



# Scottish Hydro Electric Power Distribution Plc

## Statement of Preservation of amenity and fisheries in Scotland as per Schedule 9 of the Electricity Act 1989

### 1. Introduction

#### 1.1. Scottish and Southern Electricity Networks (SSEN) Distribution

- 1.1.1. We are responsible for ensuring a safe and reliable supply of electricity to over 3.9 million homes and businesses across our network. Scottish Hydro Electric Power Distribution plc (SHEPD) is the part of the business which operates within northern Scotland.
- 1.1.2. We employ over 4,400 people, including skilled engineers, customer service teams and technical experts many of whom live and work in the communities they serve.
- 1.1.3. By enabling a smarter, more resilient electricity network we're ensuring local communities from the Shetland Islands to the Isle of Wight, and Portsmouth to Aberdeen continue to receive the power they need, both now and in the future.
- 1.1.4. We're consistently investing and innovating to improve network resilience and future-proof power supplies for changing demands, from rolling out large scale EV charging schemes to supporting small community generation projects.

#### 1.2. Schedule 9 of the Electricity Act 1989

- 1.2.1. SHEPD holds a licence under the Electricity Act 1989 (hereafter 'the Act') to distribute electricity. Consequently, any project undertaken by SHEPD in the ordinary course of business is likely to be a "relevant proposal" in terms of Schedule 9 to the Act.
- 1.2.2. Schedule 9 Paragraph 3(1) requires that each Company, when formatting "relevant proposals":
  - *Shall have regards 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, historical or archaeological interest;*
  - *Shall do what it reasonably can to mitigate the effect which the proposals might have on the natural beauty of the countryside or on any such flora, fauna, features, sites, buildings or objects;*
  - *(Without prejudice to the above) In exercising its powers and duties under the 1989 Act avoid (so far as possible) causing injury to fisheries or to the stock of fish in any waters.*
- 1.2.3. Under Schedule 9 Paragraph 1(3), "relevant proposals" may mean any proposals:
  - *For the installation (whether above or below ground) of an electric line; and*
  - *For the execution of any other works for or in connection with the transmission or distribution of electricity.*
- 1.2.4. This statement sets out how SHEPD will carry out its duties under paragraphs 3 and 4 of Schedule 9 to the Act. As required, this statement has been prepared in consultation with the following bodies:
  - Nature Scot;



- Historic Environment Scotland;
- Loch Lomond and The Trossachs National Park Authority; and
- Cairngorms National Park Authority.

## **2. Statement on Preservation of Amenity and Fisheries in Scotland in accordance with Schedule 9 of the Electricity Act 1989**

### **2.1. The SHEPD Network**

2.1.1. The SHEPD network area includes a mix of sites designated for landscape value, National Scenic Areas; nature conservation importance (both land-based and marine) including Sites of Special Scientific Interest (SSSIs), Local and National Nature Reserves, RAMSAR sites, Special Areas of Conservation (SACs), Special Protection Areas (SPAs); and many protected historic and archaeological sites including Scheduled Monuments, conservation areas and listed buildings, as well as areas of housing and industry.

### **2.2. SHEPD's Commitment to Sustainability and Environment**

- 2.2.1. We aim to be a key enabler of the energy transition, whilst continuing to provide a vital service to our communities and beyond. Our Sustainability Strategy outlines the plan to accelerate progress towards net zero over the RIIO-ED2 price control up to 2028. We aim to lead by example by reducing our own environmental impact in a transparent, credible way. We aim to deliver resilient, agile, reliable, and decarbonised energy that customers depend on, in a way that is environmentally and economically sustainable and inclusive.
- 2.2.2. Our Environmental Action Plan (EAP) has been developed against a backdrop of the climate change emergency. Climate change and biodiversity are inextricably linked and to achieve a credible net zero, we plan to tackle both climate change and biodiversity loss. Enhancing biodiversity will help mitigate future climate change through locking carbon in habitats and soils and providing opportunities to not only improve ecosystems but also help adapt to the changes which have and continue to happen. The plan puts biodiversity and natural capital investment as a priority.
- 2.2.3. Through Commitment S7 of the EAP "Nature-based solutions for carbon capture" we will baseline and further plant 258 hectares of native woodland and restore 522 hectares of peatland in our licence areas (across both England and Scotland). A Biodiversity Strategy is being developed and we have committed to No Net Loss in biodiversity on large capital projects consented from 2023 onwards and Biodiversity Net Gain on our large capital projects consented from 2025. Delivery of these nature-based solutions will be managed in such a way that the historic environment is not damaged or eroded.
- 2.2.4. Through Commitment S12 of the EAP "Protecting marine biodiversity: life below water", we aim to explore opportunities to improve the marine environment. This includes the restoration of 14 hectares of ancient seagrass beds in the seas around our SHEPD licence area that have been destroyed by seabed activity, improving natural habitats, and providing protection against coastal erosion.
- 2.2.5. Through Commitment S9 of the EAP "Undergrounding in Areas of Outstanding Natural Beauty" we aim to underground up to 30km of overhead lines within our SHEPD licence area. This will result in improved visual amenity of overhead lines in National Parks and National Scenic Areas. Visual Amenity is a stakeholder led scheme, and we intend to increase consultation on this over RIIO-ED2 to ensure all stakeholders are aware of the options to underground overhead lines where applicable. The output of stakeholder engagement in the



RIIO-ED2 period will inform the location of investment from this Use It Or Lose It (UIOLI) allowance set by Ofgem.

