

Company Directive

STANDARD TECHNIQUE : EW1A/1

Relating to Obtaining the Consent of the Secretary of State for Energy and Climate Change for the Erection of Overhead Lines

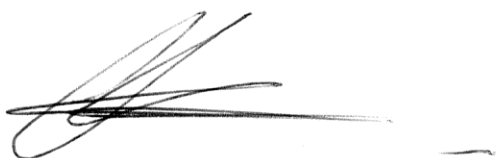
Summary

This document describes the procedure for obtaining the Secretary of State's **Consent** for **Overhead Lines**.

Author: L Tossell / C Stephenson

Implementation Date: November 2011

Approved by



Consents and Wayleaves Manager

Date:

18/11/11

All references to Western Power Distribution or WPD must be read as National Grid Electricity Distribution or NGED

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IMPLEMENTATION PLAN

Introduction

This document describes the procedure for obtaining the Secretary of State's Consent for Overhead Lines.

Main Changes

Amendments made to reflect name change of IPC and threshold change for planning for new 132kV overhead lines less than 2km to be considered by DECC rather than the Planning Inspectorate.

Text updated to refer to online DECC Energy Portal (now in use) for handling s37 overhead line planning applications.

Impact of Changes

Minor – updates recent change in legislation for handling 132kV overhead line planning applications.

Implementation Actions

Team Managers to brief staff of the changes.

Implementation Timetable

This Standard Technique shall be implemented with immediate effect.

Page Inserted November 2014

Document Revision & Review Table		
Date	Comments	Author
21/10/2014	<ul style="list-style-type: none"> • Amendments made to reflect name change of IPC and threshold change for planning for new 132kV overhead lines less than 2km to be considered by DECC rather than the Planning Inspectorate. • Reference to DECC Energy Portal added • Minor name changes to statutory organisations • Section 3.0, Map 1, Map 5, Map 6, Map 8, Appendix A, Appendix B amended with above changes. 	Christian Hjelm
Date	Comments	Author
	<ul style="list-style-type: none"> • 	

Page Inserted November 2014

1.0 INTRODUCTION

- 1.1 An Overhead Line is defined as any line erected for the purpose of carrying electricity which is suspended above ground by supports, regardless of the type of support, and regardless of the Voltage through the line.
- 1.2 This document specifies the types of installation that require the Consent of the Secretary of State for Energy and Climate Change.

2.0 WHY CONSENT IS REQUIRED

- 2.1 To comply with the requirements of Section 37 of the Electricity Act 1989 to erect overhead lines across land not under WPD's ownership or control.

3.0 WHEN CONSENT IS REQUIRED

- 3.1 Applications for new lines and certain modifications to existing lines **at 132kV and above and above 2km's in length**, no longer fall under the Section 37 process. Since 26th November 2008, when the Planning Act 2008 received Royal Assent, applications for most new lines at 132kV and above are made to MIPU (Major Infrastructure Planning Unit) in accordance with the provisions of that Act. MIPU is part of the Planning Inspectorate (PINS) Applications for 132kV lines or queries on whether a scheme at 132kV requires Planning Act consent must be referred to the Consents and Wayleaves Team. The IPC process is complex, costly and unique to each case and is not covered any further in this document, which will cover only the Section 37 process.
- 3.2 An overhead line may not be installed or kept installed unless a Section 37 Consent under the Electricity Act or a Development Consent Order (DCO) under the Planning Act is granted by the Secretary of State for Energy and Climate Change.

This applies to all overhead lines, including 400/230 volt lines, except the following:

- (a) A service line of nominal voltage less than 20kV to a single import customer only (**service lines to net export customers are excluded**).
- (b) Lines wholly within WPD premises, or to be erected over land under WPD ownership or control.

Page Revised November 2014

- (c) Other lines as described in the process maps within this document.
- (d) A service line to a generator customer where the 'import' capacity is greater than the 'export' capacity.

3.3 Before seeking the Consent of the Secretary of State for Energy and Climate Change, the views of the Local Planning Authority (LPA) must first be obtained as described on the process maps. It is important that the appropriate form is completed fully including the Environmental Statement- see guidance notes in Appendix A.

3.4 The Overhead Line Exemption Regulations 2009

The Overhead Lines (Exemption) (England & Wales) Regulations 2009 replaces the 1990 Regulations. The 2009 Regulations are in the main similar but now also permits additional poles (not additional towers), changing open wire to ABC and some work in National Parks and AONB's to be carried out without the need for full Section 37 consent. The majority of work under the Exemption Regs does require a 6 week notice to the LPA and the LPA are required to confirm that they agree the works can proceed under the Exemption Regulations - please refer to the Regulations as well as appendix D for details and forms to be used for notifying the LPA.

