</b>
11	<p><b>Deadline 5</b></p> <p>Deadline for receipt of:</p> <ul style="list-style-type: none"> <li>• Responses to the ExA's Further Written Questions (if required);</li> <li>• Any revised/ updated SoCG;</li> <li>• Comments on the Applicant's revised draft DCO;</li> <li>• Comments on any further information requested by the ExA and received to Deadline 4;</li> <li>• Any further information requested by the ExA under Rule 17 of the Examination Rules (including probably a request for a further revised draft DCO prior to the ISH programmed for Thursday 11 July 2019).</li> </ul>	<b>Thursday 27 June 2019</b>

12	<p><b>Open Floor Hearing</b> (if required)</p> <p>Date reserved to hold an Open Floor Hearing</p>	<p><b>Wednesday 10 July 2019 (afternoon)</b></p>
13	<p><b>Issue Specific Hearing</b></p> <p>Dealing with matters relating to the draft Development Consent Order (DCO)</p>	<p><b>Thursday 11 July 2019 (morning)</b></p>
14	<p><b>Compulsory Acquisition Hearing</b> (if required)</p> <p>Date reserved to hold a Compulsory Acquisition Hearing</p>	<p><b>Thursday 11 July 2019 (afternoon)</b></p>
15	<p><b>Issue Specific Hearing</b> (if required)</p> <p>Date reserved to hold an Issue Specific Hearing on any other matter</p>	<p><b>Friday 12 July 2019 (morning)</b></p>
16	<p><b>Deadline 6</b></p> <p>Deadline for receipt of:</p> <ul style="list-style-type: none"> <li>• Post hearing submissions (if required);</li> <li>• Applicant's final preferred DCO on SI template and validation report, and final revised Explanatory Memorandum;</li> <li>• Comments on any revised / updated SoCG;</li> <li>• Comments on responses to the ExA's Further Written Questions (if required);</li> <li>• Comments on any further information requested by the ExA and received to Deadline 5;</li> <li>• Any further information requested by the ExA under Rule 17 of the Examination Rules.</li> </ul>	<p><b>Friday 19 July 2019</b></p>
17	<p><b>Deadline 7</b></p> <p>Deadline for receipt of:</p> <ul style="list-style-type: none"> <li>• Comments on the Applicant's final preferred DCO;</li> <li>• Comments on any further information requested by the ExA and received to Deadline 6;</li> </ul>	<p><b>Wednesday 31 July 2019</b></p>

	<ul style="list-style-type: none"> <li>Any further information requested by the ExA under Rule 17 of the Examination Rules.</li> </ul>	
18	Notification by the ExA of further hearings and Accompanied Site Inspection (if required)	<b>By Monday 5 August 2019</b>
19	Publication by the ExA of: <ul style="list-style-type: none"> <li>Report on the Implications for European Sites (RIES) (if required).</li> </ul>	<b>Wednesday 7 August 2019</b>
20	<b>Deadline 8</b> Deadline for receipt of: <ul style="list-style-type: none"> <li>Responses to comments on the Applicant's final preferred DCO;</li> <li>Comments on any further information requested by the ExA and received to Deadline 7;</li> <li>Comments on the RIES (if required).</li> </ul>	<b>Wednesday 28 August 2019</b>
21	<b>Issue Specific Hearing</b> (if required) Date reserved to hold an Issue Specific Hearing on the Applicant's final preferred DCO	<b>Friday 30 August 2019 (morning)</b>
22	<b>Accompanied Site Inspection</b> (if required) Date reserved to hold an Accompanied Site Inspection	<b>Friday 30 August 2019 (afternoon)</b>
23	The ExA is under a duty to complete the examination of the application by the end of the period of 6 months beginning with the day after the close of the Preliminary Meeting.	<b>Friday 20 September 2019</b>

### Publication dates

All information received will be published on the project page of the National Infrastructure Planning website as soon as practicable after each deadline for submissions.

### Hearing agendas

We will aim to publish a draft agenda for each hearing on the project page of the National Infrastructure Planning website at least five working days in advance of the hearing date. The actual agenda on the day of each hearing may be subject to change at the discretion of the ExA.

## **Report on the Implications for European Sites**

Where the Applicant has provided a No Significant Effects Report (NSER) or a Habitats Regulations Assessment (HRA) Report with the DCO application, the ExA may decide to issue a Report on the Implication for European Sites (RIES) during the Examination. The RIES is a factual account of the information and evidence provided to the ExA on HRA matters during the Examination up to the date of the publication of the RIES, for the purposes of enabling the Secretary of State, as competent authority, to undertake its HRA. It is not the ExA's opinion on HRA matters. If a RIES is produced, comments on it will be invited by the ExA and any received will be taken into account as part of the ExA's Recommendation to the relevant Secretary of State.

