

Subject:	Scout Moor and Rooley Moor Planning Performance Agreements	Status:	For Publication
Report to:	Cabinet	Date:	9 th July 2014
Report of:	Planning Manager	Portfolio Holder:	Operations and Development Control
Key Decision:	<input type="checkbox"/> Forward Plan <input checked="" type="checkbox"/>	General Exception	<input type="checkbox"/> Special Urgency <input type="checkbox"/>
Equality Impact Assessment:	Required:	Yes/No	