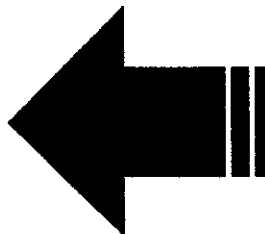


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Circular 14/90  
(Department of the Environment)  
Circular 20/90  
(Welsh Office)  
Circular 1/90  
(Department of Energy)



Joint Circular from the

Department of the Environment  
2 Marsham Street London SW1P 3EB

Welsh Office  
Cathays Park Cardiff CF1 3NQ

Department of Energy  
1 Palace Street London SW1E 5HE

26 September 1990

### Electricity Generating Stations and Overhead Lines

1. This Circular supersedes Department of the Environment Circular 34/76 (Welsh Office Circular 45/76), which is cancelled. It gives advice about the procedure for obtaining the views of local planning authorities in cases where the consent of the Secretary of State for Energy, together with deemed planning permission, is sought to construct, extend or operate an electricity generating station, or to instal or keep installed an electric line above ground ("an overhead line"). It also includes advice about procedures for assessing the effects of such developments on the environment, following the implementation of the requirements of European Communities Directive 85/337/EEC of 27 June 1985 on the assessment of the effects on the environment of certain public and private projects.

#### Consents: Background

2. A *generating station* may not be constructed, extended or operated in England and Wales except in accordance with a consent granted by the Secretary of State for Energy<sup>(1)</sup>. But this requirement does not apply to

(a) a generating station whose capacity does not exceed 50 megawatts, or such other capacity as the Secretary of State may specify by order; or

(b) a generating station of a class or description specified in any exemption order made under section 36(4) of the Electricity Act 1989<sup>(2)</sup>.

<sup>(1)</sup> Section 36 of the Electricity Act 1989 (1989 c.29).

<sup>(2)</sup> Order made under this provision: the Offshore Generating Stations (Exemption) Order 1990 (SI 1990 No. 443).

3. Similarly, an *overhead line* may not be installed or kept installed except in accordance with a consent granted by the Secretary of State for Energy<sup>(1)</sup>. But this requirement does not apply to (a) service lines of a nominal voltage of 20 kilovolts or less to individual consumers, (b) overhead lines within premises occupied or controlled by the person responsible for their installation, or (c) overhead lines of a description specified in any exemption regulations made under section 37(2)(c) of the Electricity Act 1989<sup>(2)</sup>.

4. Notice of an application to the Secretary of State for Energy for his consent must be served on the relevant planning authority<sup>(3)</sup>. The Secretary of State must not grant his consent without allowing the relevant planning authority an opportunity to state any objections it may have to the development<sup>(4)</sup>. If the relevant planning authority objects to the application, a public inquiry has to be held unless the objection is withdrawn or the Secretary of State for Energy grants consent subject to modifications or conditions that meet the objection of the relevant planning authority<sup>(5)</sup>. An inquiry may also be held in cases where the relevant planning authority does not object to the development but the Secretary of State considers an inquiry appropriate in the light of other objections and other material considerations<sup>(6)</sup>.

#### Environmental Assessment

5. In accordance with European Communities Directive No 85/337/EEC (environmental assessment) referred to in paragraph 1 above, as implemented by the Electricity and Pipe-line Works (Assessment of Environmental Effects) Regulations 1990<sup>(7)</sup>, the Secretary of State for Energy may not give his consent to construct, extend or operate a nuclear generating station, or a non-nuclear generating station which will have a heat output of 300 megawatts or more, unless he has first considered the "environmental information"<sup>(8)</sup>; this includes a statement prepared by the applicant ("an environmental statement") which provides specified information including the likely significant effects on the environment of the proposed development and any representations made by statutory consultees or other persons. In the case of an application for consent to construct, extend or operate a non-nuclear generating station which will have a heat output of less than 300 megawatts or an application to instal or keep installed an overhead line, an environmental statement will be required where the Secretary of State for Energy determines that in his opinion the proposed development is likely to have significant effects on the environment by virtue of factors such as its nature, size or location<sup>(9)</sup>.

<sup>(1)</sup> Section 37 of the Electricity Act 1989.

<sup>(2)</sup> No regulations have been made under this provision at the date of this Circular.

<sup>(3)</sup> Paragraphs 2(1) and 2(6)(a) of Schedule 8 to the Electricity Act 1989. "Relevant planning authority" is a local planning authority as defined in Part I of the Town and Country Planning Act 1990. In relation to an application for an overhead line consent it includes the county planning authority only

(i) where the line is to be installed in a National Park; or

(ii) where the line will have a nominal voltage of not less than 132 kilovolts.