4.0 PROCESS DETAILS

4.1 There are 8 process maps:

- Initial assessment of Consent requirement
- Overhead Line supported by a building or structure
- Temporary diversions
- Replacement or reconductoring of an existing line
- Procedure to obtain views of the Planning Authority
Application to the Secretary of State for Energy and Climate Change

- Responsibilities within WPD for submitting applications
- Tolerances
- General requirements

4.2 These are shown on the following pages.

4.3 Guidance Notes are also included which give the general requirements for submitting applications for Consent.

PROCESS MAPS

Map 1 - Initial Assessment of Consent Requirement

IS AN OVERHEAD LINE TO BE INSTALLED?		
Is the line or components of the line at 132kV or above and over 2km's in length?	YES	Application is a matter for the Planning Inspectorate. Refer to the Consents and Wayleaves Team.
Is the overhead line a service line of nominal voltage less than 20kV serving a single customer only or a generator connection where the import is greater than the export?	YES	Department for Energy of Climate Change consent not required
Are the lines wholly within WPD premises or over land under their ownership or control (eg a substation)?	YES	Department for Energy and Climate Change consent not required
Will the line connect an electric line below ground with apparatus mounted on a pole or structure and be attached to the pole or structure throughout its length, except where it passes through a fuse or other apparatus?	YES	Consent not required eg an H pole transformer construction in an underground system - consent not required
Will the overhead line be supported by or attached to buildings or structures not used principally for the purpose of carrying electric lines	YES	see map 2
Is the overhead line a temporary diversion of an existing line?	YES	see map 3
Will the overhead line replace an existing line?	YES	see map 4
None of the above	YES	Department of Energy and Climate Change consent is required see map 5

Map 2 - Overhead Line Supported by a Building or Structure

Is the building or structure a scheduled monument, listed building, or in a conservation area?	YES	Department for Energy and Climate Change Consent is required
Is the support or attachment for the line only where the building or structure crosses a road, railway or watercourse (eg bridge)?	YES	<p>Department for Energy and Climate Change consent not required</p> <p><u>NOTE:</u></p> <p>Consent will be required from Network Rail in respect of a railway bridge.</p>

Map 3 - Temporary Diversions

Will any part of the diversionary line be within a National Park, or AONB?	YES	Department of Energy and Climate Change consent is not required, however under the O/H Lines Exemption Regulations 2009 notification must be made to the LPA using the attached letter and certificate
Will any part of the diversionary line be within a SSSI or European Protected site	YES	Department of Energy and Climate Change consent is required
Will the diversionary line be in place for over 6 months?	YES	Department of Energy and Climate Change consent is required
Will the diversionary line connect to two points on the original line?	NO	Department of Energy and Climate Change consent is required
Is the nominal voltage of the original line 66kV or above?	YES	The two connection points on original line must be no more than 850 metres apart.
	NO	The two connection points on original line must be no more than 500 metres apart.
	<u>NOTE:</u>	If the connections are not within 850 metres or 500 metres as specified above Department for Energy and Climate Change consent will be required.

Map 4 - Replacement or Reconductoring of an Existing Line

Is there a possibility of significant adverse environmental effect caused by new line being in a different position from the existing line, or having support(s) taller than those of the existing line?	YES	Give notice to the relevant planning authority. Planning authority must, within six weeks of receipt of notice: 1. determine whether the proposal will have an adverse effect. 2. Notify WPD of the decision.
Is the nominal voltage of the replacement line greater than that voltage permitted in the original consent?	YES	Department for Energy and Climate Change consent is required
Are all the conditions in the original Consent complied with?	NO	Department for Energy and Climate Change consent is required
Does any support on the replacement line exceed the height of the original line or support being replaced by over 10%?	YES	Department for Energy and Climate Change consent is required
Is the line or structures to be replaced or any part of a replacement line or structure within a SSSI or European Protected Site	YES	Department for Energy and Climate and Change consent is required (Note, replacement generally means the entire structure)
Is the line or structures to be replaced and is any part of the replacement line or structure within a National Park or AONB?	YES	Notification to be sent to the LPA under the O/H Lines Exemption Regulations 2009
Is the line to be reconducted only and is any part of the reconducted line within a SSSI or European Protected Site?	YES	Department for Energy and Climate consent is not required but Natural England or the Countryside Council for Wales (CCW) must be consulted and give approval where required.

Map 4 - Replacement or Reconductoring of an Existing Line (Continued)

Is the replacement line in a different position from the original line?	YES	Department for Energy and Climate Change consent is required except:
		(a) If any support on the replacement line is greater than 10 metres above ground the distance between a support on the replacement line and the original line must not exceed 60 metres Notification to be made to LPA under O/H Line Exemption Regulations 2009
		(b) If any support on the replacement line is less than 10 metres above ground the distance between a support on the replacement line and the original line must not exceed 30 metres Notification to be made to LPA under O/H Line Exemption Regulations 2009
	<u>NOTE:</u>	The line must be removed within 12 months of the completion of installation of the replacement line.

