

# SP MANWEB



## **Reinforcement to the North Shropshire Electricity Distribution Network**

Deadline 3 Submission

Application Reference: EN020021

**Agreed Statement of Common Ground between SP  
Manweb and Highways England**

**SP MANWEB**

**Reinforcement to the North Shropshire  
Electricity Distribution Network**

**Statement of Common Ground  
Between SP Manweb PLC and Highways  
England**

**May 2019  
PINS Reference EN020021**

**QA Box**

|  |               |                            |  |
|--|---------------|----------------------------|--|
| <b>Author</b>                                      |               | <b>SP Manweb</b>           |  |
| <b>Planning Inspectorate Application Reference</b> |               | .....                      |  |
| <b>Date</b>  |               |                            |  |
| <b>Version</b>                                     | <b>Status</b> | <b>Description/Changes</b> |  |
| 21/02/19   | 1             | Live                       | New document for discussion with Highways England          |
| 27/03/19.....                                      | 2.....        | .....                      | Revised document following comments from Highways England  |
| 18/04/19   | 3.....        | .....                      | Revised document for discussion with Highways England..... |
| 14/05/19   | 4             |                            | Final draft SOCG   |
| 20/05/19   | 5             | Live                       | Final SOCG   |

SP Manweb plc, Registered Office: 3 Prenton Way Prenton CH43 3ET. Registered in England No. 02366937

## **CONTENTS**

|     |   |    |
|-----|---|----|
| 1.1 | PURPOSE OF DOCUMENT .....                     | 4  |
| 1.2 | PARTIES TO THE SOCG.....                      | 5  |
| 1.3 | THE PROPOSED DEVELOPMENT .....                | 6  |
| 1.4 | CONSULTATION .....                            | 7  |
| 1.5 | DOCUMENTS CONSIDERED WITHIN THIS SOCG .....   | 9  |
| 1.6 | MATTERS AGREED AND MATTERS NOT AGREED .....   | 9  |
| 1.7 | RECORD OF MATTERS STILL UNDER DISCUSSION..... | 16 |
| 1.8 | AGREEMENT ON THIS SOCG.....                   | 17 |

## STATEMENT OF COMMON GROUND

### 1.1 PURPOSE OF DOCUMENT

1.1.1 This document is submitted to the Secretary of State through the Planning Inspectorate (as responsible agency) in relation to the application by SPManweb Plc ("**SP Manweb**") for an Order granting development consent for the Reinforcement to the North Shropshire Electricity Distribution Network (the 'DCO'). The DCO would grant powers to construct, operate and maintain a new 22.5 kilometre 132,000 volt (132kV) connection between the existing Oswestry Substation and Wem Substation within the administrative boundary of Shropshire County.

1.1.2 This statement of common ground (SoCG) has been prepared in respect of the Proposed Development. Guidance about the purpose and possible content of SoCGs is given in paragraphs 58-65 of the Department for Communities and Local Government's "Planning Act 2008: Guidance for the examination of applications for development consent" (March 2015). Paragraph 58, confirms the basic function of SoCGs:

- "A statement of common ground is a written statement prepared jointly by the applicant and another party or parties, setting out any matters on which they agree. As well as identifying matters which are not in real dispute, it is also useful if a statement identifies those areas where agreement has not been reached. The statement should include references to show where those matters are dealt with in the written representations or other documentary evidence."

1.1.3 SoCGs are a useful and established means of ensuring that the evidence at the examination focuses on the material differences between the main parties, and so aims to help facilitate a more efficient examination process.

## **1.2 PARTIES TO THE SOCG**

1.2.1 This SOCG has been prepared in respect of the Proposed Development, by SP Manweb, as the applicant and Highways England.

1.2.2 To supply and distribute electricity within an area an operator is required to hold an Electricity Distribution Licence. SP Manweb, as the holder of a Distribution Licence for the Cheshire, Merseyside, Shropshire, North and Mid Wales areas and, as the Distribution Network Operator (or DNO) for these areas, must comply with various statutory and licence duties and obligations.