<sup>(4)</sup> Paragraph 2(2) of Schedule 8 to the Electricity Act 1989.

<sup>(5)</sup> Paragraphs 2(2) and 2(4) of Schedule 8 to the Electricity Act 1989.

<sup>(6)</sup> Paragraph 3(2) of Schedule 8 to the Electricity Act 1989.

<sup>(7)</sup> SI 1990 No. 442.

<sup>(8)</sup> Regulation 2 of the Electricity and Pipe-line Works (Assessment of Environmental Effects) Regulations 1990 defines "environmental information" as "the environmental statement prepared by the applicant, any representations made by any body required by these regulations to be consulted, and any representations duly made by any other person about the likely environmental effects of a proposed development".

<sup>(9)</sup> Regulation 3 of the Electricity and Pipe-line Works (Assessment of Environmental Effects) Regulations 1990.

6. The National Grid Company has given an undertaking to the Secretary of State for Energy that it will provide an environmental statement with every application for consent to instal an overhead line of a nominal voltage of 275 kilovolts or more along a new route. Other overhead lines are, in the opinion of the Secretary of State for Energy, unlikely to require an environmental statement if their nominal voltage is less than 132 kilovolts or if they are less than one kilometre in length. Each case will nevertheless be considered on its merits by the Secretary of State for Energy, particularly where an overhead line would pass across especially sensitive land such as a Site of Special Scientific Interest or an Area of Outstanding Natural Beauty.

7. More general advice on environmental assessment is given in Department of the Environment Circular 15/88 (Welsh Office Circular 23/88).

#### **Deemed planning permission**

8. In granting a consent to construct, extend or operate a generating station, or to instal or keep installed an overhead line, the Secretary of State for Energy may also direct that planning permission for that development and any ancillary development shall be deemed to be granted<sup>(1)</sup>.

#### **Deemed hazardous substances consent**

9. Where the Secretary of State grants consent to any operation or change of use of a generating station that would involve the presence of a hazardous substance in circumstances requiring hazardous substances consent, he may also direct that hazardous substances consent shall be deemed to be granted<sup>(2)</sup>.

#### **Procedure: Action required of applicant**

10. When applying for the consent of the Secretary of State for Energy to construct, extend or operate a generating station or to instal or keep installed an overhead line the applicant is asked to serve notice of the application on the relevant planning authority by sending to each district council<sup>(3)</sup> in whose area the development is proposed to be situated the appropriate Form B, models for which are set out for guidance as Appendices to this Circular. There are three types of Form B: Form B (Type I) at Appendix A for an application in respect of a generating station; Form B (Type II) at Appendix B for an application in respect of an overhead line of a nominal voltage of 132 kilovolts or more; and Form B (Type III) at Appendix C for an application in respect of an overhead line of a nominal voltage of less than 132 kilovolts. The applicant will send four copies of Form B to each district council in the case of Types I and II but only three copies in the case of Type III<sup>(4)</sup>.

11. Part I of Form B (except for the Certificate) should be completed by the applicant before being sent to the district council and should describe the proposed development. Each copy of Form B should be accompanied by a map showing the site of the proposed development

<sup>(1)</sup> Paragraph 7(1) of Schedule 8 to the Electricity Act 1989.

<sup>(2)</sup> Paragraph 7(2) of Schedule 8 to the Electricity Act 1989.

<sup>(3)</sup> In this Circular, references to "district council" should be read, where appropriate, as references to the metropolitan council, London borough council or other relevant authority.

<sup>(4)</sup> In the cases of Types I and II, but not in the case of Type III, the district council should send a copy of Form B, when completed, to the county council, where there is one (see paragraph 15).

in the case of a generating station or, in the case of an overhead line, showing the route of the section of the line situated in the district council's area and, where appropriate, of a section of the line extending into any neighbouring authority's area.

12. Outside London and the metropolitan areas, at the same time as the applicant sends Form B to the district council he should send to each county council in whose area the development is proposed to be situated three copies of Part I only, with an additional copy for each district council in the county council's area in whose area the development is proposed to be situated. A map showing the site or route of the proposed development should be attached to each copy. But, in the case of an overhead line of a nominal voltage of less than 132 kilovolts, Form B should be sent to the county council as relevant planning authority only if the line is to be placed in a National Park<sup>(1)</sup> (see also paragraph 25 below).

