

NOTICE OF COMPULSORY ACQUISITION UNDER SECTION 134(7) OF THE PLANNING ACT 2008

THE REINFORCEMENT TO THE NORTH SHROPSHIRE ELECTRICITY DISTRIBUTION NETWORK

DEVELOPMENT CONSENT ORDER 2020 (“The Order”)

NOTICE OF AUTHORISATION OF COMPULSORY ACQUISITION

The above Order, made under the Planning Act 2008 by the Secretary of State for Business, Energy and Industrial Strategy and published on 20th March 2020, includes provision authorising the compulsory acquisition of existing rights over land, and of rights over land by creating new rights over it, as described in Schedule 1.

SP Manweb Plc is the licenced electricity Distribution Network Operator which owns and manages the electricity distribution network within Cheshire, Merseyside, North Shropshire and North Wales.

SP Manweb Plc is the applicant who has been granted the order for development consent and acquisition of land. SP Manweb Plc is part of SP Energy Networks.

The Order includes provision authorising the acquisition of land rights for the purposes of the construction, operation and maintenance of a 22.5km 132,000 volt (132kV) electrical circuit between the existing SP Manweb Plc Substations at Oswestry and Wem in North Shropshire within a corridor of a maximum width of 25m, and associated works within those substations to accommodate the new circuit as well as construction accesses and works and diversions of existing circuits on land adjacent to the 132kV circuit corridor.

A copy of the Order and supporting documentation (Including the applicant’s Statement of Reasons, Secretary of State’s Decision Letter, the Book of Reference, the Land Plans and the Environmental Statement) is available on the Planning Inspectorate’s website at:

<https://infrastructure.planninginspectorate.gov.uk/projects/west-midlands/reinforcement-to-north-shropshire-electricity-distribution-network/>

The Order, other relevant documents and previous information about the project is also available on the project’s website:

https://www.spenergynetworks.co.uk/pages/reinforcement_to_north_shropshire_electricity_distribution_network.aspx

A person aggrieved by the Order may challenge the Order only in accordance with section 118 of the Planning Act 2008, which stipulates that any proceeding must be brought by filing a claim form for judicial review before the end of the period of 6 weeks beginning with the day after the day on which the Order is published.

Once the provision in the Order authorising compulsory acquisition comes into force, SP Manweb may acquire any of the land (including any existing rights and / or new rights) described in Schedule 1 below by executing a general vesting declaration under section 4 of the Compulsory Purchase (Vesting Declarations) Act 1981. A statement on the effect of Parts 2 and 3 of that Act is set out in Schedule 2.

Any person who would be entitled to claim compensation if a general vesting declaration were executed is invited to give SP Manweb at 3 Prenton Way, Prenton, CH43 3ET information about the person’s name, address and interest in land, using a prescribed form. The prescribed form is set out in Schedule 3.

SCHEDULE 1 DESCRIPTION OF THE LAND, EXISTING RIGHTS AND THE NEW RIGHTS

The Order grants compulsory acquisition powers over land between the existing SP Manweb Plc Substations at Oswestry and Wem in North Shropshire required for construction, operation and maintenance of the authorised development. The location of this land is shown on the land plans (as defined in Article 2 of the Order) and described in the Book of Reference (as defined in Article 2 of the Order).

The 132kV electrical circuit comprises both underground cable and overhead line. From Oswestry Substation approximately 1.2km of 132kV underground cable will run parallel to the west of the A5(T), crossing under the road, then parallel to the east and towards Long Wood where it transfers to an overhead line terminal structure. From here the overhead line crosses agricultural fields to the north of Middleton, before crossing the B5009 and the Shrewsbury to Chester rail line. Continuing east, the overhead line passes south of Babbinswood, crossing the Montgomery Canal and passing through the northern edge of the Woodhouse Estate.

The overhead line then crosses the River Perry at three locations, skirting around Rednal Mill and passing north of Lower Lees. The route then turns to pass north of Lower Hordley at Dandyford Farm, before passing south of Top House Farm and Kenwick Lodge. To the northwest of Stanwardine-in-the-Wood, the route turns east and crosses the A528 south of Cockshutt. The overhead line then runs north of Malt Kiln Farm, and south of Coppice Farm, passing to the south of Moorfields Local Wildlife Site, before heading northeast to the south of Loppington and northwest of Noneley. The overhead line then passes north of Commonwood, crossing the River Roden and continuing in north-easterly towards the B5476 and into Wem Substation.

The Order grants powers to compulsorily acquire existing rights and create new rights in the land described above. The Order also authorises the interference with existing rights and the breach of existing restrictive covenants over the land described above and provides for the extinguishment, temporary suspension or discharge of such rights or restrictive covenants.