Map 5 - Procedure to Obtain Views of Planning Authority

Obtain views of the planning authority by submitting copies of Form 'B' as below:		NOTE: DECC now prefer WPD to use the Energy Portal to consult with LPA's (where they are able to use it) and make the s37 application. Paper applications can be submitted in rare circumstances.
Are lines at 132kV or above and over 2km's in length?	YES	Refer to Consents and Wayleave Team as consent from the Planning Inspectorate will be needed
Lines below 132kV - Does any part of the lines or structures fall within a National Park?	NO	Send four copies of Form 'B' Type III and four copies of the plans to each District Council or Unitary Authority in whose area the proposed line will be erected. Ensure clause (b) on the application form is not deleted.
	YES	Send four copies of Form 'B' Type III and four copies of the plans to the relevant National Park Authority.
Lines at 132kV but less than 2km's in length		As above but Form B Type II should be used and also needs to go to the County Council if it is not a Unitary Authority. The consultation also needs to be advertised on two occasions in one or more local newspapers. Refer to Consents & Wayleaves team.
Has the application form been returned?	YES	Check whether the application is opposed.
Is the application opposed?	YES	A public inquiry will be required to obtain Department for Energy and Climate Change consent - consult the Consents and Wayleave Team.
	NO	Apply to the Secretary of State for Energy and Climate Change for consent. This can also be done at same time as submitting Form B's to the LPA who have 8 weeks to respond. Approved Form B's can then be forwarded to DECC once received.

Page Revised November 2014

Map 6 - Responsibilities within WPD for Submitting Applications

Lines	Application	Responsibility
132kV lines	The Infrastructure Planning Commission or DECC	Consents and Wayleaves Team via Design and Development Team
66kV & major new 33kV circuits	Section 37 application to the Secretary of State *	Consents and Wayleaves Team via Design and Development Team
All other lines (33kV, 11kV, LV) and diversions of existing lines	Form 'B' application to the Planning Authorities.	Distribution/Team Manager
	Section 37 application to the Secretary Of State For Energy and Climate Change *	Distribution/Team Manager

* Applications to DECC need to be accompanied by the current application fee.

Map 7 - Tolerances

All 132kV line applications	Consult Consents & Wayleaves Team
Applications for lines less than 132kV	Tolerance to be agreed with the Local Planning Authority and noted in the Form B's and marked on the accompanying scheme plans

Map 8 - General Requirements

Does the proposed line affect an SSSI or European Protected Site?	YES	Consult with Natural England or Natural Resources Wales (NRW)
Are one or more sites of archaeological interest in vicinity of proposed route?	YES	Consult the appropriate County Archaeological Officer (CAO), English Heritage or CADW (Wales)
Is application for a major 33kV or 66kV line	YES	Consult the appropriate County Archaeological Officer (CAO)
Is an Environmental Statement (ES) or full Environmental Impact Assessment (EIA) required? (latter not mandatory at voltages below 220kV unless Local Authority insists on an EIA) See ST:EW1AB for further details of EIA requirements.		Consult with Natural England/NRW & LPA if there could be a possibility of an ES or EIA to assess requirements.
Has the Secretary of State for Energy and Climate Change called for an Environmental Impact Assessment in respect of an application submitted without one? (only applicable to 132kV and major 66kV & 33kV lines)	YES	<ol style="list-style-type: none"> 1 Send the Environmental Impact Assessment to the Secretary of State for Energy and Climate Change 2 Send a copy to each affected Planning Authority.
Is an ES or EIA required (following consultation on major 33kV and 66kV schemes)	YES	Send a copy to each affected Planning Authority with the Form B's

APPLICATIONS FOR CONSENT - GUIDANCE NOTES

Distance between supports

The distance between a support and an existing line is to be taken as the shortest distance between the centre of the base of that support, and an imaginary line through the centre of the base of each support for the existing line.

Reconductoring or pole replacement (excluding towers) in same position

Reconductoring or pole replacement (in the same position) which merely retains an existing line in the same position, and without any change in appearance, may be undertaken in a National Park, AONB or SSSI without the need for formal application to the Secretary of State for Energy and Climate Change under Section 37 of the 1989 Act. Action is to be taken as follows:

Authority	Action
National Park Authority	Advise by letter the nature of the work.
District Council	Advise by letter the nature of the work.
County Council (if appropriate)	Advise by letter the nature of the work.
Natural England/NRW	Advise and seek approval as required by the Wildlife and Countryside Act 1981 (as amended)

Additional poles in an existing line

These are now exempt under the revised Overhead Lines Exemption Regulations, notification to be sent to the LPA using the forms attached, provided they are not to be erected within a SSSI or European Protected Site. Note – additional towers or other structures in an existing line still requires Section 37 consent.

Schedule 9 Requirement

Question 3 on Form B must indicate the line's compliance with the obligation to preserve amenities under Schedule 9 eg **if trees are to be felled or lopped along the route of the line, the nature of the felling must be specified in detail in the environmental statement, and clearly shown on the appropriate plan.**

Consent under Section 37

The Secretary Of State For Energy and Climate Change is not required to automatically direct that planning permission be granted under Section 37.

