



Bryniau Clwyd
Clwydian Range

Ardal o Harddwch Naturiol Eithriadol
Area of Outstanding Natural Beauty

Peter McDougall
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Eich cyf/Your ref:

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Dyddiad/Date **10 February 2012**

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Dear Mr McDougall

DEPARTMENT FOR CULTURE, MEDIA AND SPORT CONSULTATION: RELAXING RESTRICTIONS ON DEPLOYMENT OF OVERHEAD TELECOMMUNICATION LINES

Thank you for consulting the JAC on the proposed changes to the Electronic Communications Code.

The JAC considered the consultation document at a committee meeting on 10 February 2012 and resolved as follows:

“The JAC supports the overall objective to improve and enhance access to broadband services in rural areas providing this does not undermine the natural beauty and amenity of such areas and the approach is consistent with the duty imposed by S.85 of the Countryside and Rights of Way Act 2000.

Whilst favouring undergrounding as the most appropriate option in AONB's, the Committee welcomes the emphasis placed on shared use of existing infrastructure before considering the installation of new equipment, and supports the need for community consultation prior to any new deployment. The intention not to amend existing planning rules and in particular to retain the prior approval procedures and current safeguards for AONB's and other areas designated for their conservation value (Article 1 [5] land defined by the Town and Country Planning [General Permitted Development] Order 1995) is also welcomed. However, the JAC is concerned that the financial test introduced in Para 1A(a) of the revised code will allow operators to claim that sharing infrastructure is not commercially viable which will be difficult to challenge and could result in pressure for new pole and overhead line deployment, particularly in rural areas. In addition, section 1B of the regulations should also require that AONB management bodies such as the JAC are notified on new overhead line proposals alongside Community Councils.

Finally, the JAC consider that there should be an independent review of the relative costs of

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undergrounding and overhead deployment, and that the potential for less intrusive new technologies such as satellite based broadband services should also be explored as part of this review of the Electronic Communications Code.”

Yours sincerely,

Tony Hughes
For the Clwydian Range and Dee Valley AONB Joint Advisory Committee

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