The Secretary of State may rely on the consultation on the RIES to meet his obligations under Regulation 63(3) of the Habitats Regulations.

## Procedural Decisions made by the Examining Authority

I have made a number of Procedural Decisions following the Preliminary Meeting<sup>1</sup>:

### 1. Examination Timetable

The following amendments have been made to the draft timetable set out in my Rule 6 letter:

- Deadline 1 includes an opportunity for Statutory Parties to notify the Planning Inspectorate if they wish to be considered an Interested Party;
- The date of 30 August 2019 has been reserved on a contingent basis for a third Issue Specific Hearing on the draft DCO in the morning and a second Accompanied Site Inspection in the afternoon, both if needed;
- Notification of the third Issue Specific Hearing on the draft DCO and a second Accompanied Site Inspection (if needed) by 5 August 2019 has been added.

### 2. Examining Authority's Written Questions

The Written Questions are published on the project page of the National Infrastructure Planning website:

<https://infrastructure.planninginspectorate.gov.uk/projects/west-midlands/reinforcement-to-north-shropshire-electricity-distribution-network/>

Some of my Written Questions (WQ) are directed to specific Statutory Parties which have not, at the time of writing, confirmed that they wish to become Interested Parties for the purposes of the examination of the application.

For the avoidance of doubt, Statutory Parties are defined as the parties listed in Schedule 1 to The Infrastructure Planning (Interested Parties and Miscellaneous Prescribed Provisions) Regulations 2015<sup>2</sup>.

All relevant Statutory Parties will receive this correspondence and I request for each to check my WQs carefully in order that they may identify and respond to any questions posed to them. No party should feel inhibited or restricted in responding to any question I ask, even if it is directed elsewhere.

### 3. Statements of Common Ground (SoCG)

The Applicant is taking the lead in the preparation of SoCGs and it will aid the smooth running of the Examination if all Interested Parties who are participating in the preparation of SoCGs liaise and co-operate with the Applicant in respect of their production. In Annex E of my letter of 20 February 2019, I have already requested SoCGs from the following bodies by **Deadline 1, 29 March 2019**:

1. Shropshire Council
2. Highways England
3. National Grid Electricity Transmission Ltd
4. Severn Trent Water Ltd
5. Environment Agency

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<sup>1</sup> Section 89(1) of the Planning Act 2008

<sup>2</sup> <https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/legislation/>

6. Natural England
7. Network Rail Infrastructure Ltd
8. Canal and River Trust

Where this is not possible I request a statement from the Applicant setting out the current position concerning preparation of each SoCG. In any event, final signed versions of the SoCGs are requested to be submitted by **Deadline 5, 27 June 2019**.

#### 4. Local Impact Report (LIR)

I reaffirm my decision to request from Shropshire Council as the host local authority<sup>3</sup> to submit a LIR by **Deadline 1, 29 March 2019**.

#### 5. Accompanied Site Inspection (ASI)

Please be advised that I will hold an Accompanied Site Inspection under Rule 16 of the Infrastructure Planning (Examination Procedure) Rules 2010.

Event	Date and time	Meeting Place
Accompanied Site Inspection	11 April 2019 at 10.00am	Mile End Service Area, Oswestry, SY11 4JA

Suggested locations for site inspections and justification for consideration by the ExA should be submitted by **Deadline 1, 29 March 2019**.

It may be necessary to limit the numbers of persons who accompany me for logistical and safety reasons, but it should be possible for arrangements to be made for Interested Parties (or their representatives) to join the inspection at specified locations within the itinerary.

The final itinerary for the ASI will be published on the project page of the National Infrastructure Planning website on or before **4 April 2019**.

Interested Parties should be aware that **ASIs are not an opportunity to make any oral representations to the ExA about the Proposed Development**. However, I may invite participants to indicate specific features or sites of interest.

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<sup>3</sup> Defined in s56A of the Planning Act 2008

## Requests to appear and procedure to be followed at hearings

The Examination Timetable reserves a period of time for a series of hearings to be held, between Wednesday 10 July 2019 and Friday 12 July 2019 and on Friday 20 August 2019.

Interested Parties are required to notify the Examining Authority (ExA) in writing of their wish to take part in an Open Floor Hearing (OFH) or Compulsory Acquisition Hearing (CAH) on or before **Deadline 3, 14 May 2019**.

If no written requests to take part in an OFH or CAH are received by the above deadline, I am not required to hold such a hearing, although I may choose to do so nonetheless.

