

**John Muir Trust
Response to SP Energy Networks
Dumfries & Galloway Strategic
Reinforcement Project (the “Project”)
consultation
August 2015**



1) SUMMARY

The John Muir Trust welcomes the opportunity to respond to the Project consultation.

The strategic case and cost benefit analyses for this project must be fully made and available to the public. It is unclear, from the documents available, whether the need case for the strategic plan or programme, of which the Project is clearly a part, has been adequately made. Also, it is unclear whether a Strategic Environmental Assessment of possible alternatives has been adequately considered and this is required under the SEA legislation.

Any potential impact of the Project on nationally designated landscape e.g. the Nith Estuary National Scenic Area, the Southern Upland Way, the Wild Land Area at the Merrick, or other natural heritage designated sites needs to be carefully assessed and due regard given. The cumulative impact of this project with other infra-structure on the visual and landscape resource of Dumfries and Galloway must be considered.

2) RELEVANCE OF THE JOHN MUIR TRUST’S EXPERIENCE

The John Muir Trust is the leading wild land charity in the UK whose foremost aim is the protection and enhancement of wild land and wild places. The Trust works extensively, alongside energy experts, on strategic energy and transmission issues because of the extensive impacts that energy developments are having on wild land.

The Trust has gained considerable expertise about the strategic technical and economic aspects of transmission, as a leading objector at the Public Local Inquiry (PLI) for the Beaully-Denny, 220km, 400kV transmission line in 2007, and subsequently. To consider the evidence at that Inquiry, the Trust benefited from advice from energy and economic experts including Sir Donald Miller, ex-Chairman of Scottish Power, Colin Gibson, Ex Networks Director of National Grid, and Professor Andrew Bain, Emeritus Professor of Economics. Some of the evidence presented at the Beaully-Denny Public Local Inquiry is very relevant to this Consultation.

3) STRATEGIC ISSUES

The Trust’s submission is informed by its experience of considering, with the advice of independent experts, the costs, technical case and environmental impacts of a similar 400kV electricity line passing through a National Park and sensitive nationally important landscapes – i.e. the 220km Beaully – Denny line.

Electricity generation and transmission planning and costs should be considered at the same time and across the GB electricity network to achieve the best solution for the national good. Ofgem and the Scottish Government, through its Agencies, have duties including specific environmental duties and are required to ensure adequate Strategic Environmental Assessments have been undertaken where appropriate, to ensure the correct decision-making occurs.

SP Energy Networks (SP) must ensure that they deliver on their statutory duty to the public in a holistic way - considering all significant economic, social and environmental costs.

The Applicant evidence given at the Beaully Denny 400kV 220km transmission line Public Local Inquiry, and the subsequent practical delivery of the BD project, demonstrated inadequate cost-benefit analysis of a major overhead line industry, by the Applicants, including Scottish Power, and Ofgem.

The Trust considers it essential that lessons are learned and, for the Project under consideration, adequate cost benefit studies and comparisons are done and put into the public domain.

Environmental duties. The Trust view is that Ofgem's and Scottish Power's environmental duties were not adequately undertaken at Beaully Denny. Indeed, SP is still negotiating the landscape mitigation five years after approval. So it is critical that both Ofgem and Scottish Power learn from those mistakes, demonstrate the technical need to the public and stakeholders and implement any new transmission in Dumfries and Galloway with minimal impacts.

The Project information demonstrates that it is mainly aimed at linking up other parts of the transmission network, rather than designed primarily to provide resource locally in Dumfries and Galloway. So this is a strategic project which is part of a wider Plan or Programme but it is not clear whether this major project has been assessed as part of a Strategic Environmental Assessment of the wider network plan. Since it is clearly part of a Plan or Programme, this SEA is required.

4) **PROJECT CONSIDERATIONS**

Total Systems costs and environmental and social impacts need holistic consideration and lessons must be learned from similar projects.

