

<b>Subject:</b>	Scout Moor Update	<b>Status:</b>	For Publication
<b>Report to:</b>	Council	<b>Date:</b>	21 <sup>st</sup> March 2012
<b>Report of:</b>	Planning Manager	<b>Portfolio Holder:</b>	Operational Services and Development Control
<b>Key Decision:</b>	<input type="checkbox"/> Forward Plan <input type="checkbox"/>	General Exception <input type="checkbox"/>	Special Urgency <input type="checkbox"/>
<b>Community Impact Assessment:</b>	Required:	Yes	Attached: Yes
<b>Biodiversity Impact Assessment</b>	Required:	No	Attached: No
<b>Contact Officer:</b>	Adrian Smith	<b>Telephone:</b>	01706 252419
<b>Email:</b>	adriansmith@rossendalebc.gov.uk		

1.	<b>RECOMMENDATION(S)</b>
1.1	That the contents of the Report are noted and that the Director of Business is authorised to negotiate and conclude a Planning Performance Agreement with Peel Energy.

## 2. PURPOSE OF REPORT

- 2.1 Peel Energy has submitted an Environmental Scoping Report to the Infrastructure Planning Commission for the Scout Moor Wind Farm extension. This Council Report informs members of the authority's response, ongoing negotiations on a Planning Performance Agreement and next steps in the process.

## 3. CORPORATE PRIORITIES

- 3.1 The matters discussed in this report impact directly on the following corporate priorities:
- **A clean and green Rossendale** – creating a better environment for all.
  - **A healthy and successful Rossendale** – supporting vibrant communities and a strong economy.
  - **Responsive and value for money local services** – responding to and meeting the different needs of customers and improving the cost effectiveness of services.

## 4. RISK ASSESSMENT IMPLICATIONS

- 4.1
- Failure to engage effectively may result in a scheme that has negative effects on the Borough and does not maximize potential benefits
  - Failure to obtain a Planning Performance Agreement could impose large unplanned additional costs on the Council and affect service delivery

## 5. BACKGROUND AND OPTIONS

- 5.1 Peel Energy proposes to at least double the size of the existing Scout Moor Wind Farm. Because of the size of the proposal the scheme will be decided by the Infrastructure Planning Commission (IPC) and ultimately the Secretary of State. Rossendale Borough Council as one of the host authorities has a number of legal responsibilities that must be fulfilled, including commenting on the adequacy of the consultation process and preparing a "Local Impact Report".
- 5.2 The project has to go through a number of consultation stages before it can be formally submitted to the IPC. Peel Energy held a number of exhibitions in the Borough (e.g. in Edenfield, Rawtenstall, Whitworth and Bacup) and more widely in November/December on its initial thinking. These included options for infilling the existing wind farms and extensions in

both the Bacup/Whitworth directions and towards Edenfield.

5.3 In January Peel submitted an Environmental Scoping Report to the IPC. This sets out what issues that the company will address as part of the preparation of the Environmental Assessment accompanying the application. This will be a key document in determining where turbines are located. These include visual impact, ecological effects, telecommunications issues and socio-economic impacts. Due to an error in defining the site boundaries the consultation was placed on hold for a number of weeks but ultimately closed on 20<sup>th</sup> March. This delay and the amount of additional work that has been identified as part of the consultation process will delay the ultimate submission date to the IPC. The new timetable proposed by Peel is:

- Consultation on initial siting options – August
- Consultation on preferred scheme-January/February 2013
- Submission to IPC- April 2013
- Public Inquiry – Autumn 2013
- Decision-Early 2014

5.4 Rossendale Borough Council has been working closely with Lancashire County Council and Rochdale Metropolitan Borough Council to develop a joint response on the Environmental Scoping Report. Key issues include:

- Visual impact
- Restoration of degraded peat including land management
- Ecological effects
- Recreational access
- Noise
- Potential community benefits

The Authorities jointly commissioned landscape and ecological consultants to review Peel's submission. The Authorities are negotiating with Peel to secure the costs expended up to date on consultants. Considerable officer time has also been expended assessing reports and attending meetings with Peel Energy's consultants. This has included staff from Communities and Regeneration teams as well as Planning. A number of changes have been put forward to the IPC including additional viewpoints for assessing visual impact; more assessment of effects on recreation; greater clarity on community benefits; consideration of training and employment opportunities and reviewing effects on listed buildings/conservation areas.

5.5 The three authorities are seeking to negotiate a Planning Performance Agreement with Peel Energy. This has yet to be formally defined but it is envisaged this would entail the Authorities' pooling their resources to avoid duplication, establishing a steering group and meeting strict deadlines. In return Peel Energy would contribute towards the costs of the co-ordinating officer and any necessary expenditure on consultants. At present it is envisaged that Rossendale BC will provide the co-ordinating officer. Negotiations to secure such an agreement are expected to take a few months to finalise and would require formal legal agreement.

5.6 In order to more effectively keep members informed an internal consultation group has been established. It is expected this will meet approximately every two months. This includes the following members:

- Councillor Andy McNae
- Councillor Patrick Marriot
- Councillor Jim Pilling
- Councillor Darryl Smith

- Councillor Anne Cheetham

At the first meeting key issues discussed included the adequacy of consultation to date, the proposed Community Infrastructure Fund and routing of vehicles.