However, when Secretary of State for Energy and Climate Change consent is granted under Section 37, a direction is usually made that planning permission is deemed to be granted.

Page Revised November 2014

If the Secretary of State for Energy and Climate Change does not direct that planning permission be granted under Section 37, it will be necessary to apply to the local authority for planning permission.

Conversion of 2-conductor 11kV line to 3-phase

To avoid the need to seek further Section 37 consent when converting a 2-conductor 11kV line to 3-phase, the initial application is to be for consent for a 3-phase line.

Environmental Impact Assessment

There are occasions when an Environmental Statement or fuller Environmental Impact Assessment must be prepared and sent with both the Forms 'B' to the local Planning Authorities and to the Secretary of State for Energy and Climate Change with the Section 37 application:

- (a) Because the Planning Authority or the Secretary of State for Energy and Climate Change have previously determined that an Environmental Impact Assessment is required.
- (b) Voluntarily.

The need for an Environmental Impact Assessment can be determined by reference to Statutory Instrument 1990 No. 442 - The Electricity and Pipe-line Works (assessment of Environmental Effects) Regulations 1990 and the Electricity Works (Environmental Impact Assessment) (England & Wales) (Amendment) Regulations 2007.

The Secretary of State for Energy and Climate Change has stated that an Environmental Impact Assessment is unlikely to be required if a proposed line has a nominal voltage less than 132kV and is less than 2km in length.

If an Environmental Impact Assessment is not submitted with an application for consent, it may be submitted subsequently in response to a notification by the Planning Authority or the Secretary of State for Energy and Climate Change. In cases where the Secretary for Energy and Climate Change calls for an Environmental Impact Assessment a copy should also be forwarded to each Local Planning Authority at the time it is submitted to the Secretary of State.

Sites of archaeological interest

All areas of archaeological interest are recorded on record maps. Further information can be obtained from the County Sites and Monuments Records Officer (SMRO) or from the online source "MAGIC".

Submission of Forms 'B'

Where the relevant Council has not objected to the development and following receipt of the Forms B from the Council, the Forms B will be submitted to the Secretary for Energy and Climate Change.

Tolerances

The Department for Energy and Climate Change will accept any tolerance that is stated on the Form 'B' application and is agreed with the relevant planning authority, unless:

1. There is an objection from a third party.
2. It is not physically possible to make use of the tolerance.

Once an overhead line has been erected the tolerance is regarded as spent.

Online Applications.

DECC now have a new online application system for Forms B & subsequent application to The Secretary of State for Energy and Climate Change. DECC's preference is for all DNOs & Local Authorities to use this system, as it will streamline the application process by saving time & avoiding paper applications. Also, as Local Authorities will be accessing the system via their established "Planning Portal" system, it will prevent them incorrectly completing their part of the Form B, which is a common problem with the existing paper process. **Please use the DECC Portal where ever this is possible and the LPA are able to receive and process Form B's electronically.**

Review of Section 37 Consent

The Secretary of State for Energy and Climate Change can review a Section 37 consent for the erection of an overhead line at any time after the expiry of five years after the original consent was granted.

The Secretary of State for Energy and Climate Change will not do this unless prompted by:

1. A Local Authority,
2. A landowner, or
3. Any other individual.

If a review is put in hand, the Consents and Wayleave Team are to be immediately informed. The Consents and Wayleave Team will provide guidance and advise on how to proceed.

Page Revised November 2014

FORM B (NOT to be used for 132kV s37 consultations – seek assistance)

For an application in respect of an overhead line at a nominal voltage of less than 132kV.

Notes: This Form is for use in connection with an application for consent by the Secretary of State for Energy and Climate Change under **section 37** Electricity Act 1989 to install and keep installed above ground an electric line of a nominal voltage of less than 132 kilovolts. The Form should be sent **in triplicate** to each District/Borough/County Council or Unitary Authority (Local Planning Authorities) in whose area the proposed development would be situated.

DETAILS OF APPLICANT

Name: Western Power Distribution

Address:

Tel:

PART 1

Applicant's reference:
To the Chief Executive:

Date:
Council:

Dear Sir

Electricity Act 1989

Application is being made to the Secretary of State for Energy and Climate Change for consent to the development described overleaf. The Secretary of State will at the same time be requested to direct that planning permission for this development shall be deemed to be granted. The consent and the direction may be given subject to conditions.

To assist the Secretary of State to determine the application the Local Planning Authority is requested **to return to me two copies of this Form with Part I Certificate and Part II completed and signed.**

Department of the Environment Circular 14/90 (Welsh Office Circular 20/90) (Department of Energy Circular 1/90) describes this procedure and the reason for it.