- 2.2.6. Sustainability in the historic environment requires an active process of maintenance and managing change to diverse types of heritage assets. Heritage assets may be affected by direct physical change or by change in their setting. We will properly assess the nature, extent and importance of the significance of both designated and undesignated heritage assets (giving weight to the asset's conservation importance), and the contribution of their settings to understand the potential impact and acceptability of development proposals.
- 2.2.7. We have a robust Environmental Management System (EMS) in place certified to ISO14001 which provides the framework for the business to enhance and improve environmental performance, ensure regulatory compliance, and set, monitor and achieve environmental objectives. Within the EMS there is a fully mapped out governance route to board level with robust assessment procedures. This includes the process to review operational impacts, assess the materiality of these and consider what is being done to mitigate. We report annually to stakeholders on our environmental and sustainability performance through the Annual Environmental Report.
- 2.2.8. In accordance with the EMS, employees are required to undertake environmental awareness training to understand their role in delivering the requirements for the company. Our contract partners are also made aware of these requirements through contract documentation and must work in accordance with our policy and procedures in addition to the conditions associated with any licences or consents.

### 2.3. Relevant Proposals

- 2.3.1. In addition to our overarching commitments towards the preservation of the environment including visual amenity, heritage and fisheries there are also robust controls in place in relation to any operations and proposed developments or projects which comprise a "*relevant proposal*".
- 2.3.2. We have governance in place to ensure the consideration of environmental aspects and impacts at each stage of a project from opportunity assessment, through design development (including site selection) and refinement to execution and operation.
- 2.3.3. To achieve the sustainable balance between preserving amenity and the requirement for economic growth of the distribution network, we will only build new electricity infrastructure where there is no opportunity to utilise the current assets to meet the increased demand or reliability requirements.
- 2.3.4. For projects with a value >£40 million it is mandatory for a Sustainability Assessment and Action Plan (SAAP) to be produced and revised throughout the life cycle of the project. The SAAP enables project teams to identify the risk associated with sustainability impacts and develop an action plan to mitigate risks. It also identifies opportunities to provide a sustainability benefit and enables the project team to create an action plan to implement these opportunities. Within the SAAP framework there are questions relating to the protection and preservation of biodiversity, visual amenity, and heritage. A SAAP 'lite' process is required to be completed for projects <£40 million, therefore, all projects will undergo a level of sustainability assessment in accordance with the scale and nature of the project.
- 2.3.5. It is also mandatory for projects >£40 million to produce an Environmental Management Plan (EMP). Within the EMP framework, project teams are required to identify environmental aspects and impacts associated with the project (including those relating to biodiversity,



visual amenity and heritage) and provide mitigation for these. Whilst the EMP process is voluntary for projects <£40 million, all projects will undergo a level of environmental assessment in accordance with the environmental risk associated with the project.

- 2.3.6. The processes detailed above allow for the early identification of environmental constraints and project teams are encouraged where possible to 'design out' environmental impacts in the first instance. This includes avoiding development within designated sites or within the setting of designated sites (such as listed buildings, Scheduled Monuments, National Scenic Areas and SSSIs). Where this is not possible mitigation plans are put in place in consultation with the relevant regulator.
- 2.3.7. During construction, our employees and contract partners are required to comply with the requirements of the conditions of any statutory consents, licences or permits that are required for the project. This may include the need for an archaeological watching brief which will be executed by a qualified archaeologist. Similarly, an Ecological Clerk of Works will be present where required to oversee works associated with any protected species licence.
- 2.3.8. Upon completion of the works, any reporting is finalised and lodged with the appropriate authority / regulatory body and the land is reinstated as near as possible to original condition.

### **3. Consultation Procedures**

- 3.1.1. During the planning and construction of certain projects, including all relevant proposals, we are required by statute to consult with a number of independent authorities and bodies; for example, planning authorities.
- 3.1.2. If, however, a project is such that the production of an environmental statement is required or the project requires to be screened in accordance with The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017, a number of bodies must also be consulted, including (but not limited to):
  - The relevant planning authorities, including any adjoining authorities, where the development is likely to affect land in their area;
  - Nature Scot;
  - Scottish Environmental Protection Agency;
  - Historic Environment Scotland; and
  - The relevant government Ministers.
- 3.1.3. We will also consult with these bodies (as appropriate) before, during and after an application has been made, in respect of all aspects of a project and will ensure, as far as reasonably practicable, that the resulting representations are incorporated into the planning, and eventual construction of the project.
- 3.1.4. Other bodies exist which, whilst not necessarily having a statutory right of consultation in the planning stage of a project, may nevertheless have a useful contribution to make in respect of the planning of such projects; for example, the Royal Society for the Protection of Birds (RSPB). We will, at our own discretion, consult with such bodies and endeavour, where practicable, to incorporate their representation into any project.
- 3.1.5. Where no environmental statement is produced, or for any other relevant proposals which relate to the ongoing operation or management of the electricity distribution network where we are required to consult or notify any of these bodies, we will seek information from any of the above consultees or bodies, whose views will be welcomed.



## 4. Updating this Statement

- 4.1.1. We will review this statement within 12mths of a licence being granted for a new price control period or if there are any significant changes in the financial, environmental or regulatory landscape which would change our approach to the preservation of amenity and fisheries. If any modifications are required, we will consult with Nature Scot and Historic Environment Scotland as a minimum before publication. The last review was July 2024.
- 4.1.2. Enquiries in relation to this statement should, in the first instance be addressed to [DistributionSustainabilityTeam@sse.com](mailto:DistributionSustainabilityTeam@sse.com).