

Email

by e-mail only to
M54toM6LinkRoad@planninginspectorate.gov.uk

Our reference NPB/1131010/O51871078.1/NPB

Your ref TR010054

3 November 2020

Dear PINS team

M54 to M6 Link Road ExQ1**Responses on behalf of Western Power Distribution (West Midlands) PLC (WPD)****Registration ID 20025346**

In response to ExQ1 we respond on behalf of our client, WPD as follows:

- 1.5.19** WPD expects Highways England to provide it with all requisite land rights to place and keep its existing or diverted apparatus in the highway. That is the basis of the draft agreement between WPD and HE which is in a generally acceptable form (see 1.5.25 below). WPD has no objection to the wording of Article 23(6) and accepts that it is widely drawn to give HE flexibility in creating and acquiring land rights as necessary. Should the Article draw such rights more tightly WPD would expect Highways England to clarify which rights will apply to WPD for its particular assets and WPD will need to audit those rights to ensure that they are comprehensive.
- 1.5.25** WPD considers that this is an issue for HE to clarify, but its understanding is that by specifying that the Order grants a specific planning permission for works, then that planning permission will ensure that any consent for statutory undertakers works will enable the land over which it is undertaken to become operation land for the purposes of Section 263(1). WPD supports that approach.
- 1.5.25** Subject to conclusion of the agreement currently being discussed between WPD and Highways England which is generally in an acceptable form, and the terms for the diversions

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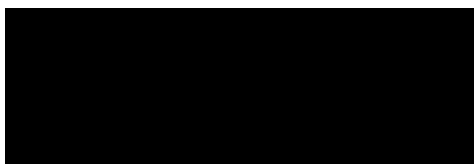
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of its assets that WPD has provided to Highways England WPD is content with the provisions set out in the draft DCO in relation to its apparatus.

Statements of Common Ground

For the reasons set out in answer to 1.5.25 WPD does not consider that a SoCG is needed but neither has it been approached by HE to complete an SoCG.

Yours sincerely



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Cc Emma Stevenson – WPD