Yours faithfully
For and on behalf of the applicant

CERTIFICATE

(To be completed by or on behalf of the Local Planning Authority)

The [name of authority]

Local Planning Authority

- (i) *object on the grounds set out below/have no objection to make to the development described overleaf
- (ii) *requests/do not request that a public inquiry be held pursuant to paragraph 2 of Schedule 8 to the Electricity Act 1989 before the Secretary of State reaches his decision on the application.

Date

Signed

* Delete as appropriate

Designation

On behalf of the

Council / Local Planning Authority
[Reasons for objections]

4. Does the proposed development involve the demolition, alteration or extension of a building of special architectural or historic interest included in a list compiled or approved under section 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990?

5. Does the local planning authority agree that the proposed development should be approved by the Secretary of State for Energy and Climate Change as described? (If the answer is no, please answer question 6).

6. Would the local planning authority be prepared to agree that the proposed development should be approved subject to modifications or conditions? (If so, specify the modifications or conditions proposed and state whether they are acceptable to the applicant). (Note: the precise form of any modifications or conditions subject to which the consent or direction is given is a matter for the Secretary of State, who will however have regard to the form of words used.)

7. Does the local planning authority consider that the application should be accompanied by an environmental statement in accordance with the Electricity Works (Environmental Impact Assessment) (England and Wales) Amendment Regulations 2007? (If so, please specify the particular points arising from the application which have caused the local planning authority to take this view.

Date

20

Signed

Designation

On behalf of the
Authority

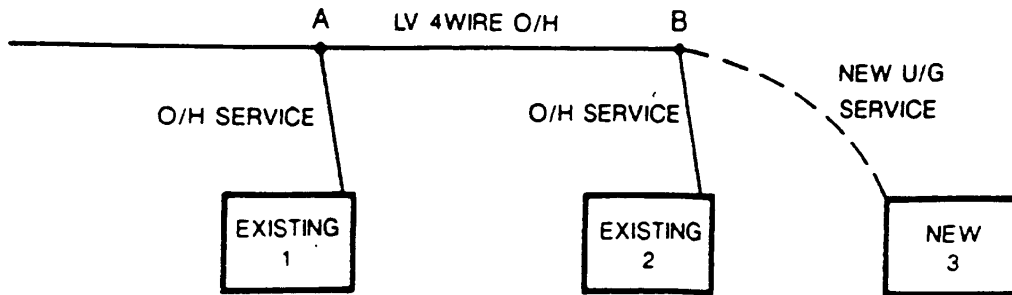
Council/Local Planning

(Local planning authority for the area in which the proposed development is to be carried out)

Two completed copies of this Form, together with a 'stamped' plan ALL signed, should be returned to the applicant for submission by the applicant to the Department for Energy and Climate Change.

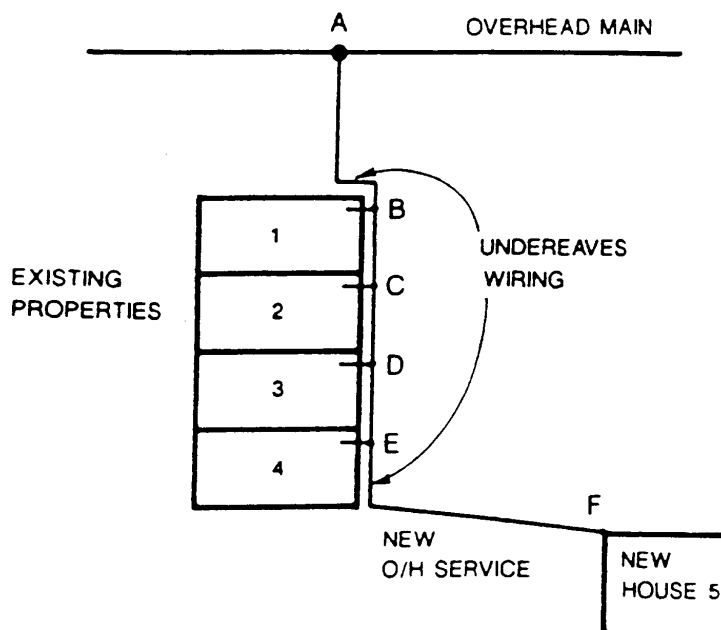
EXAMPLES TO ILLUSTRATE THE PROCEDURES REQUIRED IN COMMONLY ARISING SITUATIONS

1.