1.2.3 Highways England (formerly the Highways Agency) is the government-owned company charged with operating, maintaining and improving England's motorways and major A roads under licence from the Secretary of State for Transport.

1.2.4 Section 1.3 provides an overview of the Proposed Development.

1.2.5 Section 1.4 provides a summary of the relevant consultation between SP Manweb and Highways England.

1.2.6 Section 1.5 provides a summary of the relevant documents that relate to the information considered in this SoCG.

1.2.7 Section 1.6 provides a summary of areas that have been agreed, and areas that have not been agreed.

1.2.8 Section 1.7 provides a record of areas still under discussion.



### **1.3 THE PROPOSED DEVELOPMENT**

1.3.1 The Proposed Development comprises a new 22.5 km 132kV electrical circuit between the existing SP Manweb Substations at Oswestry and Wem in North Shropshire, together with associated temporary construction works. The circuit would be a combination of underground cables and overhead line. Works are also required at the existing Oswestry and Wem Substations to accommodate the new circuit.

1.3.2 The Proposed Development includes the following elements:

- Works within the boundary of the existing SP Manweb Substation at Oswestry including underground cable and the installation of electrical switchgear and associated equipment;
- Approx. 1.2km of 132kV underground cable between Oswestry Substation and a 132kV terminal structure at Long Wood (SJ 31132 29877);
- Approx. 21.3km of 132kV of overhead line supported by Trident wood poles from the terminal structure at Long Wood (SJ 31132 29877) to the existing SP Manweb Substation at Wem; and
- Works within the existing SP Manweb Substation at Wem including the installation of a new 132kV to 33kV transformer.

1.3.3 The Proposed Development also includes work to facilitate the new electrical circuit including:

- Undergrounding six short sections of existing SP Manweb lower voltage overhead lines in order to ensure safe electrical clearance for the new overhead line; and
- Temporary works required for the construction of the new overhead line including seven temporary laydown areas, welfare unit, security

cabin, access tracks, vegetation clearance and reinstatement planting.

**1.4 CONSULTATION**

1.4.1 Highways England submitted comments in response to the statutory consultation. A summary of the correspondence that has taken place between SP Manweb and Highways England in relation to the Proposed Development since the close of statutory consultation is outlined in the table below:

| <b>Ref</b> | <b>Date</b> | <b>Form of contact or type of correspondence</b> | <b>Summary of that contact and key outcomes and points of discussion</b>  |
|------------|-------------|--|---|
|            | 16/02/18    | HE Email   | Confirming that low level of construction traffic and duration of activities would not have an adverse impact on traffic flows along the A5(T)  |
|            | 21/03/18    | HE Email   | Provide signage along the A5(T) - these should be included in the Construction Traffic Management Plan.   |
|            | 12/09/18    | HE Email and letter                              | Advising of HE requirements to be included in the DCO in relation to temporary works access being temporary only along the A5 trunk road and the cable under the A5 trunk road being a matter for the Order with other outline matters to be included in protective provisions. |
|            | 24/10/18    | HE Email and letter                              | Notes principal of  |



|  |            |                     |  |
|--|------------|---------------------|--|
|  |            |                     | temporary access off the A5(T) has been agreed provided additional signage of construction works ahead in place and agreed with HE and that the access is clearly shown in the DCO as temporary works only. In terms of the cable under the A5(T), HE require certain matters to be included in the Order. |
|  | 08/11/18   | HE Email and letter | Broadly agree principals of using temporary access and drilling under the A5(T)  |
|  | 17/01/2019 | HE Email            | Noting submitted DCO documents and providing copy of response to be sent to PINs.  |
|  | 08/03/2019 | HE Email            | HE comments on Draft SOCG V1   |
|  | 18/03/19   | SPM Email           | Details of signage strategy provided   |
|  | 25/03/19   | HE Email            | HE confirming for both parties to have powers to conduct street works  |
|  | 27/03/19   | SPM Email           | Amended SOCG V2  |
|  | 05/04/19   | HE Email            | HE comments on A5 Access and Signage Strategy  |
|  | 18/04/19   | SPM Email           | Amended SOCG (V2.1) with reference to new Requirement 11 included in draft DCO   |
|  | 02/05/19   | SPM Email           | Note of SPM/HE meeting on 01/05/19   |
|  | 10/05/19   | SPM Email           | Proposed amendments to draft DCO in respect  |

