

APPENDIX 1D

Dept. BERR Scoping Opinion 10.04.08

BERR Ref:
Your Ref: LOCW/0726

Claire Watson
Environmental Planning
SP Energy Networks
3 Prenton Way
Prenton
Merseyside CH43 3ET

10 April 2008

Dear Claire,

THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (ENGLAND AND WALES) REGULATIONS 2000: SCOPING OPINION ON PROPOSED 132KV OVERHEAD LINE BETWEEN LEGACY SUBSTATION, WREXHAM AND OSWESTRY SUBSTATION, SHROPSHIRE

Thank you for your letter of 5 December 2007 which requested a scoping opinion by the Secretary of State on the contents of the environmental impact assessment (EIA) which you propose to submit with the above named application for section 37 development consent. Your company's scoping document dated November 2007 was circulated to the relevant local planning authority and other consultees for comments. The Department subsequently wrote out to consultees requesting comments in January but regrettably it has taken until March to gather all the comments. At the same time we have also just seen the letter from Oswestry Borough Council on the Scrutiny Committee's meeting. A set of the comments received is attached, together with the representations received by Oswestry Borough Council.

The Secretary of State concludes that your scoping document provides an acceptable basis on which the EIA may be prepared. Your coverage was generally recognised as acceptable and comprehensive but there were areas where it was suggested additional material should be provided.

The additional material was in the following responses:

- WAG commented on a number of areas indicating essentially where they believe information needs amplification e.g. impact on mineral resources, landscape assessment and mitigation and the Wrexham-Shrewsbury rail line.

Onshore Electricity Development Consents, 1 Victoria Street, London SW1H 0ET
www.berr.gov.uk

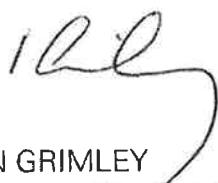
Direct Line +44 (0)20 7215 3049 | Fax +44 (0)20 7215 2601 | Minicom +44 (0)20 7215 6740
Enquiries +44 (0)20 7215 5000 | Email ian.grimley@berr.gsi.gov.uk

Continuation 2

- Shropshire CC identified a number of points on ecology and nature conservation where matters could be addressed further or amplified, including the level of survey work for European Protected Species. They also suggested landscape could include historic landscape characterisation data.
- Oswestry Borough Council's papers raise a number of issues about the routeing of the proposed connection and these will need to be adequately addressed in the Environmental Statement.
- Environment Agency pointed out that you might not be aware of two landfill sites east of St. Martins and in particular highlighted deficiencies in the report on the risk posed by the mitigation measures required in connection with sections requiring underground cable.

Copies of this letter go to Ms Illes at the Welsh Assembly, Mr Sumner at Wrexham County Borough Council, Mr Bennett at Oswestry Borough Council, Mr Venables at North Shropshire District Council, Mr Bell at Shropshire County Council, Ms Beech at CCW, Mr Hogarth at Natural England, Mr Weston at the Environment Agency, Mr Jones at the Environment Agency Wales, Miss Whitbread at CADW and Mr Klemperer at English Heritage.

Yours faithfully



IAN GRIMLEY
Manager, Overhead Lines

Lawrence Cadman
Head, Consents Department
Department for Business, Enterprise &
Regulatory Reform
Bay 222,
1 Victoria Street
London
SW1H 0ET



Llywodraeth Cynulliad Cymru
Welsh Assembly Government

Eich cyf. Your ref:
Ein cyf. Our ref

15 January 2008

Dear Mr Cadman

**CONSULTATION ON SCOPING REPORT FOR PROPOSED 132KV OVERHEAD
TRIDENT WOOD POLE LINE BETWEEN LEGACY SUBSTATION, WREXHAM
AND OSWESTRY SUBSTATION, SHROPSHIRE**

I refer to the request for comments on the Scoping Report in respect of the above.

The Scoping Report has been circulated within the Welsh Assembly Government and the following comments have been received.

The Assembly Government's Economic Development Division provided the following comments:-

Concerns that care must be taken to ensure that the route proposed does not compromise employment or residential development sites, whether in public or private land ownership, because land is so extremely scarce in this locality. The local economy cannot afford for sites to be sterilised or compromised in their development.

They ask whether the Local Planning Authority has commented on whether the route runs across any existing allocated sites and if not suggest that this needs to be undertaken as soon as possible.

The Assembly Government's Environment Division provided the following



BUDDSODDWR MEWN FOM
INVESTOR IN PEOPLE

Parc Cathays
Caerdydd
CF10 3NQ

Cathays Park
Cardiff
CF10 3NQ

Ffôn • Tel: 02920 823555
GTN:1208

Ffacs • Fax: 02920 825137

Ebost • Email: lynn.griffiths@wales.gsi.gov.uk

comments:-

Further information regarding aspects of the development, including the proposed route and baseline ecological reports are reportedly detailed in the Consultation Document. A copy of this document was not provided and therefore they are unable to comment on its adequacy and comprehensiveness. Comments are therefore only in relation to the scoping report.

The proposed overhead line indicates that it will cover the main areas required under Part I and Part II of Schedule 4.

The report details several areas, which it suggests scoping out of the full assessment (for example, air and climatic factors). The basis of these initial decisions is only briefly detailed in the scoping report, so while it may be considered that further investigation is not warranted the basis of that decision needs to be fully detailed and justified in the ES.

Further comments from our Environment Division are:-

Comments from the CCW have been requested. Reinforcement of the comments put forward in CCW's letter of 27th April 2007 to the Scottish Power Energy Networks regarding the potential impacts to wildlife and habitats caused by the proposal. More details can be provided if required.

Also within this scoping report with regards to European Protected Species (EPS) on p19 Otter and Bats are listed but this should include both Great Crested Newts and Dormice too as EPS's. Developments likely to impact any of these species will require a Licence application to the Welsh Assembly Government.

The Assembly Government's Planning Division provided the following comments:-

Minerals

- Note that this is covered in the scoping.
- No comments in relation to coal are provided, but the scoping should address potential sand and gravel resources. Where the line crosses such resources they should be evaluated for possible alternative routes or extraction in advance of the development. The outline implies the resource will be identified only by review of documents. Presumably there will be some ground investigation and it would be appropriate for data from this to be used.

Landscape

- The line affects two Special Landscape Areas. These designations apply to areas of substantive conservation value where there is good reason to believe that normal planning policies cannot provide the necessary protection. Such designations should not unduly restrict acceptable development.
- The scoping should consider Landmap where this has progressed sufficiently to assist.
- Parties to the Landscape Convention agree to integrate landscape into

agricultural, cultural, economic, environmental, social and spatial planning policies. This is rather broader than the sensitivities identified in the scoping (p34), which should recognise the social and cultural aspects as well as the historic environment. (The setting of historic buildings etc is identified in the scope).

- Mitigation of landscape impacts should be examined more carefully than the route of possible shrub planting.

The Assembly Government's Transport Division provided the following comments:-

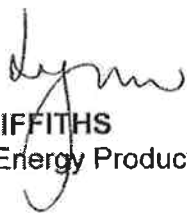
The proposed route crosses the Wrexham-Shrewsbury rail line and whilst there are no current plans to electrify the rail line we would suggest that Table 1, Infrastructure section, considers the potential impact on the rail line and any future electrification.

CADW, ancient monuments Division advised that:-

The Scoping Report's section on Cultural Heritage contains appropriate coverage and methodologies.

We trust you will carefully consider these comments made by the Welsh Assembly Government in the determination of the Environmental Impact Assessment. I would be grateful to be kept informed of progress.

Yours sincerely



MRS LYNN GRIFFITHS

Head of Clean Energy Production and Steel

Date: 11 January 2008
Our ref: SJ33/C
Your ref:

ENGLAND

Mr Ian Grimley
Manager, Overhead Lines
BERR
Onshore Electricity Development Consents
1 Victoria Street
London
SW1H 0ET

Attingham Park
Shrewsbury
Shropshire
SY4 4TW

T 01743 282000
F 01743 709303

Dear Mr Grimley

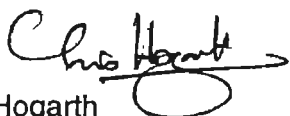
Re: The Electricity Works (EIA) Regulations 2000-Proposed Legacy to Oswestry Transmission Line

Thank you for your consultation of 14 December 2007 received at this office on 24 December 2007.

Natural England and English Nature, one of our founding bodies, have undergone extensive consultations over many months with SP Powersystems. These consultations have been very constructive and have led to various changes to the proposal being incorporated in the final proposal.

The scoping report identifies all of the features likely to be significantly affected by the proposal. The surveys identified to inform the assessment of these impacts and the assessment methods to be used are comprehensive. So long as the surveys and assessments are carried out thoroughly, the EIA should provide a suitable basis for a decision on the proposal to be made.

Yours sincerely



Chris Hogarth
Communities Team
West Midlands North Area
Direct Dial: 01743 282018
Email: chris.hogarth@naturalengland.org.uk

Grimley Ian (Mr ID) EDU

From: Dunstone, James (CADW) [James.Dunstone@Wales.GSI.Gov.UK]
Sent: 08 February 2008 10:44
To: Grimley Ian (Mr ID) EDU
Subject: PROPOSED LEGACY OSWESTRY TRANSMISSION LINE: SP MANWEB

I refer to your letters of 14 December and 24 January requesting Cadw's views on the scoping opinion requested by SP Manweb. I apologise for the delay in our response.

I can confirm that Cadw is the Historic Environment Service for the Welsh Assembly Government and, as such, our divisional comments were provided on 11 January to be included within an Assembly-wide response. Cadw noted that the Scoping Report's section on Cultural Heritage appeared appropriate.

Should you have any queries, please do not hesitate to contact me.

Regards

James Dunstone

Gweinyddu Henebion / Ancient Monuments Administration
Cymru Hanesyddol: Cadw / Historic Wales: Cadw
Llywodraeth Cynulliad Cymru / Welsh Assembly Government

 01443 33 6004

) james.dunstone@wales.gsi.gov.uk

Helpwch yr amgylchedd - peidiwch ag argraffu hon os nad oes gwir raid
Help our environment - only print this if really necessary

Grimley Ian (Mr ID) EDU

From: Arfon Hughes [ar.hughes@ccw.gov.uk]
Sent: 19 February 2008 09:26
To: Grimley Ian (Mr ID) EDU
Subject: Fwd: Re: FW: CONSULTATION ON SCOPING REPORT FOR PROPOSED
132KVOVERHEAD TRIDENT WOOD POLE LINE BETWEEN LEGACY

Attachments: Fwd: Re: FW: CONSULTATION ON SCOPING REPORT FOR PROPOSED
132KVOVERHEAD TRIDENT WOOD POLE LINE BETWEEN LEGACY



Fwd: Re: FW:
CONSULTATION ON

Dear Mr Grilmey,

We have responded to Mr Phil Ray at WAG. See attached. I hope you have already received our comments through WAG.

