

Subject:	Scout Moor Update	Status:	For Publication
Report to:	Council	Date:	11th July 2012
Report of:	Planning Manager	Portfolio Holder:	Operational Services and Development Control
Key Decision:	<input type="checkbox"/> Forward Plan <input type="checkbox"/>	General Exception <input type="checkbox"/>	Special Urgency <input type="checkbox"/>
Community Impact Assessment:	Required:	Yes	Attached: No
Biodiversity Impact Assessment	Required:	No	Attached: No
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1.	RECOMMENDATION(S)
1.1	That the contents of the Report are noted and that the Director of Business is authorised to conclude a Planning Performance Agreement with Peel Energy and organise a presentation to members at an appropriate time.

2. PURPOSE OF REPORT

2.1 Peel Energy submitted an Environmental Scoping Report to the Infrastructure Planning Commission (now National Infrastructure Directorate) for the Scout Moor Wind Farm extension. This Council Report informs members of the authority's submission, the National Infrastructure Directorates' 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 considered by the National Infrastructure Directorate (NID) and decided by the Secretary of State for Energy and Climate Change. 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 In January Peel submitted an Environmental Scoping Report to NID (at that time called the

Infrastructure Planning Commission-IPC). This sets out what issues that the company will address as part of the preparation of the Environmental Assessment accompanying the application. Due to an error in defining the site boundaries the consultation was placed on hold for a number of weeks but ultimately closed on 20th March.

- 5.3 Rossendale Borough Council worked closely with Lancashire County Council and Rochdale Metropolitan Borough Council to develop a joint response on the Environmental Scoping Report. Among the issues raised were concerns about the lack of information on some topics like the siting of construction compounds; recreational impacts; cultural heritage effects; ensuring telecommunications are not adversely affected and the importance of maximising socio-economic benefits. Cross-referencing between different topics was also inadequately addressed.
- 5.4 The NID response effectively accepted all the comments made by the three authorities as well as other major consultees such as the Environment Agency. The applicants were advised to work together with all the major parties to identify a mutually acceptable way to dealing with the issues. Peel Energy has been working with their consultants over the last three months to identify the most appropriate way to deal with this.
- 5.5 Working on the Scout Moor proposal requires significant input from the local authorities involved for which no planning fee is received as the application is decided nationally. In order to meet the applicants' desire for timely and comprehensive input, the three authorities have been seeking to negotiate a Planning Performance Agreement with Peel Energy. This defines a framework for co-operation; specifies roles and sets out a charging schedule. Preparing this agreement has in itself involved considerable staff input. A Steering Group involving senior figures from each authority will be set up with Rossendale represented by the Director of Business. Rossendale BC will provide the Lead Officer role (Principal Planner-Forward Planning) whose responsibility is to co-ordinate the work of the host authorities and liaise on a day to day basis with Peel Energy and their consultants. A charging framework has been set out for this work including cost recovery for work already undertaken. Negotiations to secure such an agreement are expected to be finalised shortly though a formal legal agreement will take longer to conclude.
- 5.6 The overall project is now 14 weeks behind schedule. Submission by Peel Energy of a final scheme to NID was originally scheduled for January 2013, then April and is now anticipated to be July. This partly reflects the additional work that NID have requested be undertaken but also reflects an unexpected situation relating to land ownership rights in the east of the application area. Coronation Power, who is the company responsible for taking forward the Crook Hill Wind Farm above Whitworth, intends to develop its own Wind Farm on Rooley Moor and has submitted an Anemometer Mast application to Rochdale MBC as a precursor to a possible full application. If such an application were progressed it would be largely in Rochdale, who would receive the planning fee, but would clearly have a direct impact on the deliverability of the Peel Energy scheme. While it demonstrates the attractiveness of the area for wind energy development it raises many issues regarding duplication of work, including consideration of different Environmental Assessments for similar schemes. Council will be kept updated of progress.
- 5.7 Peel Energy has indicated that it will keep members informed of progress on its scheme. It is anticipated that this will probably be in autumn. Members will be informed of possible dates.

COMMENTS FROM STATUTORY OFFICERS:

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6. SECTION 151 OFFICER

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

7. MONITORING OFFICER

7.1 Comments included in the body of 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 Energy and their consultants have consulted a wide variety of parties. Within Rossendale officers from different Directorates have been kept informed of progress.

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. If Rooley Moor Wind Farm is progressed the Council would be a principal consultee which would have additional resource implications. 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
Scoping Report for Proposed Scout Moor Wind Farm Expansion – submission to the Infrastructure Planning Commission	One Stop Shop, Lord Street, Rawtenstall, BB4 7LZ