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Dear Mr McDougall

Consultation on relaxing the restrictions on the deployment of overhead telecommunication lines

Friends of the Lake District (FLD) is a registered charity with more than 6,000 members. We represent the Campaign to Protect Rural England in Cumbria, and are a member of the Campaign for National Parks. Issues relating to the telecommunications industry have featured throughout our history. Recently we have been campaigning more actively to reduce the visual impact of overhead wires, including telephone lines, on the landscape.

We welcome this opportunity to respond to DCMS consultation on relaxing the restrictions on the deployment of overhead telecommunication lines.

Qu.1a) Approximately how much of network will be built using this relaxation?

We are opposed to the relaxation of the Electronic Communications Code Regulations 2003, and therefore want **none** of the network built using this relaxation.

Why? The Code requires “all new telecom lines (to) be buried underground.” This helps to protect visual amenity and to reduce wire clutter and its impact on the landscape. There is strong evidence that the public really value a clutter free landscape. It can attract tourists and be one reason why businesses locate to an area. The Code already allows for overground exceptions “where lines already exist or if there is no viable alternative” (p.7, 2.3). Such exceptions would negate the need to relax the code.

It concerns us that the document states that amending the Electronic Communications Code will “allow the widespread deployment of telecoms lines overhead for the first time in decades” (p.12, 3.1). And, we disagree that we should simply accept telegraph poles and other overhead infrastructure as a “common and often necessary feature across the landscape” (p.13, 3.7). Such an increase in wire clutter could not only have a detrimental impact on the landscape, but also potentially on tourism and the economy.

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Qu.1b) Are the cost and benefit estimates in the impact assessment accurate?

No.

Why? Your own text (Impact Assessment (IA) document, page 12, “rationale of approach”) states that the impact assessment “contains many estimates which may not be entirely robust.”

We know that the Government wants all communities to have access to superfast broadband by commercial means, not state funded means because of the need to reduce the deficit. Yet, this consultation says that “it cannot be known beforehand whether or not businesses will take advantage of the new possibilities” (IA document, p.4, “sources of data”). It would seem absurd that the overground infrastructure could be installed (with an adverse visual impact on the community) and still the state may need to contribute financially to ensure the community could access superfast broadband.

The text talks of the benefits of overhead fibre optic networks because they are cheaper to install, than underground lines. Yet, maintenance and repair costs of overhead lines are, on average, “somewhat higher because of the difficulties of splicing new section of fibre into the network” (IA document, p.7, “benefits”). The reason why maintenance of overhead installations is more costly is because optic fibre is then subject to “severe wind loading and extreme temperatures” (IA document, p.8, “benefits”). We believe that ongoing maintenance costs should carry as much weight as one-off installation costs in the decision as to whether to allow more overground lines.

Qu.2a) Do respondents agree that existing infrastructure should be used...before new overhead deployment can take place?

Yes.

Why? We want to see lines buried underground first and foremost. The next ideal scenario is to see infrastructure sharing, so that communication providers make use of the existing BT openreach or electricity distribution networks. In this way, clutter is at least minimised, even if it isn’t reduced. It would therefore be “appropriate for Ofcom’s infrastructure sharing powers to also apply to the communications networks of distribution network operators” (p.12-13, 3.2-3.6).

Qu. 2b) Do respondents agree that communication providers should be required to demonstrate that sharing of existing infrastructure has been examined?

Yes.

Why? Communities will want to know that communication providers have “attempted to utilise existing infrastructure” (p.14, 3.11), and that they are not simply going for the cheapest and easiest option of installing more poles and wires above ground to the visual detriment of the village or landscape.

Qu.3.Do respondents believe that notification and consultation of planned works in local newspapers and through a qualifying body such as a Parish Council...to be sufficient?

No.

Why? Though we accept that a notice in local newspapers and a letter to a parish council are important ways of notifying and consulting on planned works, we feel that they are insufficient. We recommend that:

- a notice at the proposed site would also help in bringing the matter to the attention of local residents.
- active local amenity groups that are known to campaign on wires (for example Friends of the Lake District, local CPRE branches) should be consulted
- the proposals go on the weekly planning lists that Local Authorities send round. The lists are available to any of the public that choose to look.

The consultation period should be a minimum of 2 months. It is right that communication providers would have to “demonstrate they have listened to any concerns proposed and justify any decisions made in the light of consultation feedback” (p.14, 3.8).

Qu.4 Do respondents believe this notification and consultation would place a significant and onerous burden on communication providers that may be planning these works?

No.

Why? The communication providers are presumably keen for this Electronic Communications Code to be relaxed with respect to the restrictions on the deployment of overhead telecommunication lines so that they can sell their broadband services to more people. It is only right that they should have to notify and consult affected communities, and one supposes that this cost is minimal compared to the benefit of increased customers.

Qu.5 Feedback on any aspect of the proposals as to how relaxing of the rules on new overhead deployment should be achieved.

We welcome current planning rules remaining, so that companies will still need (under a Permitted Development requirement) to “apply to their local planning authority to determine whether prior approval would be needed as to the siting and appearance of any new overhead lines ” (p.15, 3.12). We are pleased also that masts and poles in National Parks, Areas of Outstanding Natural Beauty, conservation areas, areas of special scientific interest, the Broads and World Heritage Sites are still subject to planning consent.

In summary, we feel that a relaxation of the restrictions on the deployment of overhead telecommunications lines is not necessary and would have negative impacts on the visual amenity of the landscape in an area. However, if the restrictions were to be relaxed, we welcome the need for communications providers to examine the sharing of existing infrastructure first, and to notify and consult parish councils, amenity groups and the public. Like individual communities and rural stakeholders who responded to the initial consultation (of Department of Business,

Innovation and Skills) in 2009, we are keen to stress that new overhead deployment should not become “the default option” (p.8, 2.5).

Yours sincerely,

Amanda McCleery
Overhead Wires Officer, FL