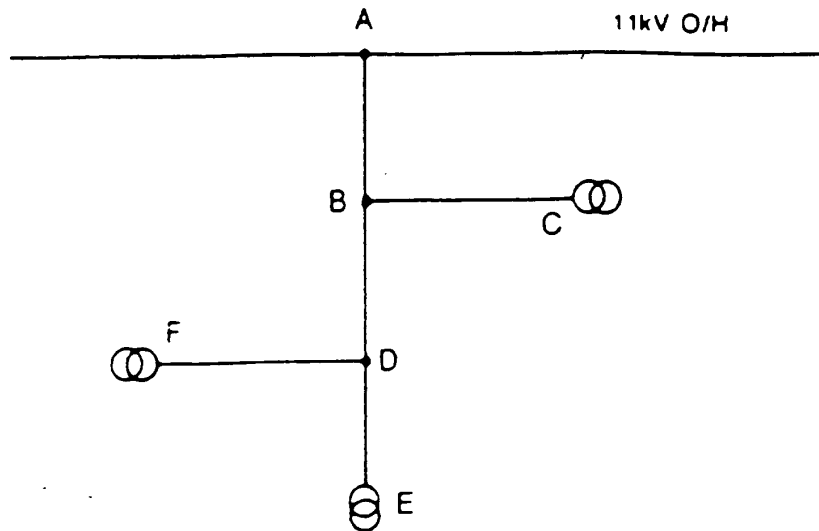
The span AB and the overhead service to existing house 2 were erected without consent as they supplied only one customer. The addition of the service from pole B by underground cable (or overhead line) to the new house 3 makes span AB part of the distributing main (no longer supplies only one consumer). Consent must now be obtained (and planning permission, which will almost certainly be deemed by the Secretary of State in the consent) to keep installed span AB.

It is assumed that the line from the main to pole A was previously erected with the benefit of (or S.10(b)) consent. If not, consent must be obtained to keep this installed.



Section 37 (or S.10(b)) consent should already exist for the overhead main and the connection from A to D as this supplies more than one consumer. Such consent was not necessary for the section of under-eaves wiring D-E as this had supplied only one consumer, existing house 4. By adding the new service from E to the new house 5, section D-E becomes part of the main and consent (and planning permission) will be required to keep this installed. No such consent will be required for section E-F as this supplies only one consumer. When applying for consent for D-E, consent must also be applied to keep A-D installed if this had not been previously obtained.

3.



Two single consumers are supplied at C and E from an overhead 11kV system; a third is to be added at F supplied by a sub-spur DF.

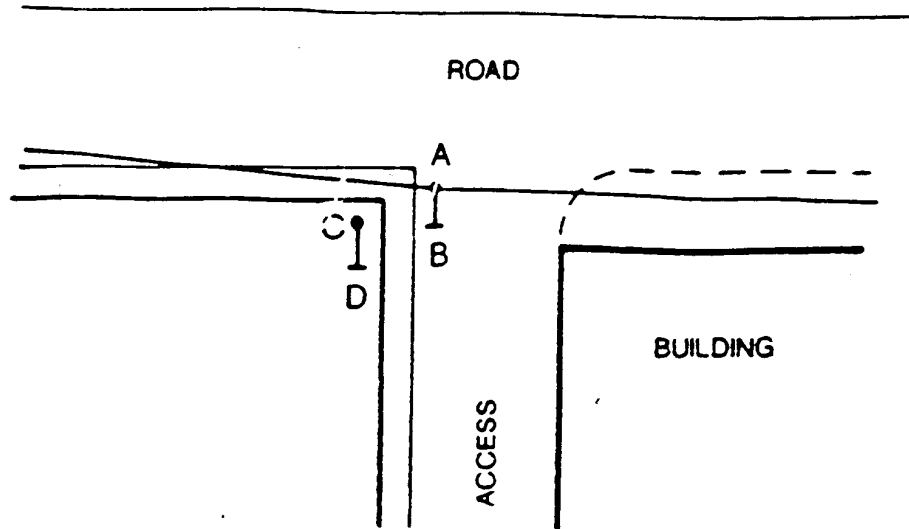
It will be necessary to apply for consent to keep the overhead line BD installed as this will supply two consumers. It had previously supplied one only so BDE could have been originally erected without consent. DF can be erected without consent (assuming it is not a net power exporting customer). The main 11kV line and AB should already be the subject of a S37 (or 10(b)) consent; if not this should be rectified by applying to keep these sections installed when applying to keep BD installed. BC will have been erected without consent as it supplies only one consumer; this is unchanged.