13. In the case of a generating station or an overhead line of a nominal voltage of 132 kilovolts or more the applicant should send Form B to the relevant planning authority, as set out above, at the same time as he submits his application to the Secretary of State for Energy. Such an application must be advertised and an opportunity given to persons other than the relevant planning authority to send objections to it direct to the Secretary of State for Energy (see paragraph 24 below).

14. For an overhead line of a nominal voltage of less than 132 kilovolts, there is no requirement for advertisement and thus no mechanism for objections to be made direct to the Secretary of State. The applicant may, if he wishes, obtain the views of the relevant planning authority on Form B before he submits his application to the Secretary of State. Where he does so the applicant is not then required to give notice of the application to the relevant planning authority when the application is eventually made to the Secretary of State for Energy<sup>(2)</sup> (but see also paragraph 27 below).

#### **Procedure: Action required of relevant planning authority**

15. As explained on Form B, the district council should sign the Certificate in Part I and complete Part II. Where there is also a requirement for the applicant to send Form B to a county council, the county council should complete the Certificate in Part I only. In such cases, the county and district councils, in addition to returning the completed Form B to the applicant, should send a copy to each other.

16. The Secretary of State for Energy has a duty both to allow the relevant planning authority an opportunity to register an objection and to hold a public inquiry if it does so. In cases involving both the county and district councils therefore, a completed and signed Certificate in

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<sup>(1)</sup> Paragraphs 2(1) and 2(6)(a) of Schedule 8 to the Electricity Act 1989.

<sup>(2)</sup> Regulation 9 of the Electricity (Applications for Consent) Regulations 1990 (SI 1990 No. 455).

Part I of Form B should be provided by both councils, unless one authority is entitled to sign on behalf of the other (see paragraph 28), within the time limits set out in paragraph 26.

17. The relevant planning authority should always return Form B, when completed and signed, direct to the applicant. It is the applicant's responsibility to forward all Forms B relating to his application to the Department of Energy. Where the relevant planning authority objects to a proposed development, however, the Department of Energy would prefer to receive a copy of the completed Form B at the same time as the original is returned to the applicant.

#### **Environmental statement**

18. An environmental statement may be submitted with an application to the Secretary of State for Energy for consent (a) because it is mandatory, (b) because the Secretary of State has previously determined that one is required (see also paragraph 19) or (c) voluntarily. In each case the environmental statement should be sent to the relevant planning authority with Form B.

19. Where a prospective applicant requests the Secretary of State for Energy to determine whether he would wish to take an environmental statement into account, the Secretary of State will seek the views of the relevant planning authority<sup>(1)</sup>. The relevant planning authority must give its view to the Secretary of State within three weeks of being asked to do so<sup>(2)</sup>.

20. Where an environmental statement is not submitted with an application for consent it may be submitted subsequently in response to a notification by the Secretary of State for Energy<sup>(3)</sup>. In such cases the environmental statement should be sent to the relevant planning authority at the same time as it is submitted to the Secretary of State.

#### **Preservation of amenity**

21. In formulating a development proposal for which the Secretary of State for Energy's consent is necessary an applicant who is a licence holder or who is authorised by an exemption to generate or supply electricity<sup>(4)</sup>, must

(a) have regard to the desirability of preserving natural beauty, of conserving flora, fauna and geological or physiographical features of special interest and of protecting sites, buildings and objects of architectural, historic or archaeological interest; and

(b) do what he reasonably can to mitigate any effect which the proposals would have on the natural beauty of the countryside or on any such flora, fauna, features, sites, buildings or objects<sup>(5)</sup>.

22. In considering such proposals the Secretary of State for Energy must have regard to the matters mentioned in paragraph 21(a) and the extent to which the applicant has complied with his duty under paragraph 21(b)<sup>(6)</sup>.

<sup>(1)</sup> Regulation 4(4) of the Electricity and Pipe-line Works (Assessment of Environmental Effects) Regulations 1990.

<sup>(2)</sup> Regulation 4(5) of the Electricity and Pipe-line Works (Assessment of Environmental Effects) Regulations 1990.

<sup>(3)</sup> Regulation 5(1) of the Electricity and Pipe-line Works (Assessment of Environmental Effects) Regulations 1990.

<sup>(4)</sup> See sections 4 to 7 of the Electricity Act 1989.

<sup>(5)</sup> Paragraph 1(1) of Schedule 9 to the Electricity Act 1989.