I apologise for not responding earlier but i do not have access to Bethan Beech's email.

regards

Arfon Hughes

Arfon Hughes.

Cyngor Cefn Gwlad Cymru/The Countryside Council for Wales.

Tim Berwyn & Wreccsam team.

Adeiladau'r Llywodraeth , Pont yr Aran Road, DOLGELLAU, LL40 1LW

Mobile: 07812 541256

Tel: 01341 424800

Fax: 01341 423739

ar.hughes@ccw.gov.uk.

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Grimley Ian (Mr ID) EDU

From: Nia Seaton [N.Seaton@ccw.gov.uk]
Sent: 19 February 2008 09:15
To: Arfon Hughes
Subject: Fwd: Re: FW: CONSULTATION ON SCOPING REPORT FOR PROPOSED 132KVOVERHEAD TRIDENT WOOD POLE LINE BETWEEN LEGACY
Attachments: CWatson-ScotPower-LegacyOswestry Power Line-170407.doc



CWatson-ScotPo
er-LegacyOswest

Gweler isod- y llythyr ar e-bost,

Cofion,
Nia

>>> Nia Seaton 07/01/2008 09:00 >>>
Phil,

Please find attached a response to the he potential impacts to wildlife and habitats caused by the:
PROPOSED 132KV OVERHEAD TRIDENT WOOD POLE LINE BETWEEN LEGACY SUBSTATION, WREXHAM AND OSWESTRY SUBSTATION, SHROPSHIRE which consists of the letter sent by CCW to Scottish Power Energy Networks.

If you require any further information on this response then please let me know.

I have also picked up your other emails requesting information this morning and will do my best to get them to you by close of play on the 9th.

Many thanks,
Nia

Nia Seaton
Swyddog Polisi/Policy Officer
Cyngor Cefn Gwlad Cymru/ Countryside Council for Wales
13 Drake Walk,
Brigatine Place
Cardiff
CF10 4AN
nia.seaton@ccw.gov.uk
02920 444 605

CADEIRYDD/CHAIRMAN: JOHN LLOYD JONES OBE
Anfonwch eich ateb at/Please reply to:

Name: Bethan Beech
Ffôn/Tel: 01352 706600
E-bost/Email: b.beech@ccw.gov.uk

PRIF WEITHREDWR/CHIEF EXECUTIVE: ROGER THOMAS

Rhanbarth y Gogledd - Swyddfa'r Wyddgrug
North Region - Mold Office
Glan y Nant, Uned 19 / Glan y Nant, Unit 19
Parc Busnes Yr Wyddgrug / Mold Business Park
Ffordd Wrecsam / Wrexham Road
Yr Wyddgrug / MOLD
Sir Y Fflint / Flintshire CH7 1XP

Claire Watson
Environmental Planner
Scottish Power Energy Networks
3 Prenton way
Prenton
Merseyside
CH43 3ET

Ein cyf/Our ref: BB/RMG/SJ34.14

17 April 2007

Dear Claire

RE: New 132 KV Overhead Powerline between Legacy and Oswestry.

Thanks you for your letter and enclosed maps of the 27 March and for your time during our meeting of the 20 March.

I enclose a map at 1:5000 scale showing the boundary of the Stryt Las a'r Hafod SSSI. This boundary is the same as that for the Johnstown newt site SAC in this area.

As discussed during our meeting of the 20 of March with Andy Brown, some topping of branches of trees may be required in within or adjacent to the boundary of the SSSI/SAC in this area. This work would require consent from CCW, with details of the methodology and timing of the works provided in a method statement.

A detailed method statement will also be provided for the crossing of the rivers Dee and Ceiriog as both are designated as part of the Afon Dyfrdwy and Llyn Tegid River Dee and Llyn Tegid SAC.

I have also discussed the landscape aspects of the crossing point of the River Dee with my colleague Mr Paul Mitchell who leads on landscape issues for CCW in NE Wales. The route as shown in the Consultation document for February 2007 avoids the historic parks and gardens and the core of the Special Landscape Area, whilst minimising the entry of the powerline into areas as identified as 'outstanding' in visual quality in the Wrexham County Borough Council LANDMAP study.

I understand that the public consultation period came to an end on the 13 April. The Scoping report for the EIA will be submitted to Wrexham CBC this summer. CCW will be consulted by Wrexham on this document.

Comment [A1]: Do not re-call consultation from wrexham council.

Grimley Ian (Mr ID) EDU

From: HAYES, Natalie [Natalie.Hayes@english-heritage.org.uk]
Sent: 18 February 2008 15:03
To: Grimley Ian (Mr ID) EDU
Subject: FW: Legacy to Oswestry - Proposed Power Line

Dear Ian

Further to our conversation today, I confirm that Claire Watson at ScottishPower wrote to us on 27th February 2007 initially outlining the project, and again on 23rd April 2007. Our Inspector of Ancient Monuments, Bill Klemperer, replied on 1 May 2007 stating that he felt it was not necessary to comment at that stage, but noted that an Environmental Statement was to be submitted and recommended an appropriately qualified organisation be engaged to undertake the historic environment component of the Statement to assist the minimising of adverse effects during construction and operation.

Bill was subsequently contacted on 5th December 2007 requesting a scoping opinion. I confirm that he did not have any further comments he wished to make at that stage, and apologise for the fact that you did not receive confirmation to this effect. I have, however, outlined below what English Heritage would expect any Environmental Impact Assessment to examine, if this is of use:

- a) The potential effects upon all designated historic assets and their settings (i.e. World Heritage Sites, Listed Buildings (all grades), Scheduled Monuments plus other nationally important archaeological sites, Registered Historic Parks and Gardens, Registered Battlefields, Conservation Areas)
- b) Potential impacts on non-designated features of local historic or architectural interest and value, since these make an important contribution to the local distinctiveness of an area and its sense of place. This covers buildings, historic open spaces, historic features and the wider historic landscape.

English Heritage strongly advises that the conservation section of the relevant local authorities and appropriate archaeological staff are closely involved throughout the preparation of the Environmental Impact Assessment. They are best placed to advise on local historic environment issues and priorities, (including access to data held in the Historic Environment Record/Sites and Monuments Record), how the proposal can be tailored to minimise potential adverse impacts on the historic environment, the nature and design of any required mitigation measures, together with opportunities for securing wider benefits for the future conservation and management of historic assets.

These comments are without prejudice and do not imply support or objection.

Kind regards

Natalie Hayes
Casework Assistant
English Heritage

PLEASE NOTE WE WILL SOON BE CHANGING OUR ADDRESS
English Heritage West Midlands Regional Office is moving.
From 3rd March 2008 our new address will be:

18/02/2008

English Heritage
The Axis
10 Holliday Street
Birmingham
B1 1TG

Tel: 0121 625 6820
Fax: 0121 625 6821

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Amgylchedd Cymru
Environment
Agency Wales

Mr. Ian Grimley
Manager, Overhead Lines
**Onshore Electricity Development
Consents**
1 Victoria Street
London
SW1H 0ET

Ein cyf/Our ref: CS/BAN/EI26832

Eich cyf/Your ref:

Dyddiad/Date: 19th March 2007

Dear Mr. Grimley

**RE: THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESMENT)
(ENGLAND AND WALES) REGULATIONS 2000**

PROPOSED LEGACY OSWESTRY TRANSMISSION LINE: SP MANWEB.

I refer to your letter dated 14th December 2007 regarding the above, and make the following comments for your consideration.

It is to be ensured that there is no adverse impact upon the quality of the watercourses in the locality. This to be particularly borne in mind during the possible construction works. Any potential work occurring in/near to watercourses should be discussed with the Environment Agency prior to works occurring to ensure that potential pollution is mitigated against. Also to bear in mind any possible excavation material that may be created by the scheme will have to be dealt with in compliance with the relevant waste legislation.

It is understood that the main stretch of the works will not involve oil filled cables or have any other oil associated with it. However, there will be a short section of oil filled cable in the road from the substations (Legacy and Oswestry).

As per the operating code on the management of fuel filled cable systems, particular attention should therefore be paid to the Environment Agency's Groundwater Strategy and all associated groundwater vulnerability information. In particular the risks to groundwater must be considered during route selection.

All appropriate pollution prevention measures will need to be instigated to prevent any potential incident from the cables. Please contact Angela Roberts of the Environment Agency to discuss in more detail on 01244 894585.

Asiantaeth yr Amgylchedd Cymru
Llwyn Brain, Parc Menai, Ffordd Penlan, Bangor, Gwynedd,
LL57 4DE
Llinell gwasanaethau cwsmeriaid: 08708 506 506
Epost: enquiries@environment-agency.gov.uk
www.asiantaeth-amgylchedd.cymru.gov.uk

Environment Agency Wales
Llwyn Brain, Parc Menai, Ffordd Penlan, Bangor, Gwynedd,
LL57 4DE
Customer services line: 08708 506 506
Email: enquiries@environment-agency.gov.uk
www.environment-agency.wales.gov.uk



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ENVIRONMENT AGENCY WALES

Special requirements for Developers & Construction Contractors

1. In these Special Requirements, the following expressions shall have the meanings assigned to them:
 - i. The "Agency" means the Environment Agency Wales.
 - ii. "Proper Officer (s)" means the Officer (s) of the Agency having responsibility for specific functions of the Agency in relation to the works or its Authorised Representatives and Agents.
 - iii. "Watercourse" means all rivers, streams, ditches, drains, cuts, culverts, dykes, sluices, lakes, ponds, reservoirs, docks, channels, creeks, bays, estuaries or arms of the sea (Water Resources Act 1991).

General Matters

2. Attention is drawn to the following legislation:
 - Water Resources Act 1991
 - Land Drainage Act 1991 (as amended 1994)
 - Land Drainage Byelaws
 - Salmon and Freshwater Fisheries Act 1975
 - Wildlife and Countryside Act 1975 (as amended 1985)
 - Ancient Monuments and Archaeological Areas Act 1979
 - Badgers Act 1991
 - The Environmental Protection Act 1990
 - Navigation Acts
 - Environment Act 1995
 - The Control of Pollution (Amendment) Act 1989

and any subsequent amendments to the above legislation.

