Department for
Business, Energy
& Industrial Strategy

Form B Guidance

This Form must be used in connection with an application to the Secretary of State for Business, Energy and Industrial Strategy for consent under **section 37** of the Electricity Act 1989 to install and keep installed above ground an electric line of any voltage.

This Form should be sent to each local planning authority in whose area the proposed development would be situated. The views obtained by means of this Form are then to be submitted to the Secretary of State to help inform the decision making process on the application.

The local planning authority[1] is required to sign and complete all sections of Part Two (Certificate) and Part Three (Consultations and Observations) and to return this form to the applicant **within two months** of its receipt. Please note that the Secretary of State would not progress a section 37 application in the absence of a completed Form B. Additional information describing this procedure and the reason for it can be found in the published Guidance Note 14D/226.

Screening Decision Process Guidance (Appendix A)

If the section 37 application is for a development as referred to under Schedule 2 of the Electricity Works (Environmental Impact Assessment) (England and Wales) Regulations 2017[2] (the 2017 Regulations), the Secretary of State will be required to make a Screening Decision before the section 37 application can be decided. To inform its decision, the Secretary of State must receive the views of the Local Planning Authority. To this effect:

- The applicant should submit to the Local Planning Authority the additional information referred to under Regulation 12 of the 2017 Regulations and seek their views, and
- The Local Planning Authority should submit their views completing **Appendix A**[3] of this Form to confirm whether or not an environmental impact assessment should be undertaken in respect of the development.

How to complete the Form

The Form B contains three parts, Part One must be completed and signed by the Applicant, Part Two and Three must be completed and signed by the Local Planning authority. Appendix A also should be completed by the Local Planning Authority in all relevant cases as described above. Please note that all required sections of the Form (including relevant tick boxes and drop-down menus) must be completed as appropriate. BEIS will not progress section 37 applications that are accompanied by an incomplete Form B.

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[1] Please note: if the development falls partially within a National Park, a Form B must be completed by each relevant planning authority for that area. If the proposal concerns a line of 132kV or more, the Part Two Certificate of the Form B must also be completed by the county council authority.

[2] (a) an electric line installed above ground with a voltage of 132 kilovolts or more; (b) an electric line installed above ground in a sensitive area. Most common sensitive areas are: **SSSI**, **SAC**, **SPA**, **Ramsar**, **National Parks** and **Area of Outstanding Natural Beauty**. Please always refer to the full list of sensitive areas found at https://www.legislation.gov.uk/uksi/2017/580/schedule/2/made

[3] Appendix A allows the local planning authority to give its views under regulation 13(3) of the 2017 Regulations. The timescales set out under regulation 13 would not be triggered at the time when the Form B is submitted by the Applicant to the local planning authority. The relevant planning authority is still obliged to make its representations to the Secretary of State on the application proposal within a statutory two month period or obtain an extension to the time limit from the Secretary of State and agreed with the applicant - Regulation 8 of the Electricity (Applications for Consent) Regulations 1990.