4. Do we need planning permission for an extra customer off an LV service? Does not the new Act apply only to HV?

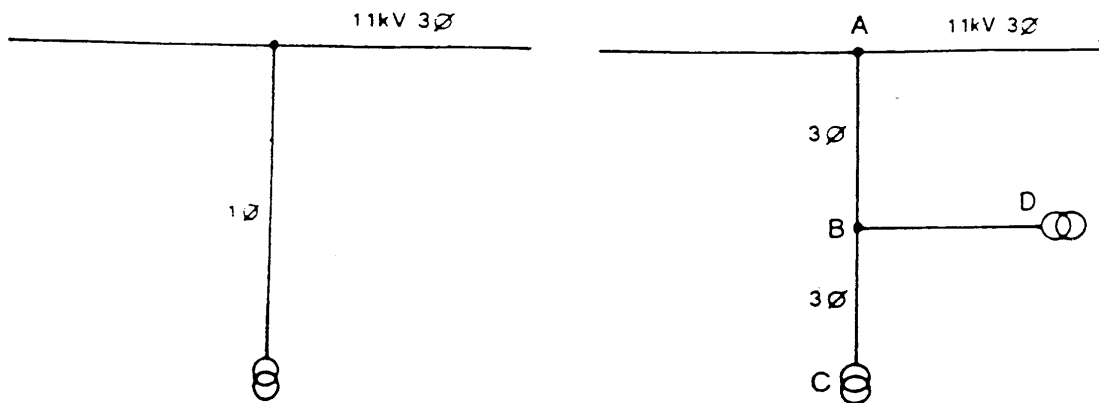
Section 37 consent (and planning permission) are required for that part of the LV system which will supply more than one customer. (See examples 1 and 2). The voltage is not a relevant factor - consent is required whatever the voltage. The only reference to voltages in this context in the 1989 Act is that the voltage of a line erected without consent to supply one customer must not exceed 20kV.

5. Why not apply for consent for all HV services and thus avoid the need to apply at a later date as extra consumers are added?

It is not necessary to apply and to do so would create extra work and the consent might be refused. There would be a better chance of obtaining consent to keep the line installed when the extra consumer is added, when the subject of the consent already exists and has been accepted perhaps for many years.



Pole at A with stay AB supports LV system. It is proposed to introduce new pole at C with stay CD in order to improve access to side of the building. No consent is required for this pole movement provided the shortest distance from C to the original line is less than 30 metres and the old pole A is taken down within 12 months of the erection of pole C. Also pole C must not exceed 10 metres in height or be more than 10% higher than pole A. It will also be necessary to advise the local authority of the proposal to determine whether there will be an adverse effect on the environment. If, however, the location is in a Site of Special Scientific Interest or European Protected Site then consent must be obtained.



A single phase 11kV spur to a group of consumers is to be reconducted as three phase. At the same time a new consumer is to be added by building a secondary spur.

In general no S37 consent will be required provided the original consent for the line AC was for a three phase line. No consent will be required for BD as this will supply only one consumer (import).

In a SSSI or European Protected Site, S37 consent will be required to convert AC from single phase to three phase as its appearance will be materially altered. No S37 consent will be required for BD but Natural England or NRW need to be consulted if it is in a SSSI or European Protected site.

8. As part of reconducting a 33kV line with heavier conductors it is necessary to replace a single pole with an H pole. Is consent necessary?
This work can be carried out under the Overhead Lines Exemption Regulations 2009 therefore section 37 is not required. Notification must be sent to the LPA.

9. An 11kV line is to be diverted in connection with a new road. Details are shown in attached Drawing A.

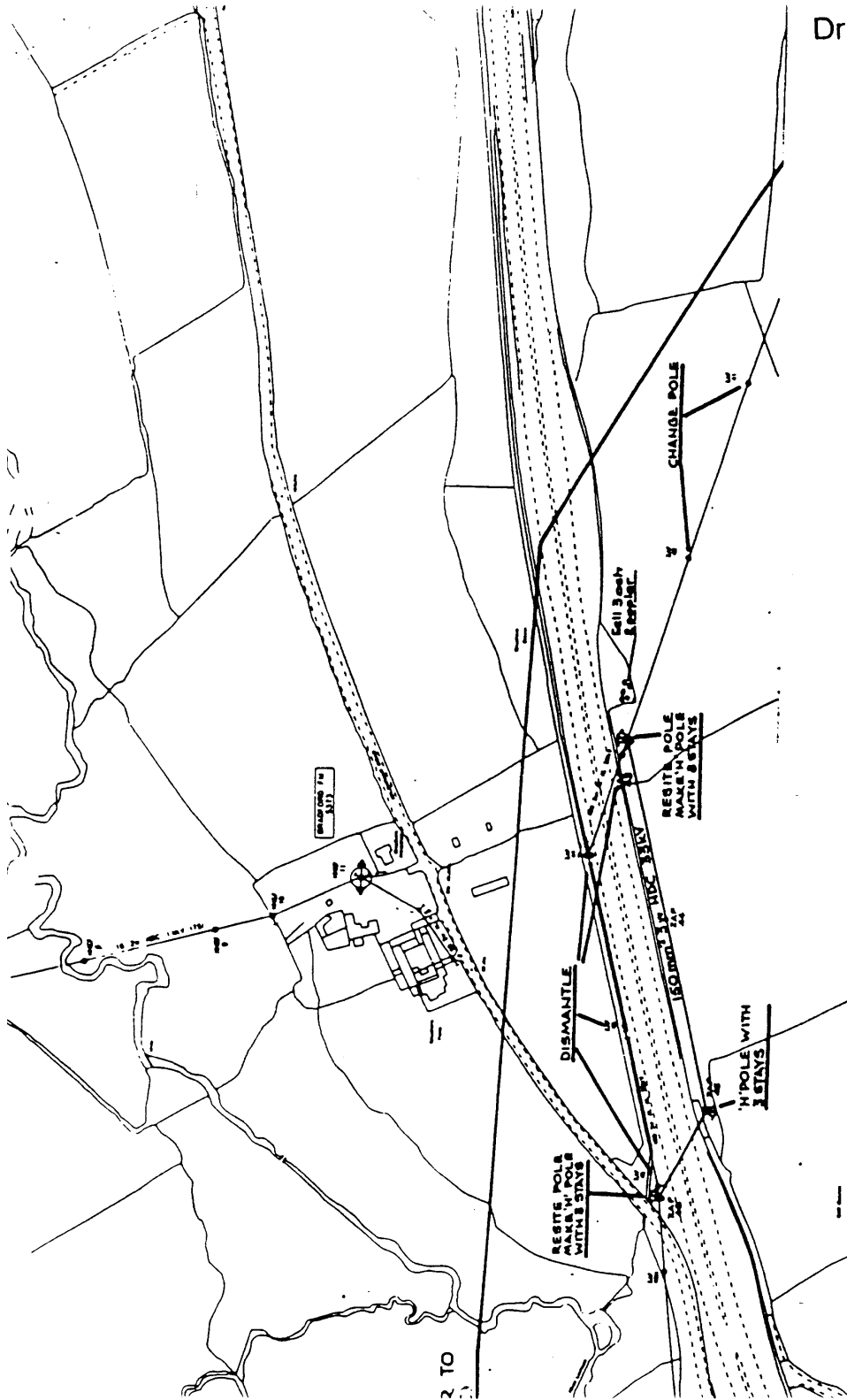
This would come under the 2009 Exemption Regulations as a replacement and therefore subject to the distance considerations specified. This example also requires additional supports and under the 2009 Exemption Regulations only a notice to the LPA is required.

