

**From:** <mike.harley@english-nature.org.uk>  
**To:** <alex.thorne@ofgem.gov.uk>  
**Date:** 28 November 2002 2:27pm  
**Subject:** Electricity Act schedule 9 statement - consultation draft 57/02

Dear Alex

Thank you for sending English Nature a copy of this draft for comment. We are pleased to see that it reflects many of the points raised in the meeting that Helen Doran and I had with you and John Costyn on 9 January this year. Our specific comments follow:

3.11 In addition to the cited legislation, reference should be made to the Countryside and Rights of Way (CROW) Act (2000) and its implications for special sites and the wider countryside.

4.4 The draft guidance and model statements (Appendix 1 and 3) are both useful. However, reference should be made to the legislation cited in 3.11 and CROW (and any other relevant legislation). A separate model statement would be useful for suppliers as they have particular responsibilities under CROW (it would be worth liaising with Bruce Keith, EN's Chief Surveyor, over this as he is leading some work in this area - e-mail [bruce.keith@english-nature.org.uk](mailto:bruce.keith@english-nature.org.uk)).

4.10 Many such activities are covered under CROW and fall within the work being led by Bruce Keith (above).

4.14 Whilst agreeing that S9 statements should focus on "direct" impacts, it would be worth stating that other environmental impacts are regulated by specific legislation (eg IPPC re air/water quality and CO2 emissions).

4.16 S9 reviews every five years would seem to be generally appropriate, although major developments in the interim may necessitate early modification/update.

4.19 Reporting as part of a company's annual environmental report would seem to be a sensible and effective approach.

4.24 We support the proposal that Ofgem should have a coordinating role in the S9 process, as stated. Whilst a workshop would be useful, an annual event may not be necessary, particularly when considering the timeframe for reviews (4.16).

Yours sincerely

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