I may also choose to hold Issue Specific Hearings (ISH) about topics that I think need to be explored orally.

The time, date and place of any confirmed hearing will be notified in writing to all Interested Parties, providing at least 21 days' notice.

If an Interested Party wishes to attend an OFH or ISH they should indicate which topics in their Relevant Representation or Written Representation they wish to address at the hearing. Similarly, any Affected Person wishing to attend a CAH should identify clearly the plots of land about which they wish to speak.

Notifications from Interested Parties in respect of the above should be sent separately from any other written submission, and appropriately titled to allow us to quickly identify which event the notification relates to.

## Procedure at hearings

The procedure to be followed at hearings is set out in The Infrastructure Planning (Examination Procedure) Rules 2010<sup>1</sup>. Any oral representations must be based on either the Relevant Representation or Written Representation made by the person by whom, or on whose behalf, the oral representations are made.

The ExA is responsible for the oral questioning of a person giving evidence and the process affords very limited scope to allow cross-questioning between parties<sup>2</sup>. My examination will be principally undertaken through the exchange of written submissions, and I will decide whether a hearing on a particular issue or topic is necessary. This decision is not connected to how relevant or important I consider an issue or topic to be.

## Hearing agendas

I will aim to publish a draft agenda for each hearing on the project page of the National Infrastructure Planning website at least five working days in advance of the hearing date. The actual agenda on the day of each hearing may be subject to change at the discretion of the ExA.

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<sup>1</sup> Rule 14

<sup>2</sup> Rule 14(5)

## Availability of representations and application documents

All application documents and representations submitted to the Examination are available to view on the project page on the National Infrastructure Planning website:

<https://infrastructure.planninginspectorate.gov.uk/projects/west-midlands/reinforcement-to-north-shropshire-electricity-distribution-network/>

For ease of navigation, we recommend that you use the Examination Library (EL) which is accessible via a blue button under the 'Documents' tab. The EL is updated regularly throughout the Examination.

The EL records:

- each application document;
- each representation accepted to be read in conjunction with the Examination; and
- each Procedural Decision made by the Examining Authority.

Each document is provided with a unique reference which will be fixed for the duration of the Examination. A hyperlink to each document on the National Infrastructure Planning website is provided. **Please use the unique reference numbers applied in the EL when referring to any Examination documents in representations that you make.**

Documents can also be viewed electronically at the following locations close to the application site, free of charge. If you have difficulty accessing any documentation please contact the Case Team using the details provided at the top of this letter.

Local Authority	Library/ Address	Opening Hours
Shropshire	Whitchurch Library Libraries Team Shropshire Council High Street Whitchurch SY13 1AX	Monday – 9.30 – 17.00 Tuesday – 9.30 – 18.00 Wednesday – CLOSED Thursday – 9.30 – 17.00 Friday – 9.30 – 17.00 Saturday – 9.30 – 13.00 Sunday – CLOSED
	Oswestry Library Arthur Street Oswestry Shropshire SY11 1JN	Monday – 9.30 – 17.00 Tuesday – 9.30 – 17.00 Wednesday – 9.30 – 18.00 Thursday – 9.30 – 17.00 Friday – 9.30 – 17.00 Saturday – 9.30 – 16.00 Sunday – CLOSED
	Ellesmere Library Our Space Trimpley Street Shropshire SY12 0AE	Monday – CLOSED Tuesday – 10.00 – 18.00 Wednesday – CLOSED Thursday – CLOSED Friday – 10.00 – 17.00 Saturday – 9.30 – 13.00 and 14.00 – 16.00

**Annex D**

		Sunday - CLOSED
	Wem Library High Street Wem Shrewsbury Shropshire SY4 5AA	Monday - CLOSED Tuesday - 10.00 - 17.00 Wednesday - CLOSED Thursday - 10.00 - 17.00 Friday - 14.00 - 17.00 Saturday - 9.30 - 13.00 Sunday - CLOSED
<b>Printing Costs</b>	<b>Black and White</b>	<b>Colour</b>
<b>A4</b>	Whitchurch - 18p Oswestry - 18p Ellesmere - 18p Wem - 18p	Whitchurch - 40p Oswestry - 40p Ellesmere - 40p Wem - 40p
<b>A3</b>	Whitchurch - None Oswestry - None Ellesmere - 25p Wem - None	Whitchurch - None Oswestry - None Ellesmere - 65p Wem - None
<b>Link to all council library locations:</b>		
<a href="http://shropshire.gov.uk/libraries/find-a-library/">http://shropshire.gov.uk/libraries/find-a-library/</a>		