**COMMENTS FROM STATUTORY OFFICERS:**

**6. SECTION 151 OFFICER**

6.1 Members are reminded of item H1 and paragraph 16 of the minutes re Council 20<sup>th</sup> July 2011.

**7. MONITORING OFFICER**

7.1 Comments included within the report.

**8. HEAD OF PEOPLE AND POLICY (ON BEHALF OF THE HEAD OF PAID SERVICE)**

8.1 No HR implications arising from the report.

**9. CONSULTATION CARRIED OUT**

9.1 Peel has undertaken a public consultation exercise. The Environmental Scoping Report has been subject to widespread internal consultation as well as meetings with consultants and neighbouring authorities.

**10. CONCLUSION**

10.1 Scout Moor Wind Farm is one of the largest development proposals to affect the Borough at the current time. Involvement in the application process is likely to be ongoing for at least 18 months and is partly prescribed by legal requirements under the 2008 Town and Country Planning Act. However to maximise benefits to the Borough it will be necessary to actively engage with the developer and their consultants and work collaboratively with the other affected local authorities. This will require formal arrangements via a Planning Performance Agreement and require considerable officer investment.

**Background Papers**

Document	Place of Inspection
<p>Scoping Report for Proposed Scout Moor Wind Farm Expansion – submitted by Peel Energy to the Infrastructure Planning Commission</p>	<p>One Stop Shop, Lord Street, Rawtenstall, BB4 7LZ</p> <p><a href="http://infrastructure.independent.gov.uk/projects/north-west/scout-moor-onshore-windfarm/?ipcsection=folder">http://infrastructure.independent.gov.uk/projects/north-west/scout-moor-onshore-windfarm/?ipcsection=folder</a></p>

## INITIAL COMMUNITY IMPACT ASSESSMENT

<b>Name of Policy, Decision, Strategy, Service or Function, Other: (please indicate)</b>	Scout Moor Update	
<b>Lead Officer Name(s):</b>	Adrian Smith	
<b>Job Title &amp; Location:</b>	Principal Planner (Forward Planning)	
<b>Department/Service Area:</b>	Planning Unit	
<b>Telephone &amp; E-mail Contact:</b>	01706 252419 adriansmith@rossendalebc.gov.uk	
<b>Date Assessment:</b>	<b>Commenced:</b> 05/03/12	<b>Completed:</b> 07/03/02

**We carry out Community Impact Assessments to analyse the effects of our decisions, policies or practices. The CIA should be undertaken/started at the beginning of the policy development process – before any decisions are made.**

### 1. Overview

<b>The main aims/objectives of this policy<sup>1</sup> are:</b>
Peel Energy has submitted an Environmental Scoping Report to the Infrastructure Planning Commission for the Scout Moor Wind Farm extension. This Council Report informs members of the authority's response, ongoing negotiations on a Planning Performance Agreement and next steps in the process.

(Refer to **CIA Guidance** for details)

Is the policy or decision under review (please tick)

New/proposed

Modified/adapted

Existing

### INTERNAL ONLY

#### MANAGEMENT ACTION REQUIRED (to be completed by the Head of P&P following review by Management Team)

- Outcome of CIA agreed/approved by Management Team: Yes  No
- Is a full CIA required Yes  No
- Referred back to Assessor for amendment :NA (date)
- Published/made publicly available on: 21<sup>st</sup> March 2012 (date)

Signed: ...Liz Sandiford .....(Head of P&P) Date: 9<sup>th</sup> March 2012

Date of Review<sup>2</sup>: NA

<sup>1</sup> Policy refers to any policy, strategy, project, procedure, function, decision or delivery of service.

<sup>2</sup> This date will be set on an annual basis as default for review unless otherwise specified by you.

<b>Responsible Section/Team</b>	Forward Planning	<b>Version</b>	1
<b>Responsible Author</b>	Anne Stora	<b>Due for review</b>	N/K
<b>Date last amended</b>	N/A	<b>Page 1 of 2</b>	1

## 2. Equality Impact

Using the table below please indicate whether the policy/strategy/decision has a positive, negative or no impact **from an Equalities perspective** on any of the protected equality groups listed below. **Please also give consideration to wider equality of opportunity and community cohesion impacts within and between the groups identified. If you have identified any negative impact and mitigating actions are not sufficient, you will need to complete a Full Community Impact Assessment.**

Equality		Positive Impact (It could benefit)	Negative Impact (It could disadvantage)	Reason and any mitigating actions already in place (to reduce any adverse /negative impacts or reasons why it will be of positive benefit or contribution)	No Impact
<b>Age</b>	Older people	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
	Younger people and children	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
<b>Disability</b>	Physical/learning/mental health	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
<b>Gender Reassignment</b>	Transsexual people	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
<b>Pregnancy and Maternity</b>		<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
<b>Race (Ethnicity or Nationality)</b>	Asian or Asian British people	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
	Black or black British people	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
	Irish people	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
	White British	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
	Chinese people	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
	Gypsies & Travellers	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
	Other minority communities not listed above (please state)	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
<b>Belief or Religion</b>		<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
<b>Gender</b>	Women	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
	Men	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
<b>Sexual Orientation</b>	Lesbian women, gay men and bisexual people	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
<b>Marriage and Civil Partnership</b> (employment only)		<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
<b>Contribution to equality of opportunity</b>		<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
<b>Contribution to fostering good relations between different groups (people getting on well together – valuing one another, respect and understanding)</b>		<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
<b>Human Rights</b> <a href="http://intranet/site/scripts/documents_info.php?categoryID=86&amp;documentID=251">http://intranet/site/scripts/documents_info.php?categoryID=86&amp;documentID=251</a>		<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>

<b>Responsible Section/Team</b>	Forward Planning	<b>Version</b>	1
<b>Responsible Author</b>	Anne Storah	<b>Due for review</b>	N/K
<b>Date last amended</b>	N/A	<b>Page 2 of 2</b>	1