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To:  
SP Manweb  
Natural England  
National Grid  
Network Rail  
Canal and River Trust

Your Ref:

Our Ref: EN020021

Date: 6 August 2019

By email

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Dear Sir/Madam

## **The Planning Act 2008 and the Infrastructure Planning (Examination Procedure) Rules 2010 – Rules 8 and 17**

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

#### **Examination Timetable and Requests for Further Information**

In my letter of 12 June 2019, I set out my decision not to hold an Issue Specific Hearing or Accompanied Site Inspection on 30 August 2019, and this decision is reaffirmed. I also raised the possibility of closing the Examination earlier than the published timetable, and that I would confirm the position about the remaining stages of the Examination timetable at the Issue Specific Hearing arranged for 11 July 2019.

In the light of several representations received from Interested Parties I announced at the Issue Specific and Compulsory Acquisition Hearings that I would not close the Examination at Deadline 7 but would review the matter shortly thereafter. My intention now is to close the Examination at, or shortly after, Deadline 8 on 28 August 2019. However, this is subject to receiving the information from particular Interested Parties by Deadline 8 as set out in the table below. If I consider that there are still outstanding matters at that date that would benefit from more time to resolve them, I will keep the Examination open until the final date by which it must close, i.e. 20 September 2019.

Yours faithfully

*Paul Hudson*

Examining Inspector

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**Table 1- Further Information requested by Deadline 8, 28 August 2019**

No.	Request to	Further Information Requested
1.	The Applicant	<p>A final version of the draft DCO on the SI template; check that all amendments agreed are included in the final version as version 5 of the draft DCO at Deadline 6 [REP6-004] appears not to do so in several instances.</p> <p>The Applicant’s final position on the proposed protective provisions.</p> <p>Final agreed SoCGs with Natural England and Severn Trent Water.</p> <p>A final Construction and Environmental Management Plan. The version of the CEMP submitted at Deadline 7 is a draft and paragraph 1.1.4 states that it will be updated throughout the course of the Examination and will then become “the CEMP” and will be a certified document. The introduction needs to be re-written to confirm that it is no longer a draft but is now the CEMP for certification in accordance with Schedule 9 of the draft DCO, and as referred to in requirement 9 [REP6-004].</p>
2.	Natural England	<p>The history of the Applicant’s attempts to seek a response from NE is set out in a submission at Deadline 7 [REP7-007]. NE is requested to respond to the Applicant’s draft SoCG with NE set out in its letter of 17 July 2019 contained at Appendix B of REP7-007.</p>
3.	National Grid	<p>In view of the statement at the end of the submission at Deadline 7 [REP7-018] that National Grid continues to negotiate a form of protective provisions with the Applicant, a submission is requested setting out the final position of National Grid, either that a set of protective provisions has been agreed with the Applicant and that the objection to compulsory acquisition of rights to plots 122 and 126 is withdrawn, or the precise points of disagreement remaining with the protective provisions contained in version 5 of the draft DCO at Deadline 6 [REP6-004].</p>
4.	Network Rail (via Eversheds Sutherland (International) LLP)	<p>The letter dated 21 July 2019 [AS-017] sets out Network Rail’s requirements concerning protective provisions contained in Schedule 6 Part 3 of the draft DCO together with the settlement of a framework agreement, an asset protection agreement and property agreement. The letter goes on to say that</p>

		<p>Network Rail considers a framework agreement to be the most effective way of agreeing the inclusion of protective provisions it requires.</p> <p>The Applicant disagrees with the need for a framework agreement but continues to work with Network Rail to agree land rights in preference to seeking CA powers, and has accepted and returned to Network Rail a signed supplemental agreement. Both parties will further consider the protective provisions and framework agreement, the supplemental agreement and associated asset protection agreement which potentially avoids the need in the longer term for the protective provisions and a framework agreement [REP7-015].</p> <p>The only documents in front of the Examination are the protective provisions contained at Schedule 6, Part 3 of the draft DCO. Reference to a range of other documents, coupled with the suggestion from the Applicant that they might render the need for protective provisions in the draft DCO unnecessary, is in danger of leaving the position at the end of Examination very unclear.</p> <p>A submission is therefore requested from Network Rail setting out its final position, either that a set of protective provisions has been agreed with the Applicant and that the objection to compulsory acquisition of rights to plot 58 is withdrawn, or the precise points of disagreement remaining with the protective provisions contained in version 5 of the draft DCO at Deadline 6 [REP6-004].</p>
5.	Canal and River Trust	<p>From the submissions at Deadline 6 [REP6-008] and Deadline 7 [REP7-016] it appears that negotiations with the Applicant are now concluded. For the avoidance of doubt, a final submission is requested from Canal and River Trust setting out its concluding position, either that a set of protective provisions has been agreed with the Applicant and that the objection of compulsory acquisition of rights to plots 86, 87 and 88 is withdrawn, or the precise points of disagreement remaining with the protective provisions contained in the version 5 of the draft DCO at Deadline 6 [REP6-004].</p>