<sup>(6)</sup> Paragraph 1(2) of Schedule 9 to the Electricity Act 1989.

### **Consultation by relevant planning authorities**

23. The relevant planning authority should note Article 18 of the Town and Country Planning General Development Order 1988<sup>(1)</sup> on the extent to which consultation will be necessary. Further consultation may not be necessary with Government Departments or other bodies already consulted by the applicant, the results of which will be passed to the relevant planning authority. An applicant is required to give notice of an application to the Nature Conservancy Council where a proposed development would affect a Site of Special Scientific Interest<sup>(2)</sup>. There is also a requirement for the applicant or the Secretary of State for Energy to consult the Countryside Commission, the Nature Conservancy Council and HM Inspectorate of Pollution (in respect of generating stations) about an environmental statement in cases where such a statement is required<sup>(3)</sup>. The relevant planning authority may contact such bodies again if it believes it necessary to form a balanced view or to clarify a particular point. District and county councils will need to consider the requirement for consultation with each other under Articles 19 and 20 of the Town and Country Planning General Development Order 1988.

### **Publicity**

24. An applicant is required to advertise an application for consent for a generating station and for an overhead line of a nominal voltage of 132 kilovolts or more<sup>(4)</sup>. He is also required to advertise any application for consent accompanied by an environmental statement<sup>(5)</sup> and to state where copies of the statement may be obtained. This gives the public an opportunity to express their views on major development proposals, but the relevant planning authority should consider whether to publicise other individual proposals.

### **National parks**

25. If a development, or a part of it, is proposed to be situated in a National Park the relevant planning authority will be either a joint or special planning board, or the county council(s) for the area acting through a national park committee. In such cases the joint or special planning board or the county council(s) should sign the Certificate in Part I and complete Part II of Form B and the district council should sign the Certificate in Part I only. Form B (Types I and II) should be adapted accordingly.

### **Time limits for relevant planning authorities to register objections**

26. The Secretary of State for Energy does not wish to delay his determination of applications for consent submitted to him. Relevant

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<sup>(1)</sup> SI 1988 No. 1813.

<sup>(2)</sup> Regulation 6 of the Electricity (Applications for Consent) Regulations 1990.

<sup>(3)</sup> Regulations 6 and 8 of the Electricity and Pipe-line Works (Assessment of Environmental Effects) Regulations 1990.

<sup>(4)</sup> Regulations 4 and 5 of the Electricity (Applications for Consent) Regulations 1990.

<sup>(5)</sup> Regulation 7 of the Electricity and Pipe-line Works (Assessment of Environmental Effects) Regulations 1990.

planning authorities are asked to co-operate in expediting applications. They should note that, if they wish to register an objection to an application with the Secretary of State, they must do so within a maximum of 4 months of the date of the application for a generating station or 2 months for an overhead line, except in cases where they agree a longer period with the Secretary of State and the applicant<sup>(1)</sup>. The Secretaries of State for the Environment, for Wales, and for Energy hope, however, that it will be possible in most cases for the relevant planning authority to complete and return Form B well before the end of these maximum periods.

27. As noted in paragraph 14, in cases of applications in respect of overhead lines of a nominal voltage of less than 132 kilovolts, where the relevant planning authority has been sent Form B before the formal application is made to the Secretary of State for Energy, notice of such application when it is made is not required to be given to the relevant planning authority. In such cases, if the application is made before the relevant planning authority has completed and returned Form B to the applicant, the Department of Energy will inform the relevant planning authority of the date on which the application was made. This will ensure that the authority knows the period in which to register an objection if it wishes.

### **General**

28. Where arrangements have been under section 101 of the Local Government Act 1972 for one authority to discharge the functions of another in relation to these matters, the authority completing the Certificate in Part I of Form B should state clearly that it is acting both on its own behalf and on behalf of another authority, naming that authority. The Secretary of State for Energy will rely on that statement being correct. If an authority which has authorised another to act for it decides that it will act on its own behalf, it must do so *before* the other authority has acted for it, and ensure that the Department of Energy is left in no doubt about the position.

29. The views of relevant planning authorities have considerable influence on the Secretary of State for Energy's decision whether or not to give consent and deemed planning permission and in what terms. The copies of Forms B and the Certificates which reach his Department should show a clear signature and an indication of the authority on whose behalf the Form B is signed. If possible the original signed copies should be sent to the applicant, to be forwarded to the Department of Energy.