|  |          |           |                                   |
|--|----------|-----------|-----------------------------------|
|  |          |           | of A5                             |
|  | 14/05/19 | HE Email  | Suggested amendments to draft DCO |
|  | 20/05/19 | SPM Email | Final draft SOCG                  |

1.4.2 It is agreed that this is an accurate record of the key correspondence between SP Manweb and Highways England in relation to the matters recorded in Section 4.

1.4.3 There is ongoing discussion between the parties in relation to land agreements for the cabling under the A5 trunk road.

## 1.5 DOCUMENTS CONSIDERED WITHIN THIS SOCG

1.5.1 The following documents have been considered with this SOCG:

- Construction Report (**DCO Document 7.2<sup>1</sup>**);
- Draft Construction Environmental Management Plan (**DCO Document 6.3.2<sup>2</sup>**);
- Revised Transport and Highway Technical Note (**DCO Document 6.1.1<sup>3</sup>**); and
- Draft Development Consent Order (**DCO Document 3.1<sup>4</sup>**).

## 1.6 MATTERS AGREED AND MATTERS NOT AGREED

**Content of the Revised Traffic and Transport Note, the Construction Report, the Draft CEMP and the Draft DCO Order**

<sup>1</sup><https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN020021/EN020021-000262-7.2%20Construction%20Report.pdf>

<sup>2</sup> <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN020021/EN020021-000228-6.3.2%20ES%20Appendix%203.2%20-%20Draft%20Construction%20Environmental%20Management%20Plan.pdf>

<sup>3</sup> <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN020021/EN020021-000226-6.1.1%20ES%20Appendix%201.1%20-%20Transport%20and%20Highways%20Technical%20Note.pdf>

<sup>4</sup> <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN020021/EN020021-000185-3.1%20Draft%20Development%20Consent%20Order.pdf>

1.6.1 Matters agreed:

|   |   |  |
|---|---|--|
| 1 | <p>SP Manweb and Highways England AGREE the conclusions of the Revised Traffic and Transport Note (<b>DCO Document 6.1.1</b>)</p> <p>.....</p>  | <p>Agreed through dialogue on this SoCG.</p> |
|   | <p>SP Manweb and Highways England AGREE that in respect of Article 37 of the draft DCO (deemed consent) that:</p> <ol style="list-style-type: none"> <li>1) the insertion of a new requirement in the draft DCO to a separate construction method statement document to be agreed with HE and approved by the LPA will enable SPM and HE to work together to agree detailed design proposals for the A5(T) crossing prior to submitting such details under Article 37; and</li> <li>2) to exclude HE (and the A5) from the effect of Article 37 and to work together on agreeing design in para 57 Prior Approval of the relevant protective</li> </ol> | <p>Agreed through dialogue on this SoCG.</p> |

|  |   |                                       |
|--|---|---------------------------------------|
|  | provisions in Part 6 Sched 6 in the draft DCO;  |                                       |
|  | SP Manweb and Highways England AGREE there are no proposals for SPM to widen or alter in any way the existing access off the A5(T).   | Agreed through dialogue on this SoCG. |
|  | <p>SP Manweb and Highways England AGREE in respect of the draft DCO that:</p> <ol style="list-style-type: none"> <li>1) a new requirement (Req 11) in the draft DCO relating to details of how the temporary use of the A5(T) access will be managed during construction (by banksmen operating at both the A5 access and Maesbury Road depot locations to synchronise HGV vehicle movements between the two locations) is a suitable approach to resolving this matter; and</li> <li>2) The new requirement 11 will read as follows:</li> </ol> <p>11.—No authorised</p> | Agreed through dialogue on this SoCG. |