3. All workmen, agents, or persons, employed by the Contractor whilst in areas in which the powers of the Agency apply, shall be subject to the byelaws, rules and regulations of the Agency to the reasonable orders and requirements of the Proper Officers of the Agency.
4. All necessary consents and licences from the Agency must be obtained before any works commence. Early consultation is advised.
5. Where these requirements are included in Contract Documents they must be read in conjunction with those documents and will not detract from them.

6. The use of explosives for removing obstacles in or near watercourses shall not be permitted, except under exceptional circumstances with the express permission of the Agency and other regulatory bodies as necessary.
7. Fourteen days notification in writing shall be given to the Agency of the Contractor's intention to enter into or commence work within any watercourse within their jurisdiction. Not less than two working days notice shall be given of any change of programme which affects the watercourse.
8. The Agency or an appointed representative shall at all times have access to the Site where work is being carried out in the vicinity of watercourses or on floodplains, or where the Proper Officers consider that water in the underground strata could be adversely affected.

Flood Defence Requirements

9. The Contractor's attention is drawn to the Land Drainage Act 1991 amended by Land Drainage Act 1994, the Water Resources Act 1991 and Byelaws.
 - i. The proposals for any works, and/or temporary works, to be carried out in, over, under or adjacent to a watercourse may require the formal and prior consent of the Agency. A consent application should be submitted to the Agency with full and detailed information of the proposed works.
 - ii. Any consent issued by the Agency will not relieve the Contractor of his responsibilities regarding Temporary Works and the Agency will not be held liable for any damage resulting from the construction thereof.
10. At all times during the Contract period the Contractor shall, whilst working within a channel of a river or drainage course or floodplain, take all necessary measures for the adequate discharge of flood waters and for the continued operation of all land drainage systems in the area.
11. Any proposal for temporary diversion, obstruction or piping of a watercourse during construction shall be subject to the consent of the Agency as shall be the temporary obstruction of the floodplain by spoil heaps or by any other means.
12. The construction of any access or haul roads in floodplain areas shall be to a finished level no higher than existing ground level. On completion of the works the access road shall be removed and the route reinstated to the original ground levels or other agreed level to the satisfaction of the Agency.

13. No material shall be placed within the channel or floodplain during the construction of the Temporary Works without consent of the Agency and any such material and surplus, however arising shall be removed by the Contractor as soon as its function has been fulfilled. Where the site working area includes floodplain it shall be kept clear at all times of all materials and equipment that will float.
14. The Contractor should ensure that any works do not damage the structural integrity of fluvial, tidal or sea defences.

Control of Pollution Requirements

15. The Contractor's attention is drawn to control of pollution provisions in the Water Resources Act 1991. He shall take all necessary precautions to ensure that no polluting discharge either of solid or liquids is made to any watercourse or to the underground strata and that no work carried out in any watercourse is done in such a manner as to cause pollution. Any materials, which may accidentally fall into any watercourse, shall be removed immediately.

In particular, but not by way of derogation from the generality of this Clause, the Contractor shall:

- i. obtain the prior written consent and/or approval of the Agency before making any discharge to any watercourse or to the underground strata;

The Agency's Pollution Prevention Guidelines sheets are attached for the Contractor's attention.

- ii. ensure that all fuel, lubricating oils or chemicals stored in bulk on the site are located as far as reasonably possible, and in no case closer than 10 metres from any watercourse and that such stores are sited on impervious bases and surrounded with an effective and impervious bund capable of holding the full contents of the store plus 10%. All stores shall be kept locked when not in use. All containers must be clearly labelled with their contents. A stock of oil absorbent material should be maintained on site. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or groundwater;
- iii. locate all equipment using fuel oil as far away as reasonably possible from any watercourse and shall surround them with oil-absorbent material to contain spills or leaks. Refuelling of equipment should also be remote from any watercourse or drain.
- iv. ensure leaking or empty oil drums or chemical containers are removed from the site immediately;

- v. provide for silted or discoloured water pumped from excavations either to be irrigated over grassland or settled in a lagoon prior to any discharge to a watercourse;
 - vi. not use plant in a watercourse or ford the watercourse with vehicles without the prior consent in writing of the Agency and shall ensure plant/vehicles do not leak. Regular river crossings should be by way of temporary bridges or culverts by prior agreement of the Agency;
 - vii. regularly scrape and maintain free from deposits of slurry haul roads on the site and approaches to watercourse. Any slurry so removed must be disposed of in an agreed location avoiding pollution of the watercourse. Precautions should be taken to ensure surface water drains are not contaminated by solids from workings and associated transport;
 - viii. prevent the discharge or seepage of cement slurry from any concreting work, mixing plant or ready-mix vehicle into any watercourse;
 - ix. agree with the Agency his plant, vehicle parking and servicing areas and wheel washing facilities;
 - x. ensure that any imported fill or construction material is free from polluting or toxic substances where drainage from the material can directly enter surface or underground waters;
 - xi. provide suitable sheeting under any structure over a watercourse which is to be cleaned by mechanical or chemical means/and or painted in order to prevent material entering the watercourse.
16. In executing the Works the Contractor shall take all necessary precautions to secure the efficient protection of all rivers, streams and waterways and the like, together with water in underground strata, against silting, erosion and pollution.
 17. The Contractor shall not without the written consent of the Agency, remove from any part of the bottom channel or bed of a watercourse, a deposit accumulated by reason of any dam, weir or sluice. And shall not undertake such removal by causing the deposit to be carried away in suspension in the waters. Sediments so removed should be disposed of through an approved route.
 18. The Contractor shall provide details to the Agency of any site investigations undertaken on suspected contaminated sites, such as gas works, chemical works.

Waste Management

19. The contractor and Agency employees shall comply with the requirements of the Environmental Protection Act 1990, the Control of Pollution (Amendment) Act 1989, the Environment Act 1995 and regulations made thereunder and relevant codes of practice.
20. In particular, contractors and employees shall ensure that
 - i. all necessary precautions are taken to ensure that no wastes of any type are deposited on land, or caused or allowed to be treated, kept or disposed of except under or in accordance with a Waste Management Licence or exemption registered with the Agency;
 - ii. the production, transport, recovery and disposal of wastes does not cause pollution of the environment, harm to human health or become seriously detrimental to the amenities of the locality;
 - iii. the waste does not escape from his or any other persons control;
 - iv. where waste is transferred to another person an accurate description is provided of the waste as required under the Duty of Care legislation, to ensure that the other person complies with the legislation;
 - v. where waste is transferred to another person that person is authorised to receive the waste or authorised to transport the waste (i.e. They hold a Waste Management Licence, registered exemption or waste carrier registration);
 - vi. where waste is transferred to a waste management facility such as a landfill site or a treatment plant, the contractor shall carry out an audit of the facility to ensure that the site is suitable to accept the waste;
 - vii. the contractor shall ensure that all operators claiming to be exempt from the requirement to register as a carrier of waste meet to legislative requirements of the exemptions;
 - viii. the contractor shall ensure that operators of waste management facilities claiming to be exempt from the requirement to hold a Waste Management Licence meet the requirements of the exemption;
 - ix. developers should be aware of the potential hazards from landfill gas when carrying out developments on land within 250 metres of any current or former landfill sites.

21. The contractor should comply with the requirements of the Control of Pollution (Special Waste) Regulations 1980 or the Special Waste Regulations 1996 in relation to the production of consignment notes for the carriage and disposal of special wastes. The removal of any material which is special waste as defined by the Special Waste Regulations 1996 shall be notified to the Agency Area offices where the disposal site is located, at least 3 days and no more than 1 month, in advance of the intended removal date. If there is any doubt as to whether the wastes would be special wastes, consultation with the Agency in the area where the wastes are to be produced, will be necessary.
22. Information leaflets on the Duty of Care and Registration of Carriers are available.

Water Resources Requirements

23. The Contractor's attention is drawn to the Water Resources Act 1991. The Contractor shall take all necessary precautions to secure the efficient protection of water abstractions whether licensed or not. A list of licensed abstractions is available on a public register but the Contractor's attention is also drawn to the possible existence of domestic abstractions exempt from licensing.
24. No works shall be carried out by the Contractor that reduces or materially alters the rate of flow passing down a watercourse, whether of a temporary nature or not.
25. Works in a watercourse of a permanent nature which result in impounding of the water may require a licence from the Agency; and the Contractor is urged to contact the Agency as soon as possible to initiate the procedures.
26. The abstraction of water from surface sources or underground sources for use in the works may require an abstraction licence from the Agency and the Contractor is urged to contact the Agency as soon as possible to initiate the procedures.

Conservation and Fisheries Requirements

27. The Contractor's attention is drawn to the Salmon and Freshwater Fisheries Act 1975; Water Resources Act 1991; Wildlife and Countryside Act 1981 (as amended); Ancient Monuments and Archaeological Areas Act 1979; Badgers Act 1999 and he shall take all precautions to ensure that no work in any watercourse corridor is done in such a manner as to cause damage to flora and fauna.

In particular, but not by way of derogation from the generality of this Clause, the Contractor shall

- i. not remove any bed or bank-side material for use in construction or temporary bunds;
- ii. stockpile, remote from the watercourse and keep clean any bed material necessarily removed in the course of construction and replace on completion or works, or as otherwise agreed with the Agency;
- iii. not remove vegetation other than fallen trees from or adjacent to any watercourse unless previously agreed with the Agency;
- iv. submit to the Agency for prior approval, his proposals for maintaining at all times the free passage of fish;
- v. take all necessary measures in the preparation of his programme of works to ensure that the disturbance of the channel is avoided where significant populations of salmonid fish are present in the period from the beginning of October to the end of March, unless otherwise agreed with the Agency. Similarly where significant coarse fish populations are present in river works should be avoided in the period 31 March to 30 June inclusive.
- vi. not without prior consent of the Agency,
 - (a) remove aquatic weeds in the period from the beginning of May to the end of August;
 - (b) spray aquatic weeds at any time.
- vii. not allow cut vegetation from approved clearance works to enter any watercourse;
- viii. take all necessary precautions to prevent the spread of Japanese Knotweed and Giant Hogweed. In particular, any spoil contaminated with the rhizomes or roots of these species should not be spread to areas where the plants are not currently growing.

Navigation Requirements

28. The Contractors attention is drawn to several Navigation Acts (generally specific to individual watercourses) which regulate the use of navigable waters.

