

SP MANWEB



Reinforcement to the North Shropshire Electricity Distribution Network

Deadline 4 Submission

Application Reference: EN020021

**Agreed Statement of Common Ground between SP
Manweb and Network Rail**

iii

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Statement of Common Ground Between SP Manweb PLC and Network Rail

PINS Reference EN020021

QA Box

Author			SP Manweb
Planning Inspectorate Application Reference			
Date	Version	Status	Description/Changes
25/02/19	1	Live	New document for discussion with Network Rail
12/03/19..	2.....	Revised document for discussion with Network Rail
28.03.19	2.1		Revised document for discussion with Network Rail
13.05.19	3		Revised document following discussion with Network Rail to agree as final
22.05.19	4	Live	Further revised FINAL SOCG following response from Network Rail
29.05.19	5	Live	Further revised FINAL SOCG following additional response from Network Rail

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1 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 SP Manweb 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 Network Rail.

- 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 Network Rail is the owner, operator and infrastructure manager of the rail network in Great Britain. Network Rail is a statutory undertaker in respect of its railway undertaking, with statutory and regulatory obligations in respect of it. Network Rail is an arms-length public body of the Department for Transport which reinvests its income in the railways.
- 1.2.4 This SoCG has been prepared in the context of the crossing of the Shrewsbury to Chester Railway Line by the Proposed Development (by overhead conductors) to the south of Babbinswood.
- 1.2.5 Section 1.4 provides an overview of consultation to date between SP Manweb and Network Rail.
- 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 2 provides a summary of areas that have been agreed and areas that have not been agreed.
- 1.2.8 Section 3 provides a record of areas still under discussion.
- 1.2.9 This SOCG has been structured to reflect matters and topics of interest to Network Rail in relation to the Proposed Development. Network Rail is a party to this SOCG as a Statutory and Interested Party for the purposes of the Application.
- 1.2.10 This SOCG relates to the following topics:
- Content of the Construction Report
 - Content of the draft Development Consent Order

1.2.11 This SOCG sets out the matters agreed between the Parties and those that are still outstanding.

1.2.12 Throughout this SOCG:

1.2.13 The “Parties” for the purposes of this SOCG means SP Manweb and Network Rail.

1.2.14 Where a sentence begins “It is agreed”, this signifies a matter that has been specifically stated as agreed by SP Manweb and Network Rail.

1.2.15 Where a sentence begins “It is not agreed”, this signifies a matter that has been specifically stated as not agreed by SP Manweb and Network Rail.

1.2.16 Where a sentence begins “It is under discussion”, this signifies a matter is not yet agreed however is still under discussion by SP Manweb and Network Rail.

1.2.17 It is agreed that any matters not specifically mentioned in Sections 2 and Sections 3 of this SOCG are not of material interest or relevance to the Parties, and therefore have not been the subject of any discussions between the Parties.

1.2.18 Reference in this SOCG to DCO means the draft DCO as submitted (**DCO Document 3.1**, November 2018).

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.

1.3.4 The Proposed Development includes provisions which would, if granted, compulsory acquire rights in or over land or temporarily use land which forms part of Network Rail's operational railway land and which Network Rail relies upon for the carrying out of its statutory undertaking.

1.4 CONSULTATION

1.4.1 A summary of the correspondence that has taken place between SP Manweb and Network Rail in relation to the Proposed Development since the close of statutory consultation is outlined in the table below:

Ref	Date	Form of contact or type of correspondence	Summary of that contact and key outcomes and points of discussion
	21/05/18	NR Email	NR notifying SPM of a change to contact.
	02/06/18	SPM Email	SPM providing project information to new NR contacts.
	20/08/18	NR Email	Provided Easement Application Forms.
	10/12/18	NR Email	NR clarifying contacts within NR for reviewing PPs
	28/01/19	NR Email	From NR's legal agent dealing with PPs – NR's Required Amendments
	15/03/19	NR Email	From NR's legal agent providing a draft Framework Agreement
	15/03/19	NR Email	From NR's legal agent requesting a cost undertaking for costs and legal costs reasonably incurred
	26.03.19	NR Email	Marked up copy of SOCG with NR comments
	13.05.19	SPM Email	Copy sent as FINAL
	22.05.19	SPM Email	Changes made following Network Rail response
	29.05.19	SPM Email	Further changes following Network Rail responses

1.4.2 It is agreed that this is an accurate record of the key correspondence between SP Manweb and Network Rail in relation to the matters recorded in Sections 1.6 – 1.8.

1.4.3 There is ongoing discussion between the parties.

1.5 DOCUMENTS CONSIDERED WITHIN THIS SOCG

1.5.1 The following documents have been considered with this SOCG:

- Draft Development Consent Order (DCO Document 3.1);
- Construction Report (DCO Document 7.2) as replaced for the rail crossing by the Schedule of Minimum Information Form; and
- Relevant Representation submitted to PINS on 31st January 2019 by Eversheds Sutherland (International) LLP on behalf of Network Rail Infrastructure Ltd¹.

2 MATTERS AGREED AND MATTERS NOT AGREED

2.1 Content of the Construction Report

2.1.1 Matters agreed:

Ref	Matters agreed
	SP Manweb and Network Rail AGREE in principle to the electricity cable crossing the railway set out in the Schedule of Minimum Information Form (see Annex 1), provided that the parties agree relevant protective provisions in the draft DCO and enter into the draft Framework Agreement and asset protection agreement required by Network Rail which are yet to be agreed (see below).