|  |   |  |
|--|---|--|
|  | <p>development is to commence until, following consultation with Highways England, details of the construction traffic management for the temporary use of the existing A5(T) access and of the construction method for the installation of the underground cable under the A5(T) have been submitted to and approved by the relevant planning authority following written confirmation of approval by Highways England. The authorised works must be carried out in accordance with the approved details under this requirement.</p> |  |
|  | <p>SP Manweb and Highways England AGREE the following further amendments to the draft DCO:</p> <ol style="list-style-type: none"> <li>1) Article 9 – a separate sub-paragraph that reads: “the powers conferred by paragraph (1) do not apply to the A5(T).”</li> <li>2) Article 13 –the</li> </ol>   |  |

|  |  |  |
|--|--|--|
|  | <p>original wording to become Article 13(1) and a new sub-paragraph (2) that reads: “the powers conferred by paragraph (1) do not apply to the A5(T).”</p> <p>3) Article 26 –an additional provision that reads: “The undertaker may not rely on the power conferred by paragraph (1)(c) to construct any new means of access without the consent of Highways England where they are the relevant highway authority for the highway from which the access will be taken.”</p> <p>4) Article 26(4) amended as follows: “...remove all temporary and permanent works (including accesses to the public highway) and restore the land to the reasonable satisfaction of the owners of the land and any highway access to the reasonable</p> |  |
|--|--|--|

|  |   |  |
|--|---|--|
|  | <p>satisfaction of the relevant highway authority...”</p> <p>5) Article 27 –a new sub-paragraph to read: “Paragraph (1) does not authorise the undertaker to construct or provide any new means of access unless the undertaker has obtained the consent of Highways England where they are the highway authority for the highway from which the access will be taken.”</p> <p>6) Article 27(5) to be amended as follows: “Before giving up possession of land of which temporary possession has been taken under this article, the undertaker must remove all temporary works (including accesses to the public highway) and restore the land to the reasonable satisfaction of the owners of the land and any highway</p> |  |
|--|---|--|



|  |  |  |
|--|--|--|
|  | <p>access to the reasonable satisfaction of the relevant highway authority.”</p> <p>7) Article 37(2) to be amended as follows: “Save for the applications made pursuant to Schedule 7 (Procedure for discharge of requirements) and any application made to Highways England, if, within 42 days after the application or request has been submitted to an authority or owner as referred to in paragraph (1) of this article (or such longer period as may be agreed in writing with the undertaker) it has not notified the undertaker of its decision (and if its is a disapproval the grounds of disapproval), it is deemed to have approved the application request.”</p> |  |
|  | <p>SP Manweb and Highways England AGREE the principal of</p>   |  |

|  |  |  |
|--|--|--|
|  | the Prior Approval in the draft DCO Schedule 6 Protective Provisions Part 6 (although as below the specific terms of such are yet to be agreed). |  |
|--|--|--|

**1.7 RECORD OF MATTERS STILL UNDER DISCUSSION**

**1.7.1 Matters still under discussion include:**

|   |   |  |
|---|---|--|
| 1 | SP Manweb and Highways England YET TO AGREE the approach to the provision, signage and removal of reference to the temporary access off the A5(T) as set out in the Construction Report (DCO Document 7.2). |  |
| 2 | SP Manweb and Highways England YET TO AGREE the detail of the Protective Provisions (Schedule 6 Part 6) as they apply to Highways England   |  |

---

**1.8 AGREEMENT ON THIS SOCG**

---

**This Statement of Common Ground has been jointly prepared and agreed by:**

**Name:** Steven

**Signature:** 

**Position:** Senior Environmental Planner

**On behalf of:** SP Manweb Plc

**Date:** 21 May 2019

**Name:** Robert Jaffier

**Signature:** 

**Position:**

**On behalf of:** Highways England

**Date:** 21 May 2019