The new rights to be created and restrictions to be imposed relate to:

- Rights to install (and keep installed), erect, retain, use, inspect and take all steps reasonably necessary to maintain, renew, remove and relocate (and to carry out all necessary reinstatement works in relation to) electricity poles, overhead electricity lines, underground electricity cables and all equipment and apparatus required for the authorised development;
- Rights to construct, improve, widen, repair, maintain, renew, rebuild and take all necessary support for existing access and access tracks and new temporary access;
- Rights of pedestrian and vehicular access and egress onto the land and from the land onto any adjacent land with plant, equipment and machinery;
- Rights to install any necessary ecological and/or landscaping measures.

A full description of existing rights over the land affected by compulsory acquisition powers under the Order is set out in the Book of Reference.

SCHEDULE 2 STATEMENT OF EFFECT OF PARTS 2 AND 3 OF THE COMPULSORY PURCHASE (VESTING DECLARATIONS) ACT 1981

Power to execute a general vesting declaration:

1. Once the provision in the Order which authorises compulsory acquisition comes into force, SP Manweb Plc may acquire any of the land (including any existing rights and / or new rights) described in Schedule 1 above by executing a general vesting declaration under section 4 of the Compulsory Purchase (Vesting Declarations) Act 1981 (the Act). This has the effect, subject to paragraphs 3 and 5 below, of vesting the land in the Order at the end of the period mentioned in paragraph 2 below.

Notices concerning general vesting declaration:

2. As soon as may be after SP Manweb Plc executes a general vesting declaration, it must serve notice of it on every occupier of any of the land specified in the declaration (except land where there is one of the tenancies described in paragraph 4) and on every person who gives it information relating to the land in pursuance of the invitation contained in the notice of the authorisation of the compulsory acquisition. When the service of notices of the general vesting declaration is completed, a period specified in the declaration, of not less than three months, will begin to run. On the first day after the end of this period the land described in the declaration will, subject to what is said in paragraphs 3 and 5, vest in SP Manweb Plc together with the right to enter on the land and take possession of it. Every person on whom SP Manweb Plc could have served a notice to treat in respect of his interest in the land (other than a tenant under one of the tenancies described in paragraph 4) will be entitled to claim compensation for the acquisition of his interest in the land, with interest on the compensation from the vesting date.

3. The “vesting date” for any land specified in a declaration will be the first day after the end of the period mentioned in paragraph 2 above, unless a counter-notice is served under Schedule A1 to the Act within that period. In such circumstances, the vesting date for the land which is the subject of the counter-notice will be determined in accordance with Schedule 1.

Modifications with respect to certain tenancies

4. In the case of certain tenancies, the position stated above is subject to modifications. The modifications apply where the tenancy is either a “minor tenancy”, i.e. a tenancy for a year or a yearly tenancy or a lesser interest, or “a long tenancy which is about to expire”. The latter expression means a tenancy granted for an interest greater than a minor tenancy but having on the vesting date a period still to run which is not more than the period specified in the declaration for this purpose (which must be more than a year). In calculating how long a tenancy has still to run, where any option to renew or to terminate is available to either party, it shall be assumed that the landlord will take every opportunity open to him/her to terminate the tenancy while the tenant will use every opportunity to retain or renew his interest.

5. The modifications are that SP Manweb Plc may not exercise the right of entry referred to in paragraph 2 in respect of land subject to a tenancy described in paragraph 4 unless it first serves notice to treat in respect of the tenancy and then serves every occupier of the land with a notice of its intention to enter and take possession after the period (not less than three months from the service of the notice) specified in the notice. The right of entry will be exercisable at the end of that period. The vesting of the land will be subject to the tenancy until the end of that period or until the tenancy comes to an end, whichever happens first.

SCHEDULE 3 FORM FOR GIVING INFORMATION

THE REINFORCEMENT TO THE NORTH SHROPSHIRE ELECTRICITY DISTRIBUTION NETWORK DEVELOPMENT CONSENT ORDER 2020

To: SP Manweb Plc

Reference: [plot number(s) and address of land/property]

[I] [We] being [a person] [persons] who, if a general vesting declaration were executed under section 4 of the Compulsory Purchase (Vesting Declarations) Act 1981 in respect of all the land comprised in the order cited above in respect of which notice to treat has not been given, would be entitled to claim compensation in respect of [all] [part of] that land, give you the following information, pursuant to section 134(7) (cza) of the Planning Act 2008.

1. Name and address of informant(s) (see explanatory note (i) below)

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2. Land in which an interest is held by informant(s) (see explanatory note (ii) below)

.....

3. Nature of interest (see explanatory note (iii) below)

.....

Signed

[on behalf of]

Date

(i) In the case of a joint interest insert the names and addresses of all the informants.

(ii) The land should be described concisely.

(iii) If the interest is leasehold, the date of commencement and length of term should be given. If the land is subject to a mortgage or other incumbrance, details should be given, e.g. name of building society and roll number.

SP Manweb Plc 9 April 2020.