

19 April 2006

Dear Ofcom

Response to Consumer Policy Consultation

Friends of the Lake District (FLD) is a registered charity, established in 1934, with the objects of protecting and conserving the landscape of the Lake District and Cumbria. A specific concern for FLD is the visual intrusion of overhead wires and poles (landlines) particularly in designated areas i.e. National Parks and AONBs. In 2002 FLD commissioned a piece of research to assess the scope for placing overhead lines underground. A copy of the summary report 'A Clear View: Reducing the Impact of Overhead Wires' can be found on our website^{1[1]}.

The Consumer Policy consultation document notes that Ofcom's principal duty is to promote consumer interests in the communications market. However Friends of the Lake District have responded to consultations in the past concerning what we believe are Ofcom's environmental duties^{2[2]}. That is Ofcom, has a duty to "have regard to the purposes of National Parks". The National Park purposes are to " 'conserve and enhance the natural beauty, wildlife and cultural heritage of the National Parks'; and 'to promote opportunities for the understanding and enjoyment of the special qualities of the Parks by the public' ".

The government has recently clarified^{3[3]} that the duty detailed above is intended to ensure that the purposes for which National Parks, AONBs and the Norfolk and Suffolk Broads have been designated are recognised as an essential consideration in reaching decisions or undertaking activities that would have an impact on those areas (Ofcom is listed on page 9 of this guidance note as a body to which the duty applies).

We note that the purpose of the Consumer Policy consultation is firstly to elicit stakeholder views on issues and options and secondly to identify the objectives and priorities for the Consumer Policy over the next two or three years. This presents an ideal opportunity for Ofcom to recognise its broader environmental duty whilst not jeopardising its duty to promote consumer interests in the communications market. This would be in concert with the stated intent of Ofcom to ensure that the overall objective of its consumer policy will be within the confines of its statutory duties.

We acknowledge the distinction made between a consumer and a citizen, and would agree that no individual consumer would wish to lose their access to a landline because the citizens of the community decided telegraph poles and wires should be removed, as they were visually intrusive. However, evidence suggests that both consumers and citizens are concerned about broader issues than how much they pay for services. In general today's consumers have, and are expressing greater environmental concerns, whilst continuing to request more choice, keen prices and reliability. Ofcom should seize this chance to recognise this change of emphasis.

In addition enhanced landscapes can have economic benefits for rural economies. There are examples of companies relocating to rural areas and obviously tourism,

^{1[1]} At www.fld.org.uk under Publications.

^{2[2]} Section 11A of the 1949 National Parks and Access to the Countryside Act, as amended by Section 62 of the 1995 Environment Act and Section 85 of the Countryside and Rights of Way Act 2000 (for AONBs).

^{3[3]} Duties on relevant authorities to have regard to the purposes of National Parks, AONBs and the Norfolk and Suffolk Broads, Defra, 2005.

based on the beauty of the natural landscape, is crucial to all designated areas. Thus taking action to conserve and enhance these natural landscapes can also have an economic benefit for consumers who live in these areas.

Ofgem undertook a consumer survey prior to the most recent electricity distribution price control review which tested consumers' reactions to overhead wires in the landscape and their willingness to pay to remove or reduce their impact on visual amenity. Results from the survey showed that consumers concerns included the visual intrusion of overhead lines in the landscape. Phase 1 of the survey identified that 89% of people gave their support for under-grounding in designated landscape areas. In the second phase there was a willingness to pay 0.7%, the equivalent of £2.42 on top of the current bill, to enable further under-grounding to take place.

Of course it can be argued that this was research undertaken about overhead electricity wires but telephone lines are just as intrusive to landscapes as electricity lines. It is likely that for those who are concerned about the impact on visual amenity it is irrelevant who owns which poles and wires and most of the public are unlikely to know the difference.

The Ofcom residential consumer strategy gives no indication of consumer views on broader environmental issues, presumably because no questions or prompts on this topic were included. Ofcom should seriously consider including questions on under-grounding overhead lines to reduce visual impact in future research with consumers, in the same way that Ofgem has. We note that in quarter 3 of Ofcom's 2006/07 annual plan an assessment of consumer issues and concerns will be carried out. This could be an opportunity to include questions on environmental issues, visual amenity and disposal of redundant equipment as new generation technologies develop. FLD would be happy to help in producing relevant questions.

In Cumbria alone we have identified 23 parish plans that include a call for under-grounding of unsightly wires and cabling. For example in the Urswick villages they wish to pursue under-grounding of telephone wires and in Caldbeck they wish to put the telephone cables between Caldbeck and Hesket Newmarket villages underground. They note in their plan 'the telephone cables alongside Hesket Lanning are thick, black and ugly. 82% of respondents would support putting them underground, 34% strongly'.

In the Caldbeck Parish there is a wish to create an off-road path in a field to link the two villages of Caldbeck and Hesket Newmarket. They would like to include under-grounding the telephone wires as part of the footpath creation work scheme. In deciding this, the Parish has considered the landscape character and local distinctiveness of their area within the National Park. Clearly such a work scheme would need to be agreed in partnership with BT Openreach and would be an admirable example of empowering a community. However they cannot make this happen on their own. It would greatly help this community and we are sure many other like-minded individuals and communities if there was recognition of broader environmental responsibilities on the part of the telecommunications industry, prompted by such recognition by the regulator.

Empowerment can mean many things and for the parishioners of Caldbeck it could mean the ability to work in partnership with BT Openreach on a matter of significant importance to them. Thus we would argue that when Ofcom talks of empowerment, as it does in this consultation, it should recognise that empowerment can be of an individual or a community and can address consumer interests which touch on both cost and service access and related environmental concerns.

Any company or organisation that respects the environment and appreciates the importance of nationally designated landscapes such as National Parks and AONBs which are designated in the public interest, will bring wider benefits to consumers and citizens. We believe that increasingly both consumers and citizens wish that benefits are not measured only in terms of efficiency and network coverage, but also take account of environmental measures.

To conclude we would like Ofcom to include within its objectives for its consumer policy the following:

1. 1. A statement of its environmental duty;
2. 2. A pledge to ask its consumers and citizens, possibly in conjunction with designated organisations, their views on broader environmental issues related to the telecommunications industry;
3. 3. A review of how individuals and communities can be empowered so they can engage with and play a constructive part in development / replacement of landlines in designated areas.

If you would like to discuss any of these ideas in more detail or require any further information please do get in touch.

Yours sincerely or faithfully

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