

From: [Gibson, Gerry](#)
To: [A30 Chiverton to Carland Cross](#)
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Subject: A30 Chiverton to Carland Cross Upgrade (PINS Ref TR010026) - SPR Written Submission of Oral Case at Hearing 3 April 2019
Date: 24 April 2019 14:42:11
Attachments: [SPR Written Submission of Oral Case at DCO Hearing on 3 April 2019.docx](#)

Dear Siân

Please find attached the "SPR Written Submission of the Oral Case at Hearing on 3rd April 2019".

Kind Regards

Gerry



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Summary of Oral Representations made on behalf of ScottishPower Renewables at the Issue Specific Hearing held on 3 April 2019 in respect of the A30 Chiverton Cross to Carland Cross DCO

1. Introduction

- 1.1 At the Issue Specific Hearing into the DCO held on 3 April 2019, Mr Colin Innes of Shepherd and Wedderburn LLP made the following submissions on behalf of ScottishPower Renewables ("SPR").

2. Issue Specific Hearing into the DCO

Highways England (the Applicant) Update

- 2.1 The Applicant provided a brief update on the status of discussions with SPR.
- 2.2 The Applicant advised that subsequent to the Interim Position Statement which was submitted prior to the first Issue Specific Hearing into the DCO the focus has been on resolving the technical issues.
- 2.3 The Applicant advised that there has been discussion on a private side agreement between the Applicant and SPR and that whilst good progress is being made, there is still some way to go.
- 2.4 The Applicant noted that the extent to which protective provisions are required is still under discussion and that the Applicant is neutral in this regard.
- 2.5 The Applicant advised that some amendments would be required to DCO documents and plans in order to address SPR's concerns and that it is anticipated that plans would be submitted at the Deadline 3. These plans would ideally be definitive plans showing the proposed changes however in the event that this is not possible, indicative plans showing the likely changes would be submitted.

SPR Submissions

- 2.6 Mr Innes confirmed that the summary provided by the Applicant reflects the position between the Applicant and SPR.
- 2.7 Mr Innes noted that the focus to date has been on the technical issues which will follow through into the relevant plans. Mr Innes advised that SPR recognises the importance of progressing to finalise matters through the legal agreement and potentially through protective provisions. He noted that we will not know the extent to which protective provisions will be required until issues are resolved in the legal agreement and therefore this is a relationship that we haven't finalised yet but appreciate the importance of making real progress now that we have resolved the overarching technical issues.
- 2.8 Mr Innes agreed that it is important for updated plans to be submitted at the next Deadline so that the Examining Authority understands the extent to which the technical issues are resolved and the nature of the changes required. Mr Innes advised that SPR should be in a position to provide more detail at Deadline 3.

Issue Specific Hearing: Action Point 1

Update on relevant matters including potential timescales if request to be made for amendment to the application.

- 2.9 Since the ISH Hearing, little progress has been made between the Applicant and SPR. Having agreed general principles for a legal agreement in March, SPR is still awaiting the first draft of a legal agreement from the Applicant.
- 2.10 SPR is also awaiting draft updated plans from the Applicant for review and comment by SPR which it is hoped will address SPR's concerns. SPR has therefore not had sight of any updated plans submitted by the Applicant at Deadline 3 which may affect SPR's interests.
- 2.11 SPR will continue to engage with the Applicant and it is hoped that progress will be made on a legal agreement which addresses SPR's concerns over the coming weeks. Following receipt of the draft legal agreement, SPR will consider the extent to which protective provisions are required

within the DCO to protect SPR's interests and will provide the Examining Authority with an update in this regard accordingly.