In particular, but not by way of derogation from the generality of this Clause, the Contractor shall

- i) provide and maintain a permanent marker in both banks of the watercourse to indicate the presence of concealed works;

- ii) not reduce the width of any watercourse by any means without prior written approval of the Agency;
- iii) obtain written approval of the Agency as to the timing and method of working to include clearance above the navigation.

All enquiries are to be addressed to:

R.C.Carter
Team Leader Planning Liaison
Environment Agency Wales
Llwyn Brain
Ffordd Penlan
Parc Menai
Bangor
LL57 4DE

Tel: 01248 670770

In the event of an Emergency e.g. Fish Kill, Pollution or Flood, please telephone

0800 80 70 60 IMMEDIATELY

ENVIRONMENT AGENCY WALES

Special Requirements Supplement

Special requirements for Fisheries and Conservation

Many Welsh rivers support important and valuable fisheries for salmon, sea trout and brown trout. This information sheet provides additional guidance for individuals and organisations intending to work in or near rivers in respect of Section 23 of the "Special Requirements in Relation to the Environment Agency", which deals with Conservation and Fisheries Requirements.

- (1) The Environment Agency (the Agency) has duties and powers in respect of the protection and management of fisheries within Wales and England. All inland fisheries are privately owned and most coastal fisheries are public fisheries vested in the Crown. It is important therefore that both the Agency and the fishery owner are consulted prior to carrying out work in or near to a watercourse. In addition to the fishery protection requirements enforced by the Agency it should be noted that private fishery owners also have legal rights under Civil and Common Law.
- (2) If migratory fish are present in the river, then their passage upstream must not be impeded by work in the river. The Environment Manager (Conwy, Anglesey & Gwynedd) will be pleased to provide specific advice on this legal requirement, particularly with regard to the design of culverts and diversions, both permanent and temporary. Such specific advice is also available in respect of the requirements for protection of spawning areas and seasons (Section 23v).
- (3) Section 11 of "Special Requirements in Relation to the Agency" specifies the consenting requirement in relation to temporary diversion, obstruction or piping of a watercourse. All work in the watercourse should be carried out so as to minimise the risk of trapping fish. The Agency will organise fish rescues, where required, on a planned basis. This work is recharged at a fixed rate per man-hour (£25 per man-hour in February 1994). A fish rescue implemented by any other organisation requires the formal consent of the Agency.
- (4) The Agency has a duty to promote conservation, which applies to the approval of any formal consent. Consents may therefore be withheld unless conservation requirements are adequately satisfied. The Environment Manager (Conwy, Anglesey & Gwynedd) will be pleased to advise on conservation matters.

All enquiries are to be addressed to:

Mr Alan Winstone
Environment Manager (Conwy, Anglesey & Gwynedd)
Environment Agency Wales
Llwyn Brain
Ffordd Penlan
Parc Menai
Bangor, LL57 4DE

Tel: 01248 670770

ASiantaeth YR AMGYLCHEDD CYMRU

Atodiad Gofynion Arbennig

Gofynion Arbennig Pysgodfeydd a Chadwraeth

Y mae llawer o afonydd Cymru yn cynnwys pysgodfeydd eog, brithyll mudol a brithyll afon pwysig a gwerthfawr. Y mae'r daflen hon yn cynnig cyfarwyddyd ychwanegol ar gyfer unigolion a chyrff sy'n bwriadu gweithio mewn afonydd neu yn agos atynt mewn perthynas ag Adran 23 y "Gofynion Arbennig mewn Perthynas ag Asiantaeth yr Amgylchedd", sydd yn delio â Gofynion Cadwraeth a Pysgodfeydd.

- (1) Y mae gan Asiantaeth yr Amgylchedd (yr Asiantaeth) ddyletswyddau a grymoedd mewn perthynas â gwarchod a rheoli pysgodfeydd yng Nghymru a Lloegr. Eiddo preifat yw pob pysgodfa mewndirol, ac eiddo cyhoeddus, wedi ei freinio yn y Goron, yw mwyafrif y pysgodfeydd arfordirol. Y mae'n bwysig, felly, ymgynghori â'r Asiantaeth ac â pherchennog y bysgodfa cyn gwneud unrhyw waith mewn cwrs dŵr, neu'n agos ato. Yn ogystal â'r gofynion amddiffyn pysgodfeydd a orfodir gan yr Asiantaeth, dylid sylwi bod gan berchnogion pysgodfeydd hawliau o dan y Gyfraith Suful a Chyffredin hefyd.
- (2) Os oes pysgod mudol yn yr afon, rhaid i'r gwaith yn yr afon beidio ag amharu ar eu tramwyad at i fyny. Pleser gan y Rheolwr Amgylchedd (Conwy, Môn a Gwynedd) fydd darparu cyngor penodol ar y gofyn cyfreithiol hwn, yn arbennig mewn perthynas â chynllunio cwlferau a dargyfeiriadau, parhaol a dros dro. Y mae'r fath gyngor penodol hefyd ar gael mewn perthynas â gofynion amddiffyn mannau a thymhorau silio (Adran 23v).
- (3) Y mae Adran 11 "Gofynion Arbennig mewn Perthynas â'r Asiantaeth" yn nodi yn fanwl y gofyn caniatáu mewn perthynas â dargyfeirio, cau, neu bibellu dros dro cwrs dŵr. Rhaid cyflawni pob gwaith yn y cwrs dŵr mewn modd sydd yn lleihau i'r eithaf perygl dal pysgod. Bydd yr Asiantaeth yn trefnu achub pysgod, lle bo angen, trwy gynllun. Ailgodir am y gwaith hwn ar raddfa benodol yr awr waith (£25 yr awr waith yn Chwefror 1994). Y mae angen caniatâd yr Asiantaeth ar unrhyw un arall sydd am achub pysgod.
- (4) Dyletswydd ar yr Asiantaeth yw hybu cadwraeth, sydd yn berthnasol i gysyniad ag unrhyw ganiatâd ffurfiol. Gellir gwrthod caniatâd, felly, hyd oni ddigonir anghenion cadwraeth. Bydd yn dda gan y Rheolwr Amgylchedd (Conwy, Môn a Gwynedd) roi cyngor ar faterion cadwraeth.

Rhaid cyfeirio pob ymholiad at:

Mr Alan Winstone
Rheolwr Amgylchedd (Conwy, Môn a Gwynedd)
Asiantaeth yr Amgylchedd Cymru
Llwyn Brain
Ffordd Penlan
Parc Menai, Bangor
LL57 4DE

Ffôn: 01248 670770

- viii. bydd yn gofalu rhwystro ymlediad y Canclwm\Llyisiau'r Dial a'r Efwr Mawr. Yn benodol, ni ddylid lledaenu unrhyw bridd sydd yn cynnwys gwreiddiau'r planhigion hyn i ardaloedd lle nad ydynt yn tyfu eisoes.

Gofynion Mordwyaeth

27. Tynnir sylw'r Contractwr at sawl Deddf Mordwyaeth (y mae a wnelo nhw fel arfer â chysiau dŵr penodol) sydd yn rheoli'r defnydd ar ddyfroedd mordwyol.

Yn benodol, ond heb leihau dim ar gyffredinolrwydd y Cymal hwn:

- i. bydd y Contractwr yn gosod arwydd parhaol ar ddwy lan y cwrs dŵr er mwyn arwyddo presenoldeb gwaith cudd;
- ii. ni fydd yn culhau dim ar led y cwrs dŵr drwy unrhyw fodd heb gydsyniad ysgrifenedig yr Asiantaeth o flaen llaw;
- iii. bydd yn sicrhau cydsyniad ysgrifenedig yr Asiantaeth ynghylch amseriad a dull y gweithio, gan gynnwys cliriad uwchlaw'r fordwyaeth.

Rhaid cyfeirio pob ymholiad at:

R.C.Carter
Arweinydd Tîm Cyswllt Cynllunio
Asiantaeth yr Amgylchedd Cymru
Llwyn Brain
Ffordd Penlan
Parc Menai
Bangor
LL57 4DE

Ffôn: 01248 670770

Ar adeg argyfwng, fel Cyflafan Bysgod, Llygredd neu Lifogydd e.e., ffoniwch

0800 80 70 60 AR UNWAITH OS GWELWCH YN DDA

25. Gall y bydd angen trwydded lle bo dŵr yn cronni o ganlyniad i waith parhaol mewn cwrs dŵr. Anogir y Contractwr i gysylltu â'r Asiantaeth cyn gynted ag y bo modd er mwyn dechrau'r broses.
26. Gall y bydd angen trwydded echdynnu gan yr Asiantaeth er mwyn echdynnu dŵr o ffynonellau wyneb neu ffynonellau tanddaearol ar gyfer gwaith. Anogir y Contractwr i gysylltu â'r Asiantaeth cyn gynted ag y bo modd er mwyn dechrau'r broses.

Gofynion Cadwraeth a Physgodfeydd

Tynnir sylw'r Contractwr at Ddeddf Eog a Physgodfeydd Dŵr Croyw 1975; Deddf Adnoddau Dŵr 1991; Deddf Bywyd Gwyllt a Chefn Gwlad 1981 (fel y'i diwygiwyd); Deddf Henebion ac Ardaloedd Archeolegol 1979; a Deddf Moch Daeor 1999 a bydd iddo gymeryd pob gofal er sicrhau na wneir unrhyw waith gerllaw cwrs dŵr mewn modd sydd yn niweidio planhigion ac anifeiliaid.

