
STATUTORY INSTRUMENTS

1990 No. 2035

The Overhead Lines (Exemption) Regulations 1990

Exemptions from section 37(1) of the Act

- 3.—(1) Section 37(1) of the Act shall not apply in relation to—
- (a) the installation or keeping installed of an electric line which—
 - (i) connects an electric line installed below ground with apparatus mounted on a pole or structure; and
 - (ii) is attached to the pole or structure throughout its length except where it passes through a fuse or other apparatus;
 - (b) the installation or keeping installed of a wire or cable (including its casing or coating) which forms part of telecommunication apparatus (within the meaning given to that expression in paragraph 1 of Schedule 2 to the Telecommunications Act 1984⁽¹⁾) and which is supported, or carried by, or suspended from the supports for an existing line;
 - (c) the installation or keeping installed for a period not exceeding six months of an electric line (no part of which is within a National Park, a National Scenic Area, an area of outstanding natural beauty, a regional park or SSSI) which connects two points on an existing line which are no further apart than the maximum distance so as to provide a diversion for the existing line;
 - (d) the installation or keeping installed of an electric line attached to a building (other than a scheduled monument, listed building or building in a conservation area) where the building in question crosses a road, railway or watercourse and its principal purpose is not the support of the electric line; or
 - (e) the installation or keeping installed, subject to the limitations in regulation 4 and the provisions of regulation 5, of an electric line (no part of which is within a National Park, a National Scenic Area, an area of outstanding natural beauty, a regional park or SSSI) which replaces an existing line whether or not it is installed in the same position as the existing line in question.
- (2) In this regulation—
- “area of outstanding natural beauty” means an area designated as such by an order under section 87 of the National Parks and Access to the Countryside Act 1949⁽²⁾ as confirmed by the Secretary of State;
- “building” includes structure;
- “conservation area” and “listed building” have the same meanings as in section 91 of the Planning (Listed Buildings and Conservation Areas) Act 1990⁽³⁾ or, as the case may be, section 275 of the Town and Country Planning (Scotland) Act 1972;⁽⁴⁾ “the maximum distance” means—

(1) 1984 c. 12.
(2) 1949 c. 97.
(3) 1990 c. 9.
(4) 1972 c. 52.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (a) in relation to an electric line which has a nominal voltage less than 66 kilovolts, 500 metres; and
- (b) in relation to any other electric line, 850 metres;

“National Scenic Area” means an area designated as such by a direction under section 262C of the Town and Country Planning (Scotland) Act 1972;(5) “regional park” means lands designated as such by an order under section 48A of the Countryside (Scotland) Act 1967(6) as confirmed by the Secretary of State;

“SSSI” means a site of special scientific interest designated under section 29 of the Wildlife and Countryside Act 1981;(5) and “scheduled monument” has the same meaning as in section 1(11) of the Ancient Monuments and Archaeological Areas Act 1979(7).

(5) Section 262C was inserted by paragraph 38 of Schedule 11 to the Housing and Planning Act 1986 (c. 63).

(6) 1967 c. 86; section 48A was inserted by section 8 of the Countryside (Scotland) Act 1981 (c. 44).

(5) Section 262C was inserted by paragraph 38 of Schedule 11 to the Housing and Planning Act 1986 (c. 63).

(7) 1979 c. 46.