Whilst the Trust appreciates that SP are consulting in an inclusive manner on the aspect of the electricity network which is their remit in this area (the transmission required), it is essential that governments, and organisations licensed by government to undertake nationally significant projects, ensure that they are delivering on their duty to the public in a holistic way, considering all significant economic, social and environmental costs.

The key concern that the Trust has is that the case for an extensive upgrade to this 400kV line has not been demonstrated. This upgrade would appear to be predicated on imports for electricity from Northern Ireland and significant increases in electricity generation from windfarms in south-west Scotland, both of which are highly uncertain. Therefore, SP has not yet made an adequate case for the Project in principle.

Further, previous experience demonstrates that the initial cost estimates for the project might well increase significantly, thereby undermining the economic basis of the project. In the case of the Beaully Denny transmission line, the actual costs have virtually doubled from the estimate given by Scottish Power and SSE to the Public Local Inquiry. This outcome is in line with evidence which was presented by objectors. Hence, even if there is a case in principle for this Project, SP must provide an adequate cost-benefit analysis based on realistic project costs.

It was argued by Sir Donald Miller at the Beaully Denny PLI, and is clear in retrospect, that the "East coast" overhead route Sir Donald proposed would have similar or less costs and have less severe impacts on nationally valued landscapes than the approved BD route. Moreover, sub-sea cables are also coming forward elsewhere in the UK – a technology which was claimed to be too expensive for BD. Both

alternative options should have been properly assessed as alternatives under Strategic Environmental Assessment and that process put into the public domain.

Likewise, for the D&G strategic reinforcement, SP must demonstrate that alternatives have been adequately assessed as part of an SEA process.

The lack of a clear case for the Project in principle and uncertain cost estimates could both lead to unnecessary added costs to electricity consumer bills, which is not in the public interest.

The technical “needs” case must be well-evidenced and in the public domain, unlike the BD situation where the Beaully Denny PLI Technical Assessor said, “**My conclusion is that the Applicants’ technical case for transmission network reinforcement to the full 400kV standard based on a deterministic approach is unconvincing.**” However, this evidence came forward so far down the decision-making process that it was not taken on board – as there was no other alternative being put forward by then. So the Application was given planning approval. A lesson from the Beaully Denny process is that such an analysis must be undertaken at an early stage.

A further relevant aspect is that it was a condition for mitigation at Beaully Denny that the major construction “tracks”, which are the width of a single carriageway road, would be removed i.e. they were temporary. However, the land owners have been encouraged to ask for retrospective planning permission and most of these applications have been approved. The roads are there as a permanent scar and many people view them as having a more negative visual impact than the actual pylons and conductor wires. So a firm commitment to minimising the residual impacts needs to be made.

5) VISUAL, LANDSCAPE AND CUMULATIVE ISSUES

Any potential visual, landscape or cumulative impact of the Project on nationally designated landscape e.g. the Nith Estuary National Scenic Area, the Southern Upland Way, the Wild Land Area at the Merrick, or other natural heritage designated sites needs to be carefully assessed and due regard given.

The cumulative impact of this project with other infra-structure on the visual and landscape resource of Dumfries and Galloway must also be considered.

6) CONCLUSIONS

It will not be acceptable for public money to be allocated to an environmentally damaging project without all the true costs and benefits of alternatives being considered and available to the public. There are legal duties to consult the public, including undertaking a Strategic Environmental Assessment of the over-arching strategic transmission plan or programme.

Both SP and Ofgem have legal duties to ensure that the environment is correctly protected. This duty allows Scottish Power to propose, and Ofgem to accept, a more expensive option if it is environmentally required.

Lessons must be learned from other projects within the UK and under Ofgem’s remit – specifically the Beaully Denny transmission project. This applies to all of the following –

- a) the technical assessment of the need for the project
- b) the cost benefit analysis
- c) environmental impacts

SP is to be congratulated on consulting at an early stage with stakeholders. Now they must show that that consultation will be properly considered.