Yn benodol, ond heb leihau dim ar gyffredinolrwydd y Cymal hwn:

- i. ni fydd y Contractwr yn cymeryd unrhyw ddeunydd o'r gwaelod neu'r lan i'w ddefnyddio ar gyfer adeiladu neu fwndiau dros dro;
- ii. bydd yn crynhoi ymhell o'r cwrs dŵr ac yn cadw'n lân unrhyw ddeunydd o'r gwaelod y bu'n rhaid ei symud yn ystod y gwaith, a'i roi yn ôl ar ddiwedd y gwaith, neu fel y cytunwyd fel arall gyda'r Asiantaeth;
- iii. ni fydd yn symud ymaith o'r cwrs dŵr neu o'i gyffiniau unrhyw lystyfiant heblaw coed sydd wedi cwmpo, onis cytunwyd o flaen llaw gyda'r Asiantaeth;
- iv. bydd yn cyflwyno o flaen llaw, am gymeradwyaeth yr Asiantaeth, ei gynigion ar gyfer cadw'r dramwyfa pysgod yn agored ac yn ddirwystr ar bob adeg;
- v. bydd yn ymorol wrth baratoi ei raglen waith er sicrhau nad aflonyddir ar y sianel lle bo poblogaethau pysgod eogaidd sylweddol yn y cyfnod rhwng dechrau mis Hydref a diwedd mis Mawrth, oni bai iddo gytuno fel arall gyda'r Asiantaeth. Yn gyffelyb, lle bo poblogaethau pysgod bras sylweddol mewn afon, dylid osgoi gweithio yn y cyfnod sydd yn dechrau ar ddiwrnod olaf Mawrth ac yn darford ar ddiwrnod olaf Mehefin;
- vi. heb ganiatâd o flaen llaw gan yr Asiantaeth, ni fydd,
 - (a) yn tynnu ymaith blanhigion dŵr yn y cyfnod o ddechrau Mai hyd ddiwedd Awst;
 - (b) yn chwistrellu planhigion dŵr ar unrhyw adeg;
- vii. ni fydd yn caniatáu i unrhyw lystyfiant a dorrwyd adeg gwaith clirio awdurdodedig fynd i unrhyw gwrws dŵr;

- iv. darparu disgrifiad cywir o'r gwastraff, yn ôl gofynion deddfwriaeth Dyletswydd Gofal, pan drosglwyddir gwastraff i rywun arall, er mwyn sicrhau fod y sawl arall yn cydymffurfio â'r deddfwriaeth;
 - v. bod y sawl sydd yn derbyn gwastraff wedi ei awdurdodi i dderbyn neu gludo'r gwastraff (h.y. fod ganddo Drwydded Rheolaeth Gwastraff, eithriad cofrestredig neu gofrestrriad cludwr gwastraff);
 - vi. bod y Contractwr, pan drosglwyddir gwastraff i gyfleuster rheolaeth gwastraff megis safle tirlenwi neu waith trin, yn archwilio'r cyfleuster er mwyn sicrhau bod y safle yn un addas ar gyfer derbyn y gwastraff;
 - vii. bod y Contractwr yn sicrhau fod pob gweithredwr sydd yn honni ei fod wedi ei eithrio o'r angen cofrestru fel cludwr gwastraff yn cwrdd â gofynion deddfwriaethol yr eithriadau;
 - viii. bod y Contractwr yn sicrhau bod gweithredwyr cyfleusterau rheolaeth gwastraff sydd yn honni eu bod wedi eu heithrio o'r angen dal Trwydded Rheolaeth Gwastraff yn cwrdd â gofynion deddfwriaethol yr eithriadau;
 - ix. dylai datblygwyr fod yn ymwybodol o beryglon posib nwy tirlenwi pan yn datblygu ar dir o fewn 250 metr i unrhyw safleoedd tirlenwi presennol neu hen rai;
21. Dylai'r Contractwr gydymffurfio â gofynion Rheoliadau Rheolaeth Llygredd (Gwastraff Arbennig) 1980 neu Reoliadau Gwastraff Arbennig 1996 mewn perthynas â chyflwyniad anfonebau ar gyfer cludo a gwaredu gwastraff arbennig.
- Mewn perthynas â symud unrhyw ddeunydd sydd yn wastraff arbennig yn ôl diffiniad Rheoliadau Gwastraff Arbennig 1996, rhaid rhoi gwybod i swyddfeydd yr Asiantaeth yn yr Ardal sydd yn cynnwys y safle gwaredu. Hynny o leiaf tri diwrnod, ac nid mwy nag un mis, cyn y dyddiad y bwriedir symud y gwastraff. Os oes unrhyw amheuaeth os byddai'r gwastraff yn wastraff arbennig, rhaid cael gair â'r Asiantaeth yn yr Ardal lle y cynhyrchir y gwastraff.
22. Y mae taflenni gwybodaeth ynghylch Dyletswydd Gofal a Chofrestru Cludwyr ar gael.

Gofynion Adnoddau Dŵr

23. Tynnir sylw'r Contractwr at Ddeddf Adnoddau Dŵr 1991. Rhaid i'r Contractwr ymorol ymlaen llaw am sicrhau amddiffyn echdyniadau dŵr yn effeithlon, boed hwy'n drwyddedig ai peidio. Y mae rhestr echdyniadau trwyddedig ar gael ar gofrestr gyhoeddus, ond hefyd tynnir sylw'r Contractwr at fodolaeth bosib echdyniadau domestig nad oes angen eu trwyddedu.
24. Ni wna'r Contractwr unrhyw waith sydd yn lleihau neu yn newid yn sylweddol y gyfradd llif i lawr cwrs dŵr, boed hynny dros dro ai peidio.

ASiantaeth Yr Amgylchedd Cymru

Gofynion arbennig ar gyfer Datblygwyr a Chontractwyr Adeiladu

1. Yn y Gofynion Arbennig hyn, dyma ystyr yr ymadroddion canlynol:
 - i. Y mae'r "Asiantaeth" yn golygu Asiantaeth yr Amgylchedd Cymru.
 - ii. Y mae'r "Swyddog(ion) Priodol" yn golygu Swyddog(ion) yr Asiantaeth sydd â chyfrifoldeb am rannau arbennig o waith yr Asiantaeth mewn perthynas â'i gwaith neu â'i Chynrychiolwyr a'i Hasiantau Awdurdodedig.
 - iii. Y mae "cwrs dŵr" yn golygu pob afon, nant, ffos, draen, camlas, cwlfer, cob, llifddor, llyn, pwll, cronfa, doc, sianel, cilfach, bae, aber, moryd neu gainc o'r môr (Deddf Adnoddau Dŵr 1991).

Materion Cyffredinol

2. Tynnir sylw at y ddeddfwriaeth ganlynol:
 - Deddf Adnoddau Dŵr 1991
 - Deddf Draenio Tir 1991 (fel y'i diwygiwyd 1994)
 - Is-ddeddfau Draenio Tir
 - Deddf Eog a Physgodfeydd Dŵr Croyw 1975
 - Deddf Bywyd Gwyllt a Chefn Gwlad 1975 (fel y'i diwygiwyd 1985)
 - Deddf Henebion ac Ardaloedd Archeolegol 1979
 - Deddf Moch Daear 1991
 - Deddf Amddiffyn yr Amgylchedd 1990
 - Deddfau Mordwyo
 - Deddf yr Amgylchedd 1995
 - Deddf Rheoli Llygredd (Diwygiad) 1989

ac unrhyw ddiwygio pellach ar y ddeddfwriaeth uchod.

3. Mewn ardaloedd lle bo grymoedd yr Asiantaeth yn weithredol, bydd pob gweithiwr, asiant, neu unigolyn a gyflogir gan y Contractwr yn rhwym wrth is-ddeddfau, rheolau a rheoliadau yr Asiantaeth. Bydd yn rhwym hefyd wrth orchmynion rhesymol a gofynion Swyddogion Priodol yr Asiantaeth.
4. Cyn dechrau unrhyw waith, rhaid cael pob caniatâd a thrwydded angenrheidiol o eiddo'r Asiantaeth. Gorau po gyntaf yr ymholir am hyn.
5. Lle bo'r gofynion hyn wedi eu cynnwys yn Nogfen y Cytundeb, rhaid eu darllen ar y cyd â'r dogfennau hynny, ac ni fyddant yn tynnu oddi wrthynt.

6. Ni chaniateir defnyddio ffrwydron er mwyn symud rhwystrau mewn cyrsiau dŵr neu gerllaw iddynt, heblaw mewn amgylchiadau eithriadol a chyda chaniatâd eglur yr Asiantaeth a chyrrff rheolaethol eraill yn ôl yr angen.
7. Rhaid rhoi pedwar diwrnod ar ddeg o rybudd ysgrifenedig i'r Asiantaeth o fwriad y Contractwr i ddechrau neu gychwyn ar waith o fewn unrhyw gwrs dŵr o dan eu hawdurdod. Rhaid rhoi o leiaf dau ddiwrnod o rybudd o unrhyw newid rhaglen sydd yn effeithio ar y cwrs dŵr.
8. Bydd gan yr Asiantaeth neu gynrychiolydd penodedig fynediad pob amser at y Safle lle bo gwaith yn mynd rhagddo yng nghyffiniau cyrsiau dŵr neu ar orlifdir, neu lle bo'r Swyddogion Priodol o'r farn y gellid amharu ar ddŵr mewn haenau tanddaearol.

Anghenion Amddiffyn Rhag Llifogydd

9. Tynnir sylw y Contractwr at Ddeddf Draenio Tir 1991 wedi'i ddiwygio gan Ddeddf Draenio Tir 1994, Deddf Adnoddau Dŵr 1991 ac Is-ddeddfau.
 - i. Gall fod angen cydsyniad ffurfiol ac o flaen llaw yr Asiantaeth ar gyfer cynigion am unrhyw waith, parhaol neu dros-dro, mewn, dros, o dan neu wrth ymyl cwrs dŵr. Dylid cyflwyno cais am ganiatâd i'r Asiantaeth gyda gwybodaeth lawn a manwl am y gwaith arfaethedig.
 - ii. Ni fydd unrhyw ganiatâd a roddir gan yr Asiantaeth yn diddymu cyfrifoldebau'r Contractwr mewn perthynas â Gwaith Dros Dro, ac ni ddelir yr Asiantaeth yn gyfrifol am unrhyw ddifrod sydd yn deillio o adeiladu'r cyfryw.
10. Bydd y Contractwr, tra'n gweithio o fewn sianel afon neu gwrs draenio neu orlifdir, yn cymeryd pob cam angenrheidiol ar gyfer arllwysiad digonol dŵr llifogydd a gweithrediad parhaol pob cyfundrefn draenio tir yn yr ardal. Hynny gydol cyfnod y Cytundeb.
11. Mewn perthynas â chwrs dŵr, bydd pob cynnig ar gyfer ei ddargyfeirio dros dro, ei gau neu ei bibellu yn ddibynnol ar ganiatâd yr Asiantaeth. Felly hefyd gau y gorlifdir dros dro gan domennydd sbwriel neu mewn unrhyw fodd arall.
12. Ni ellir adeiladu unrhyw ffordd fynediad neu lôn gludo hyd at lefel orffenedig uwch na'r lefel tir sydd yn bod eisoes. Wedi cwblhau'r gwaith, symudir ymaith y ffordd fynediad ac adferir y llwybr at y lefelau tir gwreiddiol neu lefel arall y cytunir arno wrth fodd yr Asiantaeth.
13. Heb ganiatâd yr Asiantaeth, ni roddir unrhyw ddeunydd i fewn i'r sianel neu ar y gorlifdir adeg adeiladu Gwaith Dros Dro. Rhaid i'r Contractwr gymeryd ymaith unrhyw ddeunydd neu weddill o'r fath, waeth pa sut y daeth i fod, cyn gynted ag y cyflawno ei ddiben. Lle bo safle'r gwaith yn cynnwys gorlifdir, rhaid ei gadw yn rhydd pob amser o bob defnydd neu offer a all nofio.
14. Dylai'r Contractwr sicrhau nad yw unrhyw waith yn amharu ar gadernid adeiladwaith amddiffynfeydd afon, llanw neu fôr.