10. It is sometimes necessary to erect an additional H-pole to accommodate a larger transformer to form a "lazy leg". Notice to the LPA is required.
11. Due to changes in ground levels caused by the landowner allowing tipping, statutory ground clearances are no longer maintained. The original consent for the line did not specify pole positions, but it is necessary to insert an additional pole to raise the line.

This work is now permitted under the Overhead Lines Exemption Regulations 2009 therefore Section 37 consent is not required

Page Revised November 2014

Drawing A



Our ref *Your ref* *Extension* *Date*

Dear

Electricity Act 1989: The Overhead Lines (Exemption) (England and Wales) Regulations 2009

It is proposed to undertake the following work that is considered to be exempted from the Electricity Act 1989 by falling within the Overhead Lines (Exemption) (England and Wales) Regulations 2009:

Particulars of proposed development:

The Council is requested to indicate that it has no objection to the work being carried out by returning two copies of this letter with the Certificate completed and signed.

Yours faithfully

CERTIFICATE

To be completed by the local planning authority and returned to the applicant electricity network company **within six weeks** of receipt

The

* (i) objects/does not object for the proposed development details above to be undertaken under the exemptions laid down in the Overhead Lines (Exemption) (England and Wales) Regulations 2009

* (ii) wishes/does not wish the Secretary of State to consider the application using the full Section 37 process under the Electricity Act 1989

* The reason for requesting the full Section 37 process are:

Dated

Signed

Designation

(On behalf of
Council/Local Planning Authority)

**delete as appropriate*

APPENDIX F

SUPERSEDED DOCUMENTS

This document supersedes ST:EW1A dated October 1997 which should now be withdrawn..

APPENDIX G

ANCILLARY DOCUMENTS

The Electricity Act 1989 (Section 37).

The Overhead Lines (Exemption) Regulations 2009

Joint Circular: Department of the Environment Circular 14/90.

Welsh Office Circular 20/90.

Department of Energy Circular 1/90.

Statutory Instrument 1990 No. 442 - The Electricity and Pipe-line Works (assessment of Environmental Effects) Regulations 1990.

Electricity Works (Environmental Impact Assessment) (England & Wales) (Amendment) Regulations 2007

The Distribution Code of the Public Electricity Suppliers of England and Wales (Distribution Code).

APPENDIX H

POLICY IMPLEMENTATION

This Standard Technique shall be implemented with immediate effect.

APPENDIX I

POLICY IMPACT

Relevant to all staff involved with preparing Environmental Statements and obtaining the Secretary of State's Consent. This document has been updated to reflect recent changes to legislation.

APPENDIX J

KEY WORDS

Area of Outstanding Natural Beauty (AONB); Countryside Commission; County Archaeological Officer (CAO); County Council; District Council; Environmental Statement; Environmental Impact Assessment; Form 'B'; Low voltage (lv); National Park; Nature Conservancy Council (NCC); Overhead lines (OHL); Planning Authority; Record Map; Section 37 Consent; Site of Special Scientific Interest (SSSI); Sites and Monuments Records Officer (SMRO).