



BY EMAIL

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5th July 2019

Dear Madam

**Reinforcement to the North Shropshire Electricity Distribution Network - EN020021
Planning Act 2008
SP Manweb Plc**

Following submission of the Draft DCO (Version 4) at Deadline 5 (REP5-002), and Highways England's Deadline 5 submission, SP Manweb has received further comments from Highways England regarding Paras 57 (2), 57 (3) and 60 (3) of the draft Protective Provisions (Schedule 6 Part 6).

SP Manweb has considered the changes and sees that, as it is of course willing to work with Highways England, the changes they requested can be accepted and made.

These changes are as follows:

57 (2) Highways England must use **its best endeavours to** notify the undertaker of its approval or, as the case may be, of its disapproval and the grounds of disapproval, within **2842** days of the information required by sub-paragraphs (1)(a)(i)-(1)(a)(v) being received by Highways England. Highways England **must give reasons for any disapproval and** shall not unreasonably delay its approval to the undertaker.

57 (3) In the event of any disapproval, the undertaker may re-submit the information required by sub-paragraphs (1)(a)(i)-(1)(a)(v) with modifications ~~and~~. Highways England **must use its best endeavours to** notify the undertaker of its approval or, as the case may be, of its disapproval and the grounds of disapproval, within **2842** days of the revised detailed design information being received by Highways England. ~~Any failure to notify the undertaker within 42 days shall constitute approval by~~ Highways England **must give reasons for any further disapproval and must not unreasonably withhold or delay consent.**

60 (3) Highways England must use its reasonable endeavours to mitigate in whole or in part and to minimise any costs, expenses, damages, losses and liabilities to which the indemnity under this paragraph 60 applies. ~~If requested to do so by the undertaker, Highways England must provide an explanation of how the claim has been minimised. The undertaker is only liable under this paragraph 6 for claims reasonably incurred by Highways England.~~

SP Manweb can confirm that these changes have been incorporated into the draft DCO which will be submitted following the Issue Specific Hearing on the 11th July.

SP Manweb understands that Highways England were intending to submit a late representation on these points should agreement not have been reached in the last few days.

I would be grateful if this letter could be accepted by the Examining Authority as a late representation at Deadline 5 and published on the website

Should you have any queries please do not hesitate to contact me.

Yours faithfully

A large black rectangular redaction box covering the signature area.

Steven Edwards
Land & Planning
SP Energy Networks, for and on behalf of SP Manweb