



# Preliminary Meeting Note

## Summary of Key Points Discussed and Advice Given

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| <b>Application</b> | <b>Reinforcement to North Shropshire Electricity Distribution Network</b> |
| <b>Reference</b>   | <b>EN020021</b>   |
| <b>Date</b>        | <b>20 March 2019</b>  |
| <b>Venue</b>       | <b>The Old Rectory, Lowe Hill Road, Wem, SY4 5UA</b>                      |

*This meeting note is not a full transcript of the Preliminary Meeting. It is a summary of the key points discussed and responses given. An audio recording of the event is available on the National Infrastructure Planning website.*

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### **Reinforcement to the North Shropshire Electricity Distribution Network North Shropshire Reinforcement Project Preliminary Meeting (PM)**

#### **Item 1. Welcome and Introductions**

**Paul Hudson (PH)** advised that this is the Preliminary Meeting (PM) in connection with the examination of the application submitted by SP Manweb for development consent for the Reinforcement to the North Shropshire Electricity Distribution Network, known as:

North Shropshire Reinforcement Project.

**PH** explained that parties are here because of the letter dated 20 February 2019 which contained Annex A the proposed agenda for this meeting. **PH** explained that the Planning Inspectorate have not received any requests for additional agenda items, so the meeting will proceed with the agenda as published.

**PH** explained his appointment as the single Inspector Examining Authority that will examine, report upon and make a recommendation to the Secretary of State (SoS) for Business, Energy and Industrial Strategy on the application by SP Manweb for an Order Granting Development Consent for the Reinforcement to the North Shropshire Electricity Distribution Network.

**PH** introduced **Sian Evans (SE)** as the Case Manager and **Dean Alford (DA)** as the Case Officer for the proposed scheme from the Planning Inspectorate. **PH** advised that a note of the meeting will be taken and published on the North Shropshire Reinforcement project page on the National Infrastructure website.

**PH** advised the attendees that they had the right to report, film or tweet the proceedings, but that this should be done responsibly and, in a way so as not to interrupt the proceedings.

**PH** asked the Applicant and other parties present to introduce themselves.

The following parties confirmed their attendance:

- SP Manweb (the Applicant)
- Canal and River Trust
- Shropshire Council

## **Item 2. Examining Authority's remarks**

**PH** explained that Examinations into Nationally Significant Infrastructure Projects is still a relatively new process under the Planning Act 2008 (PA2008). **PH** explained that this is not a public inquiry or a planning appeal, but a detailed examination of the application as submitted following two years or so of consultation and preparation by the Applicant. **PH** explained that he will be considering the application from the beginning in much the same way as a local planning authority, but within the strict procedures and timetable set out in the PA2008. **PH** explained that the Examination is primarily a written process giving everyone the opportunity to set out their case and the evidence in support. **PH** explained that he has read all the application documents and the representations submitted to date. **PH** confirmed that he has made an unaccompanied site inspection and is therefore reasonably familiar with the application and the physical circumstances of the site and the locality. **PH** did stress however that no decisions about whether the application should be permitted or not have been taken and will not be until after the Examination concludes.

**PH** explained that the application for the North Shropshire Reinforcement Project was submitted to the Planning Inspectorate on 12 November 2018 and accepted by the Secretary of State for examination on 10 December 2018. In notifying the Applicant of the formal acceptance of the application, the Planning Inspectorate issued s51 advice on the application documents in a letter also dated 10 December 2018. **PH** confirmed that the Applicant responded to the s51 advice in their submission of 18 March 2019.

**PH** explained that as the Examining Authority he has made a Procedural Decision to accept these additional documents and confirmed that the submissions are all available on the project page of the National Infrastructure website. **PH** advised that the project page of the Planning Inspectorate website is where everything about the application and the Examination will be published and advised attendees that this is the place to look to keep up to date with the Examination.

**PH** explained that he has a maximum of six months in which to complete the Examination and the deadline for the completion of the Examination is 20 September 2019. **PH** explained that after the Examination period formally closes, he has a period of three months to write a report to include the findings, conclusions and recommendations to the Secretary of State for Business, Energy and Industrial Strategy. The Secretary of State will then have a further three months in which to reach a final decision on the application. Therefore, a decision will be made 12 months from now, if not before.

**PH** explained that the purpose of the PM is to discuss the proposals for carrying out the Examination, and particularly the timetable. **PH** advised that the PM is not to discuss views about the merits or otherwise of aspects of the application.

**PH** explained that in the light of the discussion today, the ExA will take a procedural decision about the Examination process – particularly the timetable and deadlines - and will write to all IPs on 27 March 2019 to confirm the Examination timetable and deadlines. It will also contain a link to a list of the ExA’s first Written Questions about those matters including questions the ExA particularly wishes to cover at this stage of the Examination. This is an application where there are applicable National Policy Statements (for Energy) which provide the primary policy context for consideration of the application. All important and relevant matters will be considered by the ExA as the context within which the ExA will recommend the decision is taken by the Secretary of State.

### **Item 3. Initial Assessment of Principal Issues**

**PH** explained that as the ExA he has carried out an initial assessment of what he considers are the principal issues this application gives rise to, informed by his consideration of the application documents, and the representations which have been submitted so far. These issues are set out in Annex B of the letter of 20 February 2019, and while all relevant matters which arise during the Examination will be considered as important, the list of issues are those which at this stage the ExA expects to concentrate on.

**PH** asked whether there were any parties present who consider there is anything of major significance which has not been identified. The Applicant responded and agreed to the initial assessment of principal issues. There were no further comments from other parties.

### **Item 4. Draft Timetable**

**PH** explained that the proposals for conducting the Examination are set out in Annex C, with several deadlines for the submission of various documents and responses. **PH** advised that the simplest way to conduct the meeting is to work through the draft timetable from the beginning.

### **Item 5. Deadlines**

**PH** stated that following the meeting, the ExA will take a final decision about the Examination timetable and send this to all the IPs and will also be issuing a first set of written questions.

**PH** explained that only a small number of initial representations (Relevant Representations) have been received by the deadline set of 1 February 2019. **PH** explained that he would like a response from the Applicant particularly, but also any other Interested Party, to these representations, and this is part of the first deadline of 29 March 2019.

**PH** explained that Deadline 1 (D1) is when IPs are invited to submit their main written representations setting out their views on any aspect of the application.

**PH** stated that the ExA will also expect to receive by D1 on 29 March 2019 the following:

- local impact reports (LIR) from local authorities
- statements of common ground (SoCG), and
- suggested locations for site inspections.

**PH** advised that the principal local authority involved in this application is Shropshire Council (**SC**) in whose area the whole application is situated. **SC** is therefore invited to submit their views on behalf of their communities about the major impacts they perceive the application will create – positive and negative.

As set out in Annex E of the letter of 20 February 2019. **PH** referred **SC** to the Planning Inspectorate's Advice Note One, suggesting the appropriate content and how best to go about preparing a LIR.

**PH** reiterated the importance attached to LIRs as one of the specific matters the Secretary of State must have regard to under section 104 of the PA2008 when it comes to reaching the final decision.

### **Statements of Common Ground**

**PH** explained that the second main request for submission by D1 is SoCGs on various topics between the Applicant and other parties, principally statutory bodies. It is the ExA's understanding that the Applicant's intention is to submit SoCGs, but in any event, the ExA has set out in Annex E its own requests, and there is also some advice about the nature of the material to be included in these statements.

### **Summaries**

**PH** advised that the regulations require anyone submitting submissions longer than 1500 words to provide a summary. **PH** did however request that parties do not spend too much time on these.

**PH** advised that Deadline 2 (D2) is on 24 April 2019 and this is when participants in the Examination can comment on all the material submitted by others. In addition, this is when responses to the written questions are required.

### **ExA's Written Questions (WQs)**

**PH** explained that this is a key stage in the Examination and advised that the ExA will publish the questions with the finalised Examination timetable a week after the PM on 27 March 2019. **PH** explained that parties will have four weeks to respond to the WQs and that the questions will cover matters arising from the ExA's assessment of the principal issues, but other matters besides. **PH** explained that the questions will be directed principally at the Applicant and other named bodies such as Statutory Undertakers, but anyone is entitled to offer evidence in response if they wish.

### **Revised DCO**

**PH** explained that the other major request for D2 is for a revised version of the draft Development Consent Order (dDCO) from the Applicant, which would arise from the discussion to take place at the Issue Specific Hearing (ISH) this afternoon. **PH** stated that the ExA is not expecting a revised Explanatory Memorandum (EM) at this stage unless the Applicant chooses to submit a revision, however a schedule of changes would be helpful to the ExA.

**PH** explained that Deadline 3 (D3) is on 14 May 2019 and this deadline is for anyone to comment on any of the material submitted by previous deadlines, including the Applicant's revised dDCO.

**PH** explained that a further revision of the dDCO will be required (if needed) by Deadline 4 (D4) which is on 4 June 2019.

**PH** explained that in the light of all of this, if necessary, the ExA's intention is to prepare a second round of written questions for publication on 12 June 2019. The deadline for responding is 27 June 2019, which is Deadline 5 (D5).

**PH** explained that the process carries on in this vein with the opportunity for anyone to comment on these responses by Deadline 6 (D6).

**PH** explained that the Examination begins to draw to a conclusion at Deadline 8 (D8) which is on 28 August 2019 with a request for final comments on the Applicant's final dDCO.

**PH** explained that the ExA will have the opportunity to ask any specific questions or seek information at each of the main stages during the Examination so there may be other documents requested to be formally submitted then as well.

The Applicant advised that SoCGs with the parties specified in the Rule 6 letter have been drafted, however, the Applicant cannot confirm whether these will be finalised by D1 but an update on where the parties are with the SoCGs will be provided at D1.

The Canal and River Trust confirmed they have received a SoCG draft from the Applicant and will comment by Friday 29 March 2019.

Shropshire Council also confirmed they too will provide comments on their SoCG by Friday 29 March 2019.

#### **Item 6 - Hearings, RIES and ASI**

**PH** explained that the other main strand of the Examination is the ExA's proposals for hearings and other matters in the later stages of the timetable.

#### **Hearings**

**PH** confirmed that as stated in Annex F of the letter dated 20 February 2019 it is the intention to hold a hearing following the PM dealing specifically with the dDCO. In addition, the ExA expects to hold a second dDCO ISH on the morning of 11 July 2019 and will also keep open the possibility of a third and final date in mid-August 2019.

**PH** explained the Examination is essentially a written process and that the ExA does not intend at this stage to hold hearings, other than relating specifically to the draft DCO. However, a day has been reserved in the timetable on 12 July 2019 when the ExA will hold hearings on specific issues if the ExA wishes to do so.

**PH** explained that should we receive requests from any IPs to hold an open floor hearing, or from affected persons to hold a hearing to deal with compulsory acquisition matters, then the ExA will be obliged to do so. **PH** explained that parties wishing to request hearings need to do so by D3. Following this deadline, the ExA will confirm hearing dates for July 2019.

#### **RIES**

**PH** explained that the next matter to highlight is the extent to which this application would give rise to effects on nature conservation sites of European importance in the vicinity. **PH** explained that it is our practice in cases where applications do give rise to significant impacts is to produce a factual Report on Implications for European Sites (RIES) in order to enable the Secretary of State as the competent authority to meet the obligations to carry out an appropriate assessment. **PH** explained that if such a report is required for this application

then the ExA will prepare it for publication and comment towards the end of the Examination on 7 August 2019.

**PH** explained that from the material in the application and the representations which have been made so far by Natural England, at this stage the need for such a report does not seem very likely. However, the ExA will reach a final view about this around D5 in the light of written representations, SoCGs and responses to questions.

### **ASI**

Finally, **PH** explained that as the ExA he has already visited the site, but the timetable provides opportunity to have a site visit early in the Examination in the company of the Applicant and the local authority representatives, and any other organisations or individuals who particularly want to point out features on the ground which are important in understanding the implications of the application. **PH** explained that the accompanied site inspections are for the benefit of the ExA and are not an opportunity for discussion about issues or to lobby and are strictly limited to identifying physical features.

**PH** explained that a date for an accompanied site inspection has been timetabled for 11 April 2019. **PH** explained that the ExA has a provisional list of the places he proposes to visit during the ASI, however, suggested locations for site inspections and justification for consideration by the ExA should be submitted by D1.

The Applicant advised that they have a site inspection itinerary to which they have held a practice run and the intention is to complete the proposed itinerary a second time prior to finalising.

**PH** explained that a second ASI will be held if required later in the Examination.

The Applicant confirmed that they have no comments to make about the hearing and site inspection dates proposed, however, this particular venue is unavailable for the dates specified in the timetable. The Applicant confirmed the Hawkstone Park hotel is available and has been provisionally booked.

### **Item 7. Other submissions**

**PH** explained that as set out in Annex D, all the material relating to the application is published and available on the National Infrastructure Planning website and is available to see electronically at local libraries. This material will be added to as the Examination proceeds and will be documented in the Examination library.

### **Concluding remarks**

**PH** concluded the PM with the following points:

- reminded everyone this is a written process;
- the importance of the deadlines and sticking to them – experience is that participants are very responsible in doing so, but the Examination Procedure Rules 2010 (rule 10) gives the ExA the power to reject late submissions;
- following the close of the PM, the immediate task is to finalise the Examination timetable and to notify all participants of the ExA's decision and the Written Questions directed principally at the Applicant, which will be issued by Wednesday 29 March;

- a note of the PM and audio recording will be made available on the website; and
- thanks to all for attending and for the very helpful contributions.