

Consultation on Proposed reforms to the National Planning Policy

Framework and other changes to the planning system

Energy Networks Association Response

About ENA

Energy Networks Association represents the companies which own and operate the electricity networks in the UK and Ireland. Serving over 30 million homes and businesses in every part of the country, they are responsible for the transmission (long-distance, high voltage) and distribution (short-distance, lower voltage) network of wires that keep our lights on, our homes warm and our businesses running.

Our members include every major electricity network operator in the UK and Ireland, independent operators and the Electricity System Operator (ESO) which operates the electricity transmission system in Great Britain. Our affiliate membership also includes companies with an interest in energy, including Heathrow Airport and Network Rail.

We help our members meet the challenge of delivering electricity to communities across the UK and Ireland safely, sustainably and reliably. Together, our members are keeping your energy flowing, supporting our economy through jobs and investment and preparing for a net zero future.

Response

ENA welcome the opportunity to respond to this consultation that seeks views on the Government's proposed approach to revising the National Planning Policy Framework in order to achieve sustainable growth in our planning system including appropriate thresholds for certain Nationally Significant Infrastructure Projects.

ENA are supportive of the Government's recognition of the need to update our antiquated planning framework in order to support economic growth in key sectors, aligned with the Government's industrial strategy, future local growth plans and ensuring the transition to clean power to increase energy independence, reduce energy bills, support high-skilled jobs and tackle the climate crisis.

It is imperative to ensure the planning system meets the needs of a modern and changing economy. However, for the proposed changes (set out in the consultation) to be fully effective in meeting the objectives they seek to achieve **the government must take a more holistic and joined up approach by similarly updating the statutory framework and associated processes for securing necessary land rights and consents for the building, upgrading, maintenance and operation of electricity infrastructure.**

Electricity Networks – Land Rights and Consents Reforms

There is an urgent need to reform the current statutory framework and associated processes for securing and renegotiating necessary land rights and consents.

Electricity networks are a key enabler of investment being at the heart of the UK's plans to continue transformation of our energy system, driven by the need to decarbonise our economy on the journey to Net Zero, ensure energy security, protect against climate change and improve affordability for consumers.

It is essential that Government brings forward new policy measures for land rights and consents that better facilitate efficient and timely delivery of investment in electricity networks, by replacing, where appropriate, the current framework that is now outdated and not 'fit for purpose'. The current framework results in unnecessary delays and additional costs that are borne by households and businesses in their energy bills and represents a major barrier and risk to government's wider strategy for delivering investment, clean growth and meeting consumer needs.

To inform this area ENA has undertaken extensive consultation with its members and prepared a '**Nine-Point Plan**', detailing those areas of the current system that require procedural and systemic reform. The majority of the reforms we are proposing can be delivered at pace and should be taken forward with urgency. Model detailed solutions to these land rights and consenting related barriers are set out in ENA Report '*Our Common Sense Plan for Planning: Land Rights and Consents for electricity infrastructure, proposals for reform*¹'. We would urge the government to take forward these reforms.

In proposing these changes, we fully recognise the importance of balancing the need to access land to build new and maintain existing electricity infrastructure with the rights of landowners. Consequently, as part of the Plan we are committed to a Code of Practice that would set out the requirements and responsibilities of network operators and landowners in conducting negotiations for the acquisition of new and retention of existing consents as well as ongoing access, operation and maintenance of electrical apparatus situated on private land. The Code of Practice would provide for a standardisation of approach in third party matters, providing a route for Alternative Dispute Resolution (ADR) to seek and avoid the need for referral to the Necessary Wayleave process. This can be supplemented with appropriate safeguards, including sanctions on networks where relevant.

In modern times there has never been greater need than now to create the conditions for a robust and growing economy and we urge the government to act to address the barriers set out in the **Nine Point Plan** that will ensure the policy coherence needed across the frameworks for electricity networks (transmission & distribution) and wider planning.

Now is the time to provide for a modernised framework that is equal to the challenges faced, including the need to reduce delivery timescales for electricity infrastructure to unlock investment, including in new homes, clean energy, data centres, laboratories and gigafactories realising the benefits whilst minimising costs to consumers.

¹ <https://www.energynetworks.org/publications/common-sense-planning-plan>

Energy Networks Association

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