FAB
France Alderney Britain Interconnector

Schedule 9 Statement

Statement on the Preservation of Amenity in accordance with the Electricity Act 1989

March 2018
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**Introduction**

FAB Link Limited ("FAB Link") was granted an Interconnector Licence under Section 6 of the Electricity Act 1989 on 26th March 2014 by the Gas and Electricity Markets Authority. This statement sets out how FAB Link will carry out its statutory duty under Schedule 9 of the Electricity Act 1989 in relation to the preservation of amenity.

The FAB (France-Alderney-Britain) Link project is a proposed 1,400 MW electricity interconnector connecting France and Great Britain via the Channel Island of Alderney. The interconnector will include subsea and underground electricity cables and a converter station at each end of the link for converting the direct current to alternating current. It is being developed by Transmission Investment, together with the French grid company RTE (Réseau de Transport d’Électricité) and Alderney based tidal power developer Alderney Renewable Energy (ARE). FAB Link is a joint venture between Transmission Investment and ARE. FAB Link will own the assets in Alderney and Britain (the subject of this statement) and RTE will own the assets in France.

When formulating any relevant proposals (including the installation of an electric line and the execution of any other works in connection with the transmission of electricity as defined in Schedule 9 of the Electricity Act 1989), FAB Link, as an interconnector licence holder, shall:

- 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

- 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.

This is referred to as the “duty to preserve amenity”. Appendix 1 sets out further detail on this duty.

This statement has been prepared following consultation with the Schedule 9 statutory consultees. It deals only with the duty falling under Schedule 9 of the Act.

**Project of Common Interest**

The UK Government supports electricity interconnection projects (DECC 20131). It believes that they will contribute to the three pillars of UK energy policy i.e. affordability, security and decarbonisation, including through facilitating a single European electricity market. The proposed FAB Link project would create an opportunity to increase the sharing of power between Great Britain and mainland Europe and an opportunity to connect a new renewable energy source at Alderney, which has some of the strongest tidal currents in Europe.

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1 More interconnection: improving energy security and lowering bills. DECC. December 2013.
The European Commission (EC 2015²) has called for 10% of Europe’s electricity network capacity to be interconnected by 2020. The EC believes this level of interconnection is vital to a fully functioning common electricity market and will facilitate the decarbonisation and climate policy targets to which the European Union has committed.

FAB Link also applied to become a European Project of Common Interest (PCI) as defined by EU Regulation 347/2013 on Trans-European Networks for Energy, the ‘TEN-E Regulation’. It was accepted as ‘1.7.1 France – UK interconnection between Cotentin (FR) and the vicinity of Exeter (UK) (FAB project)’ in 2013. A PCI is a project which is recognised as being crucial to an integrated EU energy market.

In May 2014, DECC³ set out guidance for PCI project promoters on the process for gaining consents for PCIs. This describes how the existing planning and consents regimes in the UK will be used to provide the ‘permit granting process’ required in the TEN-E Regulations for delivering PCIs. In this process DECC has delegated the task of facilitating the co-ordination of the permit granting process to the MMO in the case of PCIs for which a marine licence will be the primary consent required. On 30 June 2014 the Marine Management Organisation (MMO) accepted the proposed FAB Link interconnector into the permit granting process. The MMO has prepared a schedule of the permit granting process as required under Article 10(4)(b) of TEN-E Regulations.

**Interconnector works**

The interconnector works in the UK and Alderney will include four 320kV High Voltage Direct Current cables (most likely to be laid in bundled pairs), with route lengths of approximately 15 km onshore in the UK, 1 km onshore in Alderney and 150 km offshore in UK and Alderney waters. The works would also include a converter station for converting the direct current into alternating current to be located near Exeter Airport and approximately 5 km of double circuit 400kV High Voltage Alternating Current underground cable which will connect to the existing National Grid Exeter 400kV substation east of Broadclyst near Exeter where it will connect to the national grid network.

**Consent decisions and opinions**

In January 2016, EDDC issued a screening opinion under Regulation 5(1) of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 which confirmed that the proposed converter station is not EIA Development and does not therefore need to be the subject of a formal Environmental Impact Assessment. The underground cables are permitted development on land in the UK and do not require environmental impact assessment.

In May 2017, EDDC issued a review of the original screening opinion issued in January 2016, in light of new information becoming available which concluded that the combined effects on the environment from the single project comprising the underground electric cables (plus the associated works) and the converter station would not have likely significant environmental effects when mitigation is taken into account.

In February 2016, the MMO issued a screening opinion under the Marine Works (Environmental Impact Assessment) (England and Wales) Regulations 2011 which confirmed that the proposed converter station is not EIA Development and does not therefore need to be the subject of a formal Environmental Impact Assessment.

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Assessment) Regulations 2007 (as amended) which confirmed that the proposed works do not fall under Annex I or Annex II of the EIA Directive and does not therefore need to be the subject of a formal Environmental Impact Assessment.

FAB Link submitted all key consent applications at the end of 2016. A summary of the status of these consents is outlined below:

- Outline planning permission for the converter station near Exeter Airport was issued by EDDC in July 2017;
- Certificate of lawfulness of proposed use or development (CLOPUD) for the underground HVDC and HVAC cables in the UK was issued by EDDC in June 2017;
- A marine licence for the subsea HVDC cables in UK territorial waters and Exclusive Economic Zone (EEZ) was issued by the MMO in December 2017;
- An application for a marine licence (FEPA) for offshore cable laying works within Alderney & Guernsey territorial waters was submitted to the Office of Environmental Health and Pollution Regulation, States of Guernsey in December 2016. Expecting a decision in Q2 2018; and
- An application for a marine licence (FEPA) for offshore cable laying works outside of Alderney territorial waters was submitted to the Office of Environmental Health and Pollution Regulation, States of Guernsey in November 2017. Expecting a decision in Q2 2018.