arno, gan osgoi llygru unrhyw gwrs dŵr. Dylid gofalu na lygrir draeniau dŵr wyneb gan soledau o'r gwaith ac o'r cludiant cysylltiedig;

- viii. atal gollwng neu ddiferu slyri siment o unrhyw waith concritio, peiriant cymysgu neu gerbyd cymysgu parod i unrhyw gwrs dŵr;
 - ix. cytuno gyda'r Asiantaeth ar fannau peiriannau, parcio a gwasanaethu cerbydau a chyfleusterau golchi olwynion;
 - x. sicrhau, lle bo modd i'r draeniad o ddeunydd fynd yn uniongyrchol i ddyfroedd wyneb neu danddaearol, bod unrhyw ddeunydd llanw neu adeiladu a ddaw i mewn i'r safle yn rhydd o unrhyw sylweddau llygryddol neu wenwynig;
 - xi. darparu gorchuddion addas o dan unrhyw adeiladwaith dros gwrs dŵr sydd i'w lanhau trwy ddulliau peiriannol neu gemegol a'i baentio, neu i'w baentio yn unig, er mwyn rhwystro deunyddiau rhag mynd i'r cwrs dŵr.
16. Wrth gyflawni'r gwaith bydd i'r Contractwr gymeryd pob gofal angenrheidiol er sicrhau amddiffyn yn effeithlon pob afon, nant, dyfrffordd a'r cyffelyb, ynghyd â dŵr mewn haenau tanddaearol, rhag siltio, erydiad a llygredd.
17. Heb ganiatâd ysgrifenedig yr Asiantaeth, ni fydd i'r Contractwr symud ymaith caenen a grynhowyd oherwydd unrhyw gronfa, cored neu lifddor o unrhyw ran o waelod sianel neu wely cwrs dŵr. Ni fydd iddo ymgymryd ag unrhyw symud ymaith o'r fath trwy achosi cludo'r gaenen ymaith mewn daliant yn y dyfroedd, ychwaith. Dylid cael gwared o waddodion a symudir ymaith felly drwy ddull cymeradwy.
18. Bydd i'r Contractwr ddarparu manylion i'r Asiantaeth am unrhyw archwiliadau safle a wneir ar safleoedd yr amheuir eu bod yn llygredig, megis gweithfeydd nwy, gweithfeydd cemegau.
19. Bydd i weithwyr y Contractwr a'r Asiantaeth gydymffurfio â gofynion Deddf Amddiffyn yr Amgylchedd 1990, Deddf Rheoli Llygredd (Diwygiad) 1989, Deddf yr Amgylchedd 1995 a rheolau sy'n deillio ohonynt a chodau ymarfer perthnasol.
20. Yn benodol, bydd Contractwyr a gweithwyr yn sicrhau:
- i. cymeryd pob gofal er sicrhau na adewir gwastraff o unrhyw fath ar dir; ac na achosir ac na chaniateir trin, cadw, neu waredu gwastraff, heplaw tan Drwydded Rheolaeth Gwastraff neu eithriad wedi ei gofrestru gyda'r Asiantaeth, neu yn unol â Thrwydded neu eithriad o'r fath;
 - ii. nad yw cynhyrchu, cludo, adennill a gwaredu gwastraff yn achosi llygru'r amgylchedd neu niwed i iechyd dynol, nac yn achosi niwed sylweddol i fwynderau'r cylch;
 - iii. nad yw'r gwastraff yn mynd y tu hwnt i'w reolaeth ef neu unrhyw un arall;

Gofynion Rheolaeth Llygredd

15. Tynnir sylw'r Contractwr at ddarpariaethau rheolaeth llygredd yn Neddff Adnoddau Dŵr 1991. Dylai gymeryd pob gofal er sicrhau na ollyngir unrhyw lygrwr, solet neu hylif, i unrhyw gwrs dŵr neu i'r haenau tanddaearol; ac na wneir unrhyw waith mewn cwrs dŵr mewn modd sydd yn debyg o achosi llygredd. Os digwydd i unrhyw ddeunyddiau syrthio i'r cwrs dŵr yn ddamweiniol, rhaid eu tynnu allan ar unwaith.

Yn benodol, ond heb leihau dim ar gyffredinolrwydd y Cymal hwn, bydd i'r Contractwr:

- i. gael caniatâd a chydsyniad ysgrifenedig yr Asiantaeth, neu ei chydsyniad ysgrifenedig yn unig, cyn gwneud unrhyw ollyngiad i unrhyw gwrs dŵr neu i'r haenau tanddaearol;

atodir taflenni Atal Llygredd yr Asiantaeth i sylw'r Contractwr;

- ii. sicrhau bod pob tanwydd, olew treuliau, neu gemegyn a gedwir mewn crynswth ar y safle wedi eu lleoli cyn belled ag y bo modd rhesymol o unrhyw gwrs dŵr; ac nid, mewn unrhyw achos, yn agosach na 10 metr iddo. Rhaid gosod cyflenwadau o'r fath ar seiliau anhreiddiadwy, a'u hamgylchu gan fwnd effeithiol ac anhreiddiadwy a all ddal holl gynnwys y storfa a 10% yn ychwaneg. Rhaid cadw pob storfa ar glo pan na ddefnyddir mohono. Rhaid i bob cynhwysydd ddwyn label sy'n dangos ei gynnwys yn eglur. Dylid cadw cyflenwad o ddefnydd amsugno olew ar y safle. Bydd cyfundrefn draenio'r bwnd wedi ei selio, heb ollyngiad i unrhyw gwrs dŵr, dir neu ddŵr daear;

- iii. leoli pob offer sydd yn defnyddio olew tanwydd cyn belled i fwrdd ag y bo modd rhesymol o unrhyw gwrs dŵr. Bydd iddo eu hamgylchu â deunydd amsugno olew er mwyn atal unrhyw ollyngiadau. Dylid ail-lenwi offer â thanwydd ymhell o unrhyw gwrs dŵr neu ddraen;

- iv. sicrhau y symudir unrhyw ddrymiau olew neu gynhwysyddion cemegau sydd yn gollwng neu'n wag o'r safle ar unwaith;

- v. ddarparu ar gyfer gwasgaru dros dir glas unrhyw ddŵr lleidiog neu ddrwg ei liw a bwmpwyd o'r gwaith tyllu. Neu, gadael i ddŵr o'r fath waddodi mewn pwll cyn unrhyw ollwng i gwrs dŵr;

- vi. beidio â defnyddio peiriannau yn y cwrs dŵr neu yrru cerbydau ar ei draws heb ganiatâd ysgrifenedig yr Asiantaeth o flaen llaw. Rhaid sicrhau nad yw peiriannau neu gerbydau yn gollwng. Os oes angen croesi yn rheolaidd, dylid defnyddio pontydd neu gwlferau dros dro trwy gydsyniad o flaen llaw yr Asiantaeth;

- vii. grafu lonydd cludo a ffyrdd at y cwrs dŵr yn rheolaidd a'u cadw'n rhydd rhag gaenennau slyri. Rhaid cael gwared o unrhyw slyri o'r fath i rywle y cytunwyd

creating a better place



Mr Ian Grimley
BERR
Onshore Electricity Development Consents
1 Victoria Street
LONDON
SW1H 0ET

Our ref: US/CS/MF/11643
Your ref:

Date: 04 January 2008

Dear Mr Grimley

Request for Information: Proposed Overhead Line – Legacy and Oswestry Sub-stations (SP Manweb)

Thank you for your letter dated 14 December 2007.

Flood Risk Assessment

Flood Risk Management will not be affected provided that poles are not erected on the embankments of rivers and watercourses.

Site Specific Biodiversity Assessment

The alignment is in close proximity to Fernhill Pastures SSSI (SJ321328), this is an important wet meadow site. Additionally there is a record of a Long-eared bat roost in close proximity at SJ322326. Natural England will need to be consulted with regard to these features. On principle it would be preferable to have an alignment less close to the SSSI as this may impact birds, bats and other fauna using the site.. www.naturalengland.org.uk

Additional Assessment

The alignment crosses the River Perry and the Shropshire Union Canal, both these features may be used by birds as flight routes therefore bird deflectors should be installed on the wires to reduce the potential for bird strikes.

With regard to the above crossings, and those of any minor watercourse or pond, pylon footings should be a minimum distance of 5 metres from the bank top of any watercourse/feature. This is to avoid impact on any water vole burrows should this species be present and to ensure the pylons are not at risk from erosion.

Development Control Assessment

The only area of concern in our operational boundary is in the vicinity of SJ 31 33 where the proposed route crosses the River Perry (main river) and several ordinary watercourses/ditches. The enquiry indicates that the works will consist of overhead lines, the enclosed guidance sheet is therefore applicable.

The remainder of the route is not in our operational boundary, so comments from other regions will be required.

Hafren House, Welshpool Road, Shelton, Shrewsbury, SY3 8BB.
Customer services line: 08708 506 506
Email: enquiries@environment-agency.gov.uk
www.environment-agency.gov.uk



Groundwater and Contaminated Land Assessment

Please note that this comment is based on information provided in the SP Manweb Scoping Report dated November 2007 and relates to possible impact to groundwater and contaminated land only.

Section of overhead line.

Page 5 section 3.8 outlines two particular issues to be considered in detailed routing of the line between the crossing of the River Dee and River Ceiriog. It would appear that the developers are possibly unaware of two small historic landfill sites east of St. Martins (At approximately SJ 333 3694) as these have not been considered in the text but fall within the area of the Ecological Survey Corridor indicated on map number D700.098 REV A sheet 5 of 8. Although the line is shown to pass just to the east of the landfills any small deviation from the route shown on the plans may result in the line crossing these landfills. The Agency would like to be reassured that the developer is aware of these landfills and that this is reported appropriately.

The scoping report appears to adequately address remaining issues for this section of line.

Sections requiring Underground Cable.

The scoping report has not identified the risk posed by or mitigation measures required for the following:

Transformer installation and possible impact to groundwater from transformer oil leaks.

