

25 May 2023

Electricity Transmission Network Acceleration Team
Department for Business, Energy and Industrial Strategy
1 Victoria Street
London, SW1H 0ET

cbnetworks@beis.gov.uk

Dear Sir

**Public Consultation
Community benefits for electricity transmission network infrastructure**

The Suffolk Preservation Society (the SPS) is a membership based, non-political, independent, self-funding charity that was established in 1929. Its charitable objects are to promote the conservation, protection and improvement of Suffolk's physical and natural environment for the public benefit by ensuring any change is undertaken sympathetically and to the highest level of design and sustainability possible. The Society represents the Campaign to Protect Rural England (CPRE) in Suffolk.

We are pleased to submit comments to this consultation on community benefits for electricity transmission network infrastructure.

In summary SPS supports the principle of offering community benefits as a crucial part of ensuring faster delivery of the government's net zero agenda, subject to enhancements to strategic network planning, consenting and delivery of ET projects. The benefits should apply to projects currently in flight/planning, especially those related to reinforcement works driven by net zero targets. A presumption/expectation that all qualifying projects participate is necessary. Communities must have an active ongoing role in any benefits package and tailor arrangements to their local circumstances. Any guidance should be developed through the communities themselves and existing third sector organisations that represent or help draw rural communities together. Wider community benefits should be the main focus and monies should be directed to benefits that can be enjoyed widely – i.e. enhancements to landscape, countryside, biodiversity, access, wellbeing – rather than compensating for nuisance to/loss of private property rights. Direct payments, unless put on a solid procedural/legislative footing, might become controversial with recourse to litigation. We welcome exploration of the option of energy bill discounting in due course, whilst agreeing that the current wider community benefits proposal is the necessary first step.

Consultation questions

1. What are your views on how community support for electricity transmission network can be improved? This includes any electricity transmission network infrastructure developed by Transmission Operators and developers within scope of these proposals. We would welcome supporting evidence if available.

We agree that offering community benefits, done well, is an essential component of helping enhance community support for new electricity transmission (ET) network infrastructure. Therefore, we support this package in principle. We have stated elsewhere (in our responses to the parallel consultations on the energy National Policy Statements, NPS) that increasing social consent is key to ensuring speedy delivery of low carbon-enabling infrastructure in support of radical greenhouse gas emission reductions.

However, the community benefit approach needs to be in addition to enhancements to strategic network planning, consenting and delivery of ET projects. Our comments on EN-5, which echoed those made in the 2021 consultation round by CPRE (informed and supported by the SPS), recommended a package of:

- holistic testing of high-level (strategic) network design, combined with
- a robust landscape-scale approach to assessing and minimising landscape cumulative impact, and
- provision of environmental net gain (including but not limited to biodiversity net gain)

as the key mechanism for enhancing social consent and thereby increased speed of delivery of low carbon energy generation. We are clear that all these elements, in combination with a community benefits scheme, is both necessary and justified if Government is to bring communities with them on the journey to net zero.

For the avoidance of doubt, we are clear, and therefore agree with the Government's view as set out in the consultation, that the benefits scheme must be a separate matter from the planning process, unrelated to material considerations of the consenting decision.

2. Do you agree with the proposed types of infrastructure and projects we would include in these proposals? Please explain why.

The consultation document scope (p.15/16) does not make explicitly clear that the benefits will only be applied to new parts of the ET network, though this is our presumption. However, this does raise the question of any degree of retrospection to be applied once the scheme comes into effect. We believe that the benefits should apply to projects currently in flight/planning, especially those related to reinforcement works driven by net zero targets. Therefore – depending on their outcome – the benefits would apply to projects that will impact Suffolk such as the Friston substation/ converter station complex, Bramford-Twinstead and EA GREEN.

The point of qualification should probably be at planning consent approval although we would anticipate the need to do some outline preparatory work up to this point, which could probably be conjoined with existing community involvement work related to the consenting process. This timing appears to be consonant with the consultation view expressed (p.17) that projects that have not yet commenced construction should be within scope and we would be happy to defer to that.

3. What are your views on government's preferred approach of a voluntary benefit scheme underpinned by government guidance (covering both wider and direct community benefits)? Please explain why and provide any supporting evidence if available.

Whilst we understand the arguments made in respect of a voluntary scheme, we believe it would be better if there were to be a presumption/expectation that all qualifying projects participate. We are aware of wider experience of 'opt-in' schemes, for example the OfGEM UVA (undergrounding for visual amenity) package, where variation of ambition between DNOs has caused distributional distortions in benefits and thus inequal outcomes for communities and landscapes. This should be avoided.

We instead suggest a 'light tick boxing' approach to community benefits that would not invoke amendments to licence conditions but would ensure that a scheme would be entered into. Whilst we note (and agree) that a clear separation must be kept from planning (in terms of material considerations in decision-making), we suggest that the submission (yes/no) of an outline of a practicable benefits package be confirmed as part of the development and – subject to legal probity – possibly included as a requirement by condition. A simple *pro forma* set of words (i.e. standard condition wording) could be used with little in the way of variation between projects.

We support the scope of guidance proposed and are pleased to see the intention to adopt an approach that empowers communities, supports the benefits they wish to see and that, through a variety of enabling governance arrangements, are properly overseen by the community and their representatives. In this sense, administering schemes through local authorities, as is anticipated with Sizewell C – however well meaning – should be avoided. Decisions should be devolved to the closest communities affected, with a preference for independent charity, grant making organisations and/or community interest companies (perhaps specifically created for the task) to lead. Blended solutions are appropriate, for example Sizewell C where a natural environment improvement fund is to be set up and administered by a number of local and statutory bodies. In addition, an environmental charity is to be established and will be administered by a board of appointed trustees.

