

## Summary Guide Land Rights and Consent Requirements For New Connections

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### 1. Introduction

- Western Power Distribution owns and operates the electricity distribution networks in the Midlands, the South West of England and South Wales. We distribute power to over 7.7 million homes and businesses.
- Before we can provide a new connection to our network or are able to adopt connection equipment installed and provided by an Independent Connection Provider (ICP)), we may be required to obtain permissions and consents from landowners, local authorities and other statutory organisations.
- Whether you are a customer seeking a direct quote from us or an ICP seeking a quote under Competition in Connections (CiC), there are often consents needed for the connection which can take time to obtain and sometimes incur additional costs. This leaflet is intended as a brief guide to these areas, with links given to sources of more detailed information.
- The main types of consents we often need to secure are:-
  - **Landowner permissions**
  - **Planning Permission or Development Consent**
  - **Consents from other statutory bodies (e.g. environmental consents)**

### 2. Landowner Permissions (Land and Land Rights Agreements)

- To provide a new connection we sometimes need to position equipment such as overhead lines, underground cables and substations on private land. When this is necessary we have to secure our equipment by legal agreement (Wayleaves or Deeds/Easements) with landowners or occupiers. The type of land rights agreement we require will depend on the location and voltage of the equipment being installed. Further information and typical timescales are set out in our "INFORMATION FOR LANDOWNERS & CUSTOMERS" guide, available here.
- The guide also contains information on timescales, what our solicitors do and useful hints on steps customers can take to accelerate the conveyancing and legal completion process. Sometimes additional legal fees may be incurred in the process and the guide gives examples of where this may occur.
- Sample template documents for common WPD Deeds, Wayleaves and Lease agreements can also be found on our website (other specific documents can be provided on request) via the link above.

### 3. Planning Permission & Other Statutory Consents

- Before WPD can install new overhead lines, cables or substations, we need to either obtain planning permission or check that the works can be installed under our permitted development rights as a statutory undertaker. Most new overhead line connections will require planning permission.
- Planning permission for WPD's works is either obtained from the Local Planning Authority (larger substations), the Department for Energy & Climate Change (for overhead lines) or the Planning Inspectorate (for 132kV overhead lines greater than 2km in length)
- Typically we can install small substations (up to 29m<sup>3</sup> in size) and lay underground cables without the need for planning permission<sup>1</sup>.

- We can also erect new overhead lines (up to 11kV) if they supply only a “single” customer (does not apply to generation) and make small alterations to existing overhead lines.
- Certain limitations apply to our permitted development powers in environmentally sensitive areas and other restrictions can apply.
- WPD may also need to obtain other consents or licences before commencing works at or near rivers, canals, railway crossings and at environmental or archaeologically sensitive sites or if works will affect protected animals or habitats.
- What we can and can’t do and the legislation covering the above can be a complex area. For further information, please contact the Planner or Wayleave Specialist for your area and further information can also be found in the Information for Landowners & Customers guide on our website.

<sup>1</sup> ICPs are not statutory undertakers and should check whether permitted development powers can be used for their works.

#### 4. Independent Connection Providers (ICPs)

- If you are an ICP designing and installing the works, you will often be responsible for obtaining many of the above consents and permissions to enable you to carry out the works. WPD may need to see evidence that certain consents are in place before we can adopt the assets, especially if it is a requirement for ongoing maintenance and replacement of the works.
- ICPs need their own agreement with the landowner to carry out the works and WPD will also need a separate land rights agreement in place to enable us to adopt the installed equipment and to cover future access and maintenance on the land. The WPD agreement would normally be one of our standard wayleaves or easements and would take effect once we adopt the works. The ICP agreement would be the contract between the ICP and the landowner for the installation stage and WPD are not normally party to that agreement.
- It can be a good idea to discuss requirements and process with the WPD Wayleaves Specialist at an early stage after a Connection Offer has been accepted and also to provide landowners with the applicable “sample” WPD land rights agreements that will also need to be entered into.
- To assist ICPs specifically, in addition to the section for ICPs in the Information for Landowners & Customers guide, we have produced specific Guidance Notes and Leaflets for ICPs available here.

#### 5. Independent Distribution Network Operators (IDNOs)

- WPD also publishes guidance on its legal process for connections relating to Independent Distribution Network Operators in the document which is available here.

#### 6. Finding More Information

Please visit our website: <https://www.westernpower.co.uk/Connections/New-Connections/Legal-Permissions-and-Consents.aspx>

WPD’s Techinfo website: <https://www.westernpowertechinfo.co.uk>