30. The arrangements set out in this Circular relate to the formal stages of consultation. It is the applicant's responsibility, in the first instance, to ensure that all relevant planning authorities are formally invited to comment on the proposal in their area of jurisdiction. The

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<sup>(1)</sup> Regulation 8 of the Electricity (Applications for Consent) Regulations 1990.



Secretaries of State for the Environment, for Wales and for Energy believe that informal consultation at the earliest stage is of the greatest help in enabling the procedure to operate smoothly.

R S HORSMAN, *Assistant Secretary*

D I WESTLAKE, *Assistant Secretary*

G W THYNNE, *Assistant Secretary*

The Chief Executive  
County Councils  
District Councils } in England and Wales  
London Borough Councils  
Council of the Isles of Scilly  
The Town Clerk, City of London  
The National Park Officer  
Lake District Special Planning Board  
Peak Park Joint Planning Board  
The Chief Executive, the Broads Authority  
The Chief Executive, Urban Development Corporations  
The General Manager, New Town Development Corporations  
[DOE PDC]  
[WO PLS]

**Notes:** This Form is for use in connection with an application for the Secretary of State for Energy's consent under section 36 of the Electricity Act 1989. The Form should be sent in quadruplicate to each County (where there is one) and District/Borough Council in whose area the proposed development would be situated.

**DETAILS OF APPLICANT**

Name:

Address:

Tel:

**PART I**

Applicant's reference:

Date:

To the Chief Executive

Council

Dear Sir

**Electricity Act 1989**

Application is being made to the Secretary of State for Energy for his consent to the development described overleaf. The Secretary of State will at the same time be requested to direct that \*planning permission/hazardous substances consent for this development shall be deemed to be granted. The consent and the direction(s) may be given subject to conditions.

To assist the Secretary of State to determine the application:

- (i) the District/Borough Council is requested to return to me two copies of this Form with Part I Certificate and Part II completed and signed and to send one completed and signed copy to the County Council (where there is one),
- AND
- (ii) the County Council (where there is one) is requested to return to me two copies of this Form with Part I Certificate only completed and signed and to send one completed and signed copy to the District Council in whose area the development would be situated.

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 BOTH County AND District/Borough Councils)

The County/District/Borough Council

- (i) \*object on the grounds set out below/have no objection to make to the development described overleaf;
- (ii) \*request/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.

Dated

Signed

*\*Delete as appropriate*

Designation

On behalf of the County/District/Borough Council  
[Reasons for objections]

## PARTICULARS OF PROPOSED DEVELOPMENT AND REPRESENTATIONS

[To be completed by the applicant]

Application is being made

- (a) for consent under section 36 of the Electricity Act 1989 for the construction/extension/different operation\* of a generating station;
- (b) for a direction under section 90(2) of the Town and Country Planning Act 1990 that planning permission for the proposed development be deemed to be granted;
- (c) †for a direction under section 12(2) of the Planning (Hazardous Substances) Act 1990 that hazardous substances consent be deemed to be granted.

*\*Delete whichever does not apply*

*†Delete when inapplicable*

1. Particulars of proposed development. (These particulars should be accompanied by such plans as may be necessary to enable the local planning authority to identify the land affected by the proposals and to appreciate the nature and extent of the proposed development and by a copy of the environmental statement if the applicant has prepared one.)

2. Particulars of any representations or objections which have been made to the applicant.

3. Particulars of the applicant's compliance with his duty under paragraph 1 of Schedule 9 to the Electricity Act 1989.

Date

19

For and on behalf of the applicant

*Note:* This Part to be completed, dated and signed before submitting to the local planning authority.

Signed

Designation

## PART II—INFORMATION AND OBSERVATIONS

(To be completed by the District/Borough Council)

Planning Reference No.

1. Names of interested parties consulted as to the proposals with details of any observations received.

2. Particulars of any representations which have been made to the local planning authority objecting to the proposals.

3. Have any general or specific restrictions been imposed by any authority on development of the land affected by the proposed development?

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 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(s) are given is a matter for the Secretary of State, but he will have regard to the form of words used by the local planning authority.)

Date

19

Signed

Designation

On behalf of the

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

Council

Two completed copies of this Form, both signed, should be returned to the applicant for submission by him to the Department of Energy.

