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## **Beaully-Denny approval asks more questions than it answers**

Scotland Before Pylons and the Beaully-Denny Landscape Group have written to energy Minister Jim Mather asking him to reopen the Public Local Inquiry into the Beaully-Denny line. The groups want clear answers to outstanding issues raised by the decision to approve the new transmission line.

The groups have asked Mr Mather to respond to questions regarding procedural errors in the handling of the decision, the need for a Strategic Environmental Assessment, and an inconsistent approach to undergrounding.

Two legal points have been raised by the decision to approve the 137 mile Beaully-Denny line.

The rules governing Inquiries state that if the Minister has differed from his Reporters in a number of material respects, then parties involved at the Inquiry should be allowed further representation.

In his decision, Mr Mather chose not to follow the view of Reporters on areas it was recommended that consent be withheld.

By deciding to overrule his Reporters without consulting local authorities and other bodies, Mr Mather acted outside of his powers, under rule 21(4) of the Inquiries Procedure (Scotland) Rules.

The absence of a Strategic Environmental Assessment for the scheme could be a further legal barrier to development of wind power in the Highlands.

The groups also believe the Energy Minister had the power to specify undergrounding along the route of the line. Section 37 of the Electricity Act 1989 allows the imposition of any conditions which the Minister sees fit to impose.

David MacLehose, Chairman of Scotland before Pylons said:

“These are important issues that must be answered. While they are left in the air, there are no winners in this process, only unanswered questions.”

"The decision was clearly an indication of short term panic, not the long term strategy which Scotland's energy potential requires. There are effective alternatives to OHLs including sub sea cable which the European Commission has supported, and under grounding which is an established good practice for transmission"

"This Public Local Inquiry process has demonstrated the need for a UK-wide transmission strategy. Pushing ahead with the Beaully-Denny line is allowing the private sector to put shareholders' influence and short term benefits before national heritage and the health of generations of Scots."

"We are calling on Mr Mather to consider our observations and to reopen the Inquiry so that these matters can be resolved."

Helen McDade, Chairwoman of the Beaully-Denny Landscape Group, and head of Policy at the John Muir Trust, said: "It is vital when there have been 20,000 objections to a development that the proper procedures are followed and the concerns of objectors are dealt with.

"Some of our most important landscapes depend on Mr Mather taking our points on board and reopening the Inquiry to examine these issues fully. The objectors believed that a Strategic Environmental Assessment would show that the proposed Beaully-Denny line is an unnecessary cost to hard-strapped electricity consumers."

David MacLehose said: "The Minister has been disingenuous in saying that he has no power to require undergrounding. There would have been no extra cost to the developer as this would have been built into the amount of funding approval to build the line."

"It is inconsistent that there are no proposals for undergrounding in the Cairngorms National Park, or across the Ochils, where the line will affect the view from the Wallace monument.

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#### **Notes:**

1. The Beaully Denny Landscape group comprises six major environmental organisations – Association for the Protection of Rural Scotland, the John Muir Trust, the Mountaineering Council for Scotland, the National Trust for Scotland, Ramblers Association Scotland and the Scottish Wild Land Group.
2. Scotland before Pylons comprises community groups who objected to the Beaully-Denny line: Highlands before Pylons, Pylon Pressure, Beaully Community Council, Kilmorack Community Council, Kiltarlity Community Council, Cairngorms Revolt Against Pylons, Muthill and Tullibardine Community Council, East Strathearn Community Council, Friends of the Ochils, Stirling Before Pylons.