Possible cooling oil leakage to soils and groundwater from cable sections.

The Agency considers these to be serious deficiencies in the report and will require detailed consideration of the above including information regarding any testing protocols that may be suggested as mitigation measures.

I hope that the above comment will be of assistance to you.

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I hope this information meets your needs. If you need to discuss anything further please contact us.

Yours sincerely

MATTHEW WESTON
External Relations Officer
Direct Dial 01743 283412

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1.0 INTRODUCTION

The Environment Agency wishes to ensure that overhead lines do not inhibit or prevent the future machine maintenance of a watercourse. The Agency will liaise closely with the electricity companies regarding the establishment of the preferred route of a line.

2.0 CLEARANCES

There is no national agreement which applies to clearance above waterways and it is dealt with by individual agreement. However, for flood banks, the minimum statutory clearances above ground level (ie. top of flood bank) apply. The Agency recommendations and statutory clearances are given below:

2.1 High voltage overhead lines and towers must give:

- (a) vertical clearance of the overhead line above river banks and flood banks, and
- (b) horizontal clearance of any tower or support from the top of the bank of the watercourse.

VOLTAGE	Vertical Clearance		Horizontal Clearance
	<u>Statutory</u>	<u>Agency (a)</u>	<u>Agency (b)</u>
* 275 KV	7.0m	15m	15m
400 KV	7.6m	15m	15m

*275 KV lines can be uprated and, therefore, sometimes the electricity undertaker will quote clearances appropriate to 400 KV lines.

2.2 The table below gives the current clearances for 132 KV and below:

Vertical Clearance above ground			Horizontal Clearance from bank top
<u>Voltage</u>	<u>Statutory</u>	<u>Agency (a)</u>	<u>Agency (b)</u>
415V	5.2m	6.0m	9.0m
6.6KV	5.2m	9.0m	10.0m
11KV	5.2m	9.0m	10.0m
33KV	5.2m	9.0m	10.0m
66KV	6.0m	9.0/12.0m	10.0/15.0m
132KV	6.7m	12.0m	15.0m

- 2.3 Agreements for lines up to and including 33KV should include the proviso that 'the line can be made "dead" for short mutually agreed periods'. The electricity company may switch out a line for a few hours or several days depending on the importance of the line in the system, and other outages. Outages are unlikely to be obtained for lines 132KV and above except with very long notice. For 66KV lines the higher Environment Agency clearances should be adopted when outages will not be given and vice-versa.

- 2.4 The Agency's Fisheries, Ecology and Recreation Function requires to be consulted regarding overhead lines.

3.0 FLOOD DEFENCE CONSENTS

- 3.1 A formal Consent for an overhead line can only be issued where the watercourse is a Main River (Section 109 Water Resources Act 1991).
- 3.2 In relation to other watercourse, the Agency wishes to ensure the application of a similar policy and therefore will seek to 'approve' such crossings.

(NOTE: If any supporting structure lies within the channel of an Ordinary watercourse, a refusal of Consent under Section 23 Land Drainage Act 1991 would be appropriate).

3.3 Temporary Works

Any temporary works affecting the channel of either a Main River or Ordinary watercourse require Consent, as do works in the floodplain of Main Rivers.

Chief Planning Officer/Pwr Gwyddol Gyhoeddus
Awdurdod Wrecsam

Campbell Street, Wrexham, LL11 1AP
Stryd y Campin, Wrecsam, LL11 1AP
Tel/Ffôn: 01978 292478 Fax/Ffacs: 01978 292502 Minder: 01978 292067
www.wrexham.gov.uk www.wrecsam.gov.uk



Ian Grimley

BERR

Onshore Electricity Development Consents

1 Victoria Street

London SW1H 0ET

Your Ref/Eich Cyf

Our Ref/Ein Cyf

Date/Dyddiad

Ask for/Gotynner am

Direct Dial/Rhif Union

E-mail/E-bost

11 January 2008

Richard Sumner

01978 292478

richard.sumner@wrexham.gov.uk

THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (ENGLAND AND WALES) REGULATIONS 2000
PROPOSED LEGACY OSWESTRY TRANSMISSION LINE: SP MANWEB

Dear Mr Grimley

I confirm that Wrexham County Borough Council has been in discussion with Claire Watson of SP Energy Works and colleagues with regard to the scoping of potential impacts of the scheme upon landscape, ecology and listed building interests, within the authority

I confirm that the Scoping Report November 2007 and Report of Consultation November 2007 refers to sensitive sites within the authority which could experience potential impacts and therefore are to be assessed within the Environmental Impact Statement

Yours sincerely

Richard Sumner
Landscape Officer
for Chief Planning Officer

CC David Williams
Zara Lomax

WCBC Principal Planning Officer
WCBC Ecologist



Economy & Environment
Corporate Director: Penny Spencer
Shirehall, Abbey Foregate
Shrewsbury, SY2 6ND



Mr Ian Grimley
Manager, Overhead Lines
Department for Business, Enterprise
and Regulatory Reform (Onshore
Electricity Development Consents)
1 Victoria Street
London SW1H 0ET

website: www.shropshire.gov.uk

Date: 5 February 2008

e-mail: malcolm.bell@shropshire-cc.gov.uk

My ref
MGB/DHW

Your ref

Tel (01743)
252553

Fax (01743)
252505

Please ask for
Malcolm Bell

Dear Mr Grimley

**THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT)
(ENGLAND AND WALES) REGULATIONS 2000. PROPOSED LEGACY
OSWESTRY TRANSMISSION LINE: SP MANWEB**

I refer to your letter dated 14 December 2007 seeking this authority's views on the Scoping Opinion requested by SP Manweb in connection with the above application.

I would apologise for the delay in replying but I have taken into account the views of other colleagues on various elements of the proposed development.

It is recognised that the Scoping Report is a comprehensive document, but it is also recognised that there are a number of points listed below which should be addressed further or amplified. These would include for example the level of survey work for European Protected Species. You will also note that there are, for example, two instances where the seeking of clearer guidance from Natural England is also recommended.

In relation to Ecology and Nature Conservation the following matters are brought to your attention:-

- Page 8, Para 4.10 Dust - The spread of nutrient rich dust from arable land could adversely affect priority habitats or water bodies. Under the sources of environmental effects in the following table include "working areas" and "crossing water courses".
- Page 9, Table 1 including Potential environment effects - Add bats to "disruption to bird flight patterns/bird strike"

Cont./...

- Page 10, Prediction method - Need to consult historic records. Dormice have been found in woodlands south and west of Oswestry. Good dormouse habitat should be surveyed as a precaution.
Sources of Information - Add Shropshire Botanical Society and Shropshire Badger Group as the Shropshire Wildlife Trust do not hold all species records.
- Page 11, Soils and Land Management - Add water bodies to "Receptors" section.
- Page 19, - In relation to the second paragraph dealing with potential ecological receptors, Great Crested Newts and Dormice are European Protected Species as well as otters and bats. In the last paragraph of the section entitled "Determining Value" it should not be implied that BAP habitats are not important; they are clearly a material consideration in planning terms.
- Page 21, Points 3 and 4 - It should be noted that bat foraging and flight lines are also important e.g. along hedge lines and woodland edges. In suitable habitat dormice should also be checked.
- Page 23, Point 18 dealing with Designated Sites and Habitats of Value - The possible effects resulting from loss of trees/woodland to give power lines the required clearance and width and any fragmentation of hedges need to be incorporated.

The County Ecologist notes as a general point that Licences are now obtained from Natural England not Defra (as is mentioned in several places).
In table 1 on page 23:- Bats foraging/flight lines are not mentioned. Need also to consider possibility of dormice in good habitat. BAP species are also of "nature conservation concern".

- Page 26, "likely biophysical changes" - Is there a need to assess whether there may be some permanent losses as a result of access tracks for longer term maintenance. Would question whether taking down trees, with a good potential for bat roosts, in April and October would remove the need for emergence surveys. It would be advisable to contact Natural England specifically on this point. As a general point there are references only to trees when assessing relationships to bats and birds; other matters such as hedges and scrub, ground nesting birds etc. could also be addressed.

Cont./...

- Page 27 - When long herbaceous vegetation, scrub, hedges and woodland are involved, it is considered that the proposed level of survey for GCNs is too low, particularly for those ponds within 100 metres. Seeking early advice from Natural England (English Nature's replacement) would be beneficial.

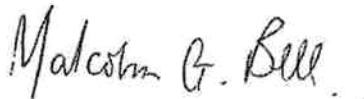
In relation to Landscape and Visual Impact Assessment there is, in general, broad acceptance of the information that it is proposed to cover in the "Scope" of the Environmental Statement. Nevertheless there may be some benefit in discussing some aspects of the Environmental Statement before it is submitted.

- Page 9, Table 1 - Under "Sources of Information" it would be beneficial to include Historic Landscape Characterisation data. This would assist in the understanding of the "changes to the character/quality of historic landscapes" (Relevant information is likely to be published in the Spring/Summer 2008). Information could be provided to consultants under a Data Sharing Agreement.

In relation to Cultural Heritage, the Scoping Report as it relates to the cultural heritage (archaeology) element of the project is generally acceptable. The County's Historic Environment Officer has reiterated his previous offer to provide comments on the developing Environmental Statement.

I trust that the above responses are of assistance in the next stages of the project. Please contact me if further clarification is required.

Yours sincerely



M G Bell
Head of Planning Development Control



NORTH SHROPSHIRE
DISTRICT COUNCIL

North Shropshire District Council

Edinburgh House, New Street, Wem,
Shrewsbury, Shropshire, SY4 5DB
Tel : (01939) 232771 DX : 27386 WEM
Fax: (01939) 238404
enquiries@northshropshiredc.gov.uk
www.northshropshiredc.gov.uk

The most
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Mr I Grimley
BERR
Onshore Electricity Development Consents
1 Victoria Street
London
SW1H 0ET

Our ref: 07/02373/ENQ
Your ref:
Please ask for: Karen Townend
Telephone: 01939 238484
Date: 19 December 2007

Dear Mr Grimley

Town and Country Planning Act 1990

Town and Country Planning (Environmental Impact Assessment) Regulations 1999.

Ref: Proposed legacy Oswestry transmission line: SP Manweb.

I refer to your letter regarding the above proposed development. Scottish Power Manweb recently wrote the North Shropshire District Council requesting a scoping opinion.

Please find enclosed a copy of the reply sent to them.

Yours sincerely,

Principal Planning Officer.