**Notes:** This Form is for use in connection with an application for the Secretary of State for Energy's consent under section 37 of the Electricity Act 1989 to instal and keep installed above ground an electric line of a nominal voltage of 132 kilovolts or more. The Form should be sent in quadruplicate to each County (where there is one) and District/Borough Council in whose area the proposed development would be situated. Where the form is sent to more than one District/Borough Council in a county the County Council should be sent an additional copy for each such additional District/Borough Council

APPENDIX B  
Form B (Type II)

DETAILS OF APPLICANT

Name:

Address:

Tel:

PART I

Applicant's reference:

Date:

To the Chief Executive

Council

Dear Sir

Electricity Act 1989

Application is being made to the Secretary of State for Energy for his 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:

(i) the District Council is requested to return to me two copies of this Form with Part I Certificate and Part II completed and signed and to send one completed and signed copy to the County Council (where there is one),

AND

(ii) the County Council (where there is one) is requested to return to me two copies of this Form with Part I Certificate only completed and signed and to send one completed and signed copy to each District Council in whose area the development would be situated.

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 BOTH County AND District/Borough Councils)

The County/District/Borough Council

(i) \*object on the grounds set out below/have no objection to make to the development described overleaf;

(ii) \*request/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.

Dated

Signed

*\*Delete as appropriate*

Designation

On behalf of the County/District/Borough Council  
[Reasons for objections]

## PARTICULARS OF PROPOSED DEVELOPMENT AND REPRESENTATIONS

[To be completed by the applicant]

Application is being made

- (a) for consent under section 37 of the Electricity Act 1989 to instal or keep installed an electric line above ground;
- (b) for a direction under section 90(2) of the Town and Country Planning Act 1990 that planning permission for the proposed development be deemed to be granted.

1. Particulars of proposed development. (These particulars should be accompanied by such plans as may be necessary to enable the local planning authority to identify the land affected by the proposals and to appreciate the nature and extent of the proposed development and by a copy of the environmental statement if the applicant has prepared one.)

2. Particulars of any representations or objections which have been made to the applicant.

3. Particulars of the applicant's compliance with his duty under paragraph 1 of Schedule 9 to the Electricity Act 1989.

---

Date	19	For and on behalf of the applicant
<i>Note:</i> This Part to be completed, dated and signed before submitting to the local planning authority.		Signed
		Designation

## PART II-INFORMATION AND OBSERVATIONS

(To be completed by the District/Borough Council)

Planning Reference No.

1. Names of interested parties consulted as to the proposals with details of any observations received.

2. Particulars of any representations which have been made to the local planning authority objecting to the proposals.

3. Have any general or specific restrictions been imposed by any authority on development of the land affected by the proposed development?





**Notes:** This Form is for use in connection with an application for the Secretary of State for Energy's consent under section 37 of the Electricity Act 1989 to instal 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 Council in whose area the proposed development would be situated.

APPENDIX C  
Form B (Type III)

DETAILS OF APPLICANT

Name:

Address:

Tel:

**PART I**

Applicant's reference:

Date:

To the Chief Executive

Council

Dear Sir

**Electricity Act 1989**

Application is being made to the Secretary of State for Energy for his 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 District/Borough Council 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 District/Borough Council)

The

District/Borough Council

- (i) \*object on the grounds set out below/have no objection to make to the development described overleaf
- (ii) \*request/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  
[Reasons for objections]

District/Borough Council

## PARTICULARS OF PROPOSED DEVELOPMENT AND REPRESENTATIONS

[To be completed by the applicant]

Application is being made

- (a) for consent under section 37 of the Electricity Act 1989 to instal or keep installed an electric line above ground;
- (b) for a direction under section 90(2) of the Town and Country Planning Act 1990 that planning permission for the proposed development be deemed to be granted.

1. Particulars of proposed development. (These particulars should be accompanied by such plans as may be necessary to enable the local planning authority to identify the land affected by the proposals and to appreciate the nature and extent of the proposed development and by a copy of the environmental statement if the applicant has prepared one.)

2. Particulars of any representations or objections which have been made to the applicant.

3. Particulars of the applicant's compliance with his duty under paragraph 1 of Schedule 9 to the Electricity Act 1989.

Date

19

For and on behalf of the applicant

*Note:* This Part to be completed, dated and signed before submitting to the local planning authority.

Signed

Designation

## PART II-INFORMATION AND OBSERVATIONS

(To be completed by the District/Borough Council)

Planning Reference No.

1. Names of interested parties consulted about the proposals with details of any observations received.

2. Particulars of any representations which have been made to the local planning authority objecting to the proposals.

3. Have any general or specific restrictions been imposed by any authority on development of the land affected by the proposed development?





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