Subject to the outcome of the consent applications, the MMO will issue a comprehensive decision under the TEN-E Regulation which will enable the project to move into the construction phase from 2019 and enter into operation from 2022.

Schedule 9 Guidelines for development of relevant proposals

In formulating relevant proposals for the FAB Link project, FAB Link will have regard to the desirability of preserving natural beauty, of conserving both onshore and offshore flora, fauna and geological or physiographical features of special interest and of protecting sites, buildings and objects of architectural, historic or archaeological interest. The manner in which this will be done is set out below.
Public consultation

As a result of the FAB Link project being designated as a Project of Common Interest, the requirements set out in EU Regulation 347/2013 ("The Regulation on Guidelines for Trans-European Energy Infrastructure") apply. In accordance with this Regulation, FAB Link submitted a Concept for Public Participation to the relevant national authorities which was approved in January 2015 and is also available on the FAB Link project website (www.fablink.net).

A comprehensive programme of local, regional and national stakeholder engagement has been implemented since early 2015 which has resulted in valuable input on early design options and site selection processes.

Consultation undertaken up to submission of the onshore and offshore applications has been described in detail in a Consultation Report which is included as a standalone report with the planning and consent applications. A summary of the consultation responses is outlined in each Chapter of the onshore and offshore Environmental Reports. Additional consultation focused on the Alternative cable corridor has been undertaken with local fishermen from the States of Alderney, States of Guernsey, States of Jersey and the UK, and the Alderney Harbour Authority.

Under PCI requirements FAB Link Limited are also required to conduct public consultation through a variety of means set out in Section 4.23 of the TEN-E UK Manual of Procedures (DECC, 2014). Wider public participation has been achieved through:

- Development and regular updates to Project Website (http://www.fablink.net/)
- Public consultation meetings
- Provision of public information leaflets – published before the start of public consultation.

Public consultation meetings were held from 2-8pm and held on the following dates:

- Tuesday, 26th July, 2016: Temple Methodist Church Hall, Budleigh Salterton, East Devon;
- Wednesday, 27th July, 2016: Younghayes Centre, Cranbrook, East Devon;
- Thursday, 28th July 2016: Woodbury Park Hotel, Woodbury, East Devon; and
- Wednesday 10th August 2016: The Anne French Room, The Island Hall, Royal Connaught Square, Alderney

Consultation was also be undertaken by the MMO, OEHPR and EDDC on the respective onshore and offshore applications.
Compliance with duties and guidelines

FAB Link will comply with the Schedule 9 Guidelines set out below:

1. Minimising the effects of relevant proposals

Where works associated with the project are likely to have an adverse effect on amenity, FAB Link will assess all likely effects, consult relevant statutory consultees, and identify opportunities for mitigation measures. FAB Link will carry out mitigation measures to reduce any identified effects as far as practicable.

2. Designated areas

FAB Link will seek to avoid areas which are nationally or internationally designated for their landscape, wildlife or cultural significance, including National Parks; Areas of Outstanding Natural Beauty; Sites of Special Scientific Interest, Special Protection Areas, Special Areas of Conservation and Ramsar sites; National Nature Reserves; Heritage Coasts; World Heritage Sites; and scheduled monuments.

FAB Link will also seek to minimise the effects of new transmission infrastructure on other sites valued for their amenity, including listed buildings, conservation areas, areas of archaeological interest, local wildlife sites and historic parks and gardens. FAB Link will take into account the significance of such sites through consultation with relevant stakeholders.

Where there is a requirement for works associated with relevant proposals that may affect any such designated area, FAB Link intends to minimise the impact as far as practicable through sensitive siting and adoption of appropriate methods and designs.

3. Training, awareness and monitoring

FAB Link promotes environmental awareness through appropriate training and dissemination of information and the adoption of appropriate environmental policies. FAB Link will also make third party contractors aware of the relevant parts of this statement and those environmental policies and has procedures that audit their compliance.

Reviewing this statement

FAB Link intends to review this Schedule 9 statement every two years.

FAB Link Director

Chris Veal
March 2018

FAB Link Director

Declan Gaudion
March 2018
Appendix 1
Extracts from Schedule 9 of the Electricity Act 1989

Paragraph 1
(1) In formulating any relevant proposals, a licence holder or a person authorised by exemption to generate, distribute, supply or participate in the transmission of electricity —

(a) shall 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) shall 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.

(3) In this paragraph—

“building” includes structure;

“relevant proposals” means any proposals—

(a) for the construction or extension of a generating station of a capacity not less than 10 megawatts, or for the operation of such a station in a different manner;

(b) for the installation (whether above or below ground) of an electric line; or

(c) for the execution of any other works for or in connection with the transmission or supply of electricity

Paragraph 2
(1) A licence holder shall within twelve months from the grant of his licence prepare, and from time to time modify, a statement setting out the manner in which he proposes to perform his duty under paragraph 1(1) above, including in particular the consultation procedures which he intends to follow.