We also envisage that guidance alone may not be sufficient and that a requirement for a 'community benefits liaison officer' could assist in maximising the use of funds and the benefits delivered. This should either be funded by or provided by the developer (possible based on a small % of the benefit package) but with a remit to act for the best interests of the community. This is consonant with the notion of the ambition to increase mutual trust in the TO/developer/community relationship, described as a potential benefit in Table 1, p.31). We do not believe it would place undue financial or regulatory burden on the developer to take on this role. In Suffolk, the AONB Partnership has appointed a grants officer to co-ordinate and administer the community funds that are expected to flow from EDF and Scottish Power's DCOs, if consented.

4. What are your views on the information we have proposed to include within government guidance? This includes identifying eligible communities, consultation and engagement, governance and delivery and funding.

We are broadly satisfied with the direction of travel indicated (and see above answer for comments on governance) and SPS would be willing to contribute to helping develop such guidance, based on local experience. We agree that the ability of communities to have an active ongoing role in the benefits package and be able to tailor arrangements to their local circumstances is paramount.

5. Do you agree with the government's proposals to focus on direct and wider community benefits, choosing not to pursue options such as community ownership and electricity bill discounts? Please explain why.

Our view is that wider community benefits, and especially funding those initiatives that more directly address the climate and biodiversity emergencies, and especially increase sustainable local energy usage, should be the main focus. The schemes should focus on addressing genuine needs in the local area. Given that the funding source will ultimately be bill payers nationally, we believe it is fairer that the end use of their monies should be benefits that can be enjoyed widely – i.e. enhancements to landscape, countryside, biodiversity, access, wellbeing – rather than compensating for nuisance to/loss of private property rights. Enhancing the vitality of the local rural economy would also be a key aim – good for both communities and visitors.

In respect of direct benefits, our preference would be to see compensation for individual householder impacts to be dealt with through a more statutory scheme – more akin to the current compensatory mechanisms (wayleaves/easement payments) or CPO arrangements. We see a distinct possibility that direct payments, unless put on a more solid procedural/legislative footing, might become controversial with recourse to litigation. The issue of retrospection (for those seriously affected by existing transmission infrastructure) may also need to be grappled with.

We are clear that non-domestic properties (e.g. churches, schools, small businesses, tourism enterprises) should be included in any direct benefit scheme, if brought forward.

We note the initial view to exclude community ownership and/or energy bill discounts. We think it unlikely that communities would wish to have shared ownership of transmission infrastructure (in direct contrast to a strong need for community/shared ownership models for local energy generation, which remains a strong policy ask outwith this consultation). However, we would welcome some greater exploration of the option of energy bill discounting in due course, whilst agreeing that the current wider community benefits proposal is the necessary first step.

6. How do you think guidance could be developed most effectively? How should different stakeholders be involved?

Guidance should be developed through the communities themselves and existing third sector organisations that represent or help draw rural communities together. They have a wealth of real world experience in facilitating rural development funds and initiatives, from local to national level. We would also suggest that developers' community engagement specialists be involved at the earliest stages of developing the guidance needed. It needs to be a partnership approach from the beginning, building mutual trust and confidence iteratively. The sooner barriers (perceptual or real) are broken down, the better.

7. How do you think the effectiveness of this approach should be evaluated? Please explain why and provide any supporting evidence.

There are many standard (and excellent) evaluation methodologies for assessing community benefit impacts, including those applied by grant makers such as National Lottery Community Fund, Esmée Fairbairn, Roundtree trusts etc. Again, rural community third sector organisations will be well placed to advise on specifics.

8. Do you have a preferred approach to how the level of funding should be calculated? Why is this your preferred approach?

We have no strong view or preference and recognise there is a logic to a %take based on overall project capex. Another suggestion may be to relate the payments to the energy capacity (MW etc) of the infrastructure, as is also suggested in the consultation. Our key point here, as a landscape and cultural heritage group, is that the level of benefit (payment) should appropriately reflect the long term/residual visual impact of the infrastructure by dint of scale, massing, including cumulative effects.

9. What level of funding do you believe is appropriate? Why do you believe this? Could you please provide any evidence or data as to how you have come to this calculation.

We do not feel best qualified to suggest quantum for what represents effective compensation for hosting new ET infrastructure. This could be derived from environmental economic models (such as willingness to pay/willingness to accept, carried out respectively with bill payers/those communities affected) and there is precedent for such estimates within the funding calculations of the current OfGEM UVA and electricity transmission underground (NG VIP) funding schemes.

Although we note the possible benefits to bill payers of speedier delivery of cheaper, low carbon generation and reduction of network constraint costs, there is also an issue of social equitability for Government and OfGEM to balance between those in fuel poverty (rural and urban) and an appropriate level of community benefit payment. As touched on in question 5 above, this is also a just transition issue to consider in balancing bill affordability for those in fuel poverty and compensating for impacts on private property rights.

10. Is there anything further we should consider as part of next steps?

No comment.

The SPS hopes that this consultation response will be effective in helping to better balance the requirements for effective national planning policy with the protection of the countryside and those communities who live and work there, and call it home.

Yours sincerely

**Fiona Cairns IHBC MRTPI
Director**

Cc:

James Cartlidge MP

Dr Dan Poulter MP

Therese Coffey MP

Cllr Matthew Hicks - Leader of Suffolk County Council

Cllr Caroline Topping – Leader East Suffolk Council

Cllr Andrew Mellen – Leader Mid Suffolk Council

Cllr David Busby – Leader Babergh District Council

Phil Watson - Strategic Energy Projects Lead, Suffolk County Council

Simon Amstutz, AONB Partnership

President Suffolk Preservation Society, Geoffrey Probert

Chairman Suffolk Preservation Society, Robert Townshend

CPRE Norfolk

CPRE Essex