2.1.2 Matters not agreed

- a. None to report

¹ <https://infrastructure.planninginspectorate.gov.uk/projects/west-midlands/reinforcement-to-north-shropshire-electricity-distribution-network/?ipcsection=relreps&relrep=36507>

2.2 Content of the draft Development Consent Order

2.2.1 Matters agreed:

Ref	Matters agreed
	SP Manweb and Network Rail AGREE the Draft DCO other than in relation to those points raised in the section 56 Representation which contains objections to the compulsory acquisition powers of Network Rail's interests and the relevant protective provisions in Schedule 6

2.2.2 Matters not agreed

Ref	Matters not agreed
Part 5	The parties are not agreed on the necessity for powers to be granted to SP Manweb for the compulsory acquisition of interest belonging to Network Rail or of any rights benefitting Network Rail. Network Rail does not believe this to be justified or necessary and will strongly resist acquisition of rights which are needed to be retained in order for Network Rail to carry out its undertaking.

b. None to report

3 RECORD OF MATTERS STILL UNDER DISCUSSION

3.1.1 The table below provides a 'tracker' for each issue currently under discussion between SP Manweb and Network Rail:

Table 3.1 – Matters still under discussion			
Ref	Issue	SP Manweb response	Network Rail response
DCO Document 3.1 draft DCO Schedule 6 Part 3	Protective Provisions	Currently considering NR proposed amendments	Network Rail has provided a copy of its standard protective provisions. Network Rail has not had any

			response to date.
Framework Agreement and Asset Protection Agreement	Obligations on parties	Currently considering NR's Framework Agreement	Network Rail has not had any response to date.
Property Agreement	Network Rail have provided proposed HoTs and sent to SPM	Have requested clarification on requested payment and valuation applied in draft HoTs.	Property Agreement to be prepared once head of terms have been agreed.

4 AGREEMENT ON THIS SOCG

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

Name: Steven Edwards

Signature: 

Position: Senior Environmental Planner

On behalf of: SP Manweb Plc

Date: 31/05/2019

Name 

Signature 

Position: SUPERVISOR

On behalf of: Network Rail

Date: 31/05/2019

Annex A

Network Rail

Schedule of Minimum Information



**PROPOSED NEW EASEMENTS / WAYLEAVES AFFECTING THE RAILWAY
INFRASTRUCTURE**

**SCHEDULE OF MINIMUM INFORMATION REQUIRED BEFORE PROPOSALS
MAY BE SUBMITTED FOR TERRITORY CLEARANCE**

PLEASE EMAIL THE COMPLETED FORM TO EITHER:

Easements&wayleaves@networkrail.co.uk

Or

CommercialTelecomsProperty@networkrail.co.uk

PART 1. GENERAL PARTICULARS

Applicant Name & Address	Agent(Consultant) Name and Address
Name(property or finance contact)	Name
Company	Company
Address	Address
Postcode	Postcode
Contact numbers	Contact numbers
Office	Office
Mob	Mob
email	email

Name of electricity line, gas pipeline, water-main/sewer or Project/scheme name	
Nearest railway station (if known)	
Location (county and nearest village or suburb and/or town/city, name of adjacent roads)	
OS grid reference or NGR	OS E: N:
Location Postcode	
If contact has been made with Network	

Rail's engineering department, provide details of engineer's name and reference
If not yet contacted please go to:
[Asset Protection Project Managers](#)

Please provide a description of the scheme

What service will the installation provide?

What other alternatives have been investigated and why have they been discounted?

Please provide a date when access will be required?

PART 2. TECHNICAL DETAILS

(a) Electricity lines - overhead	
Energy to be transmitted by:	phase cycles volts
Specification of conductors:	Number Material Size
Type of support	
Length of crossing span	
Minimum height of line above:	Running line Overhead electrical equipment

(b) Electricity cables – underground	
Energy to be transmitted by:	phase cycles volts
Specification of conductors:	Number Material Size
Details of sleeve or duct	
Length of crossing	
Safety protection and markers plates	
Method of laying	
Minimum depth of cable below:	Top of running line Ground level

(c) pipes to be laid on or underground	
Specification of pipe:	
Internal diameter	
Material	
Gas or fluid to be conveyed	
Pressure (if known)	
Details of sleeve or duct (material and internal diameter)	

Method of laying	
Minimum depth of pipe or sleeve below	Top of running line Ground level
Details of control or telemetry cables - as for (b) above	
Details stop valves or other equipment	
Safety protection and marker plates	
Will Cathodic protection be required? NB. Track circuits would need testing as part of the commissioning of any Cathodic Protection System on an under track steel pipe. In extreme cases the type of track circuit may need to be changed to a type which can cope with the stray DC current in the ground as a result of the CP System.	
(d) Telecoms Installations – Fibre Optic Cables	
Under Track Crossing (UTX) or Alongside?	
Cable size	
Internal Diameter	
Cable Type	
Method of laying In troughing Route or Scratch buried?	
Minimum depth of cable or sleeve below (UTX only)	<u>Top of Running Line</u> <u>Ground Level</u>
Associated Equipment Details i.e. Base Cabinets Repeaters Access Pits	
Safety Protection Marker Plates	

Any other comments or information: