

19 December 2002

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Alex Thorne  
Social and Environment Affairs  
Ofgem  
9 Millbank  
London  
SW1P 3GE

*By fax to 020 7901 7387 and first class post*

Dear Mr Thorne

### **Electricity Act Schedule 9 consultation**

The Council for National Parks (CNP) welcomes the opportunity to respond to this consultation. CNP is the national charity that works to protect and enhance the National Parks of England and Wales, and areas that merit National Park status, and promote understanding and quiet enjoyment of them for the benefit of all.

#### **General comments**

CNP is concerned that Ofgem has observed that compliance with Schedule 9 is uneven (para. 2.9 and executive summary) and hopes that an outcome of this consultation will be to ensure a consistent and robust interpretation and application of Schedule 9 on an industry wide basis.

CNP welcomes the role that Ofgem is proposing to take with regard to Schedule 9 Statements and hopes that this will result in a more co-ordinated and strategic approach being followed.

CNP supports the detailed comments made by the Friends of the Lake District in its letter to you of 6 December 2002.

#### **Landscape and amenity**

The first National Park statutory purpose<sup>1</sup> includes the conservation and enhancement of natural beauty. The second National Park statutory purpose includes the promotion of opportunities for the public enjoyment of the Park's special qualities, which include natural beauty. So in National Parks promoting the status quo in terms of natural beauty and amenity is only part of how National Park purposes should be implemented. There is also a statutory requirement to enhance natural beauty and amenity and this needs to be considered as part of the preparation and implementation of Schedule 9 Statements.

Guidance should be therefore provided to companies on the need to produce information which adequately demonstrates their commitment to continuous improvement in their consideration of landscape and amenity issues. This would also enable proper application of the Section 11A duty referred to below.

This information should include data on network lengths (overhead, underground, different voltages etc) and the identification of opportunities for improvements to landscape or amenity so that these can be discussed with National Park Authorities and other key stakeholders and a priority list agreed.

<sup>1</sup> Section 61, Environment Act 1995

### **Statutory duty to have regard to National Park purposes**

No reference is made in the consultation document to the statutory requirements of Section 11A of the 1949 National Parks and Access to the Countryside Act. This requires statutory undertakers and public bodies (including Ofgem) to have regard to National Park statutory purposes<sup>2</sup> when coming to decisions or carrying out their activities relating to or affecting land within the National Parks.

### **Monitoring and review**

CNP supports the suggestion that Ofgem should retain a central record of Schedule 9 Statements and undertake monitoring of these to ensure consistency of approach. CNP suggests that this information is made available for public inspection and is included on Ofgem's web site.

CNP considers that an annual workshop on Schedule 9 would be helpful. In addition, Ofgem should encourage electricity companies to undertake to meet at least annually with key regional stakeholders to discuss their performance in relation to Schedule 9 and to agree priority areas for improvement in terms of landscape and amenity.

CNP hopes that the above comments can be taken into account during the updating and revision of administrative procedures for Schedule 9 statements.

Please do not hesitate to contact me should you require clarification of any of the above or any further information.

Yours sincerely



Ruth Chambers  
Deputy Director

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<sup>2</sup> The statutory purposes of National Parks (Section 61, Environment Act 1995) are:

- to conserve and enhance the natural beauty, wildlife and cultural heritage of the National Parks, and
- to promote opportunities for the public understanding and enjoyment of the special qualities of the Parks.