NORTH SHROPSHIRE
DISTRICT COUNCIL

North Shropshire District Council

Edinburgh House, New Street, Wem,

Shrewsbury, Shropshire, SY4 5DB

Tel : (01939) 232771 DX : 27386 WEM

Fax: (01939) 238404

enquiries@northshropshiredc.gov.uk

www.northshropshiredc.gov.uk

The most
improved district
council
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Ms C Watson
SP Energy Network
Environmental Planning
3 Prenton Way
Prenton
Merseyside
CH43 3ET



Our ref: 07/02373/ENQ
Your ref: LOCW/0726
Please ask for: Karen Townend
Telephone: 01939 238484
Date: 13 December 2007

Dear

Town and Country Planning Act 1990

Town and Country Planning (Environmental Impact Assessment) Regulations 1999.

In accordance with Section 10 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999, this letter comprises the scoping opinion of North Shropshire District Council. This scoping opinion is based on the information provided by SP Manweb on 6th December 2007.

Schedule 4 of the Regulations details what information is required in an Environmental Statement, in addition to these standard requirements the Council recognises the issues raised in the scoping document are relevant. A number of these issues identified the need for further work to be carried out and the Council would wish to see this information submitted as part of the Environmental Statement.

Given the small section of line within North Shropshire District the Local Planning Authority does not wish to comment any further on the content of the Environmental Statement to be submitted.

A copy of this scoping opinion will be placed on the public register and will be available for public inspection for a period of two years.

Should you have any further queries please do not hesitate to contact me.

Yours sincerely,

Principal Planning Officer.

Grimley Ian (Mr ID) EDU

From: Rob Bennett [Rob.Bennett@oswestry-bc.gov.uk]
Sent: 10 January 2008 15:40
To: Grimley Ian (Mr ID) EDU
Subject: Proposed overhead line between Legacy and Oswestry, Shropshire

Mr Grimley,

I refer to my recent e mail regarding the Scoping Opinion for the above project.

The Council's Conservation Officer has asked for the following additional comments to be passed on to you:-

"The line will have a specific impact on the character and setting of a number of locally important parkland settings around Fernhill and Great Fernhill Hall, including the setting of the historic buildings.

There is also potential adverse impact on the setting of Llangollen Canal, a potential conservation area and the setting of the New Marton Locks and bridge. The locks are Listed. By taking a route across such open landscape the impact would be heightened.

There are a number of Listed properties around Whiggington and their setting might be compromised by the line.eg. Pen y Bryn, Plas Whiggington, Whiggington Hall.

The impact on the Listed Buildings, any potential Conservation Areas, Scheduled Monuments and underground archaeology needs to be taken into consideration when the line of the Power Line is considered."

Would you be good enough to have regard to these observations when considering the Scoping Opinion.

Regards

Rob Bennett

Planning Officer

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Grimley lan (Mr ID) EDU

From: Rob Bennett [Rob.Bennett@oswestry-bc.gov.uk]
Sent: 08 January 2008 16:35
To: Grimley lan (Mr ID) EDU
Subject: Proposed Overhead line from Legacy to Oswestry, Shropshire

Mr Grimley,

I refer to your letter of 14th December 2007 regarding the above.

It is my view that Environmental Impact Assessments should be required in respect of each of the possible routes so that a comparative assessment of each can be made.

Specifically I would take this opportunity to point out that the proposed route shown on map no D700.068 Rev B, Sheet 4 of 8, is not acceptable as the overhead line would go across part of Ifton Meadow Local Nature Reserve.

The proposed route shown on map no D700.098 Rev A is more acceptable and would be our preferred route in the St Martins area.

I am aware that one landowner impacted by the proposals is opposed to the idea of a new overhead line and feels that the 483 corridor should be closely examined. No doubt he will make representations to you direct.

Regards

Rob Bennett
Planning Officer

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5c
7/4

Your Ref:
Our Ref: DD/ELP
Date: 1st April 2008
Contact: Mr. P. Shevlin
Tel No: 01691 677201



The Council of the Borough of
OSWESTRY

Elin Jones,
Minister for Rural Affairs,
Welsh Assembly Government,
Cardiff Bay,
CARDIFF
CF99 1NA

Castle View
Oswestry
Shropshire SY11 1JR
Phone 01691 671111
Fax 01691 677348
www.oswestrybc.gov.uk
DX 26610

Dear Minister,

**PROPOSED 132KV OVERHEAD LINE ROUTE BETWEEN LEGACY SUBSTATION, WREXHAM
AND OSWESTRY SUB STATION – ROUTE CONSULTATION**

At a meeting of my Council's Scrutiny Committee on 18th March, SP Manweb's proposals to provide a power line from Wrexham to the Welshpool/Newtown area, via Oswestry Sub-Station was considered. The Committee was extremely disappointed with SP Manweb's failure to take notice of the local community and my Council's previous response to the proposed route.

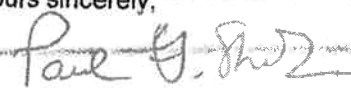
Reflecting considerable strength of feeling in the locality, my Committee is concerned that SP Manweb's plans could cause immense damage to the environment in an area of outstanding natural beauty, indeed a proposed world heritage site. One of the main reasons for SP Manweb not following the A5/A483 corridor, as my Committee had suggested, was the Welsh Assembly's refusal to permit this and the passing of electricity cables in the voids of the two viaducts on route.

It was therefore the urgent request of the Committee that I write to the Welsh Assembly to seek your assistance in this matter. A copy of my letter to SP Manweb is enclosed which sets out in detail the Committee's response which may be helpful to you.

I have also copied this letter to Karen Sinclair, Assembly Member, Clwyd South and to Lawrence Cadman, Business Energy & Regulatory Reform Consent Team, as I understand from the Welsh Assembly's Marilyn Edwards, from my initial contact via the WA website, that consents of this nature would normally be referred to the BERR.

I hope you will be able to give support to the concern of my Councillors and I look forward to hearing from you.

Yours sincerely,


Paul Shevlin
Chief Executive

Copies To:

Karen Sinclair, Assembly Member, Clwyd South, Welsh Assembly Government, Cardiff Bay, CF99 1NA
Lawrence Cadman, Business Energy & Regulatory Reform Consents Team for the Welsh Assembly Government, 1 Victoria Street, London

Paul Shevlin, M.B.A., B.Sc.(Hons), M.C.I.E.H., F.C.I.H.
Chief Executive
email: paul.shevlin@oswestry-bc.gov.uk



Your Ref:
Our Ref: DD/ELP
Date: 1st April 2008
Contact: Mr. P. Shevlin
Tel No: 01691 677201



The Council of the Borough of

OSWESTRY

Environmental Planning,
Scottish Power Energy Networks,
Preston Way,
Merseyside
CH1 3ET

Castle View
Oswestry
Shropshire SY11 1JR

Phone 01691 671111
Fax 01691 677348
www.oswestrybc.gov.uk
DX 26610

For the attention of Ms Claire Watson

Dear Ms. Watson,

**PROPOSED 132KV OVERHEAD LINE ROUTE BETWEEN LEGACY SUBSTATION, WREXHAM
AND OSWESTRY SUB STATION – ROUTE CONSULTATION**

Thank you for your letter of 5th March 2008 and for providing a copy of SPN's presentation with additional slides.

My Scrutiny Committee met on 18th March and considered your response, with which they were extremely disappointed and dismayed that you had not provided a map of the proposed corridor through Glyn Morlas. They have asked me to write to you with the following comments:-

- You stated that Legacy was the closest grid supply point to Welshpool and Newtown area and this was not accepted, as Ironbridge could supply this power and is considerably closer than running a line from Ruabon to Oswestry to achieve this. Have you explored this in any detail and undertaken a costed scheme? They accept that you have to avoid Shrewsbury, but if a route was taken from the North East of the town, there is then very little settlement between Shrewsbury and Welshpool.
- It was felt you were proposing a route through Glyn Morlas because of the request for a power supply from Kronospan. Surely Kronospan could be encouraged to seek an alternative supply because of the environmental impact this proposal would cause in Glyn Morlas. My Committee will write regarding this issue to Kronospan.
- The Committee still maintains its current position in that the most direct route from Legacy to Oswestry is along the A5/A483 corridor
- They are dismayed that you are still maintaining your proposal to bulldoze your way through countryside of outstanding natural beauty, doing immense harm to our natural flora, fauna and ecology and leaving an immense scar on the landscape for generations to come.
- They are further dismayed that you discounted the A5/A483 corridor because of the refusal of the Welsh Assembly to permit electricity cables in the voids of the two viaducts or along the A5/A483 road, and they intend to contact the Welsh Assembly about this issue.

Paul Shevlin, M.B.A., B.Sc.(Hons), M.C.I.E.H., F.C.I.H.
Chief Executive
email: paul.shevlin@oswestry-bc.gov.uk

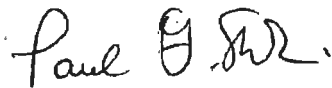


- The Committee is astounded that you blame the issue of cost for the proposed routing of the overhead line when it is clear from your presentation that for both overhead and underground routing along the A5/A483, the savings are clear, both financially and environmentally.

The Borough Council has a duty to protect the countryside and the local environment, taking account of the health and wishes of the local community. If you are not prepared to consider an alternative power supply from the south of the County, then my Committee urge you to reconsider the A5/A483 corridor with as much as the cable buried as is possible.

I hope you will reconsider this very serious issue most carefully and I look forward to a favourable response from you.

Yours sincerely,



Chief Executive

Your Ref:
Our Ref: RPB/ELP
Date: 14th March 2008
Contact: Mr. R. P. Bennett
Tel No: 01691 677258



The Council of the Borough of
OSWESTRY

Mr. Ian Grimley,
Manager, Overhead Lines,
Department of Business Enterprise and
Regulatory Reform,
1 Victoria Street,
LONDON SW1H 0ET

Castle View
Oswestry
Shropshire SY11 1JR
Phone 01691 671111
Fax 01691 677348
www.oswestrybc.gov.uk
DX 26610

Dear Mr. Grimley,

**THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (ENGLAND AND WALES) REGULATIONS 2000
PROPOSED LEGACY TO OSWESTRY TRANSMISSION LINE: SP MANWEB**

I refer to your letter of the 14th December 2007 and enclose for your consideration copies of letters that have been sent to the Borough Council regarding the above proposed line.

Yours sincerely,

Planning Officer

Dave Jones, M.R.I.C.S.
Director of Community Services and Deputy Chief Executive
email: rob.bennett@oswestry-bc.gov.uk



