



Meeting note

File reference	EN020021
Status	Final
Author	Siân Evans
Date	12 January 2018
Meeting with	SP Manweb
Venue	Temple Quay House, Bristol
Attendees	The Planning Inspectorate Chris White (Infrastructure Planning Lead) Siân Evans (Case Officer) Alison Down (EIA and Land Rights Advisor) Katherine King (EIA and Land Rights Advisor) SP Manweb Steven Edwards Jacquie Critchley
Meeting objectives	North Shropshire Reinforcement project update meeting
Circulation	All attendees

Summary of key points discussed and advice given:

Welcome and introductions

SP Manweb (the Applicant) and the Planning Inspectorate (the Inspectorate) case team introduced themselves and their respective roles. The Inspectorate outlined its openness policy and ensured those present understood that any issues discussed and advice given would be recorded and placed on the Inspectorate's website under s51 of the Planning Act 2008 (PA2008). Further to this, it was made clear that any advice given did not constitute legal advice upon which the Applicant (or others) can rely.

Project update

The Applicant advised that their statutory consultation is ongoing and due to close 2 February 2018. The Applicant now proposes to include the undergrounding of the line at Oswestry in the application for the Development Consent Order (DCO), although they consider they have a fall-back position of permitted development rights. The Applicant confirmed that the possibility of undergrounding was included in the Scoping Report submitted to the Inspectorate.

The Applicant advised that they do not consider they will have any associated development. Construction accesses have been included in the red line boundary.

The Applicant advised that they have scoped out the traffic impacts from use of the depot for construction. The eastern area of Oswestry has been included in the consultation zone due to the line crossing this part of the town. The industrial estate in the southern part of Oswestry has also been included in the consultation zone.

The Applicant advised that the EIA provisions have been clarified in the Preliminary Environmental Information Report. The Applicant explained that they do not intend to undertake a reptile survey. This position has been agreed with Shropshire Council and will be set out in a draft Statement of Common Ground (SoCG).

The Applicant advised that following their land searches they have consulted an additional three persons with an interest in land. Although letters were sent after the start of the consultation period there are at least 28 days before the close and therefore the Applicant consider they have met the statutory requirements. The Inspectorate advised the Applicant to set this out clearly in the Consultation Report. The Inspectorate also advised the Applicant to look at other recent Consultation Reports as examples of how to set them out and stressed the importance of showing how the Applicant has had regard to responses received.

The Applicant explained that they are engaging with Shropshire Council. The Inspectorate advised the Applicant to encourage Shropshire Council to provide a formal response to the consultation.

The Applicant advised that, as a result of responses to the statutory consultation, they are considering some changes to the proposed development. The Applicant is considering whether further consultation needs to take place, having regard to the advice in the Department for Communities and Local Government Planning Act 2008: Guidance on the pre-application process. The Inspectorate advised that if any landowners are added to the Book of Reference they should be consulted. If any changes affect any new landowners the Inspectorate advised the Applicant to consider also consulting them. The Inspectorate also advised the Applicant to consider whether any of the proposed changes are so great as to represent a different development to that scoped under the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009. In such circumstances, the transitional EIA Regulations may not apply and the Proposed Development would fall under the 2017 EIA Regulations. If the correct regulations are not applied there is a risk that the application will not be accepted.

The Inspectorate enquired whether bird strike was an issue which had been raised in consultation responses. The Inspectorate explained that this is an issue which has been raised at previous Examinations and therefore early engagement with the relevant parties is encouraged. This may be an issue that could be included in any relevant SoCG with the RSPB, Natural England or local wildlife trust.

The Inspectorate also advised the Applicant to consider drafting SoCGs with the Environment Agency, the Canal & River Trust and other relevant statutory bodies if appropriate.

The Inspectorate advised the Applicant to seek early agreement with Shropshire Council and other statutory bodies on the locations for the viewpoints and photomontages.

Draft documents

The Applicant proposes to submit draft documents for review by the Inspectorate in March 2018. The Inspectorate advised the Applicant to allow 8 weeks for the review and feedback meeting and to ensure sufficient time is allowed for any changes to the documents before submission of the application.

Compulsory Acquisition

The Applicant advised that they are moving away from the use of wayleaves to seeking permanent rights through compulsory acquisition. The Applicant is currently seeking voluntary agreements with landowners however these may not be complete prior to submission of the application. The Inspectorate advised the Applicant to keep a record of any negotiations as the Examining Authority is likely to ask for progress on this during the Examination. It is also useful for the Inspectorate to know of progress when setting the Examination timetable to gauge how many compulsory acquisition hearings may be required.

The Inspectorate advised the Applicant to look at what tests are set out in the Department for Communities and Local Government Planning Act 2008: Guidance related to procedures for the compulsory acquisition of land.

AoB

The Inspectorate had noted that National Grid requested, in their scoping response, that Protective Provisions are included within the DCO. The Inspectorate advised the Applicant to start progressing these with all relevant parties. The draft DCO should not contain any blank Protective Provisions (see the Inspectorate's Advice Note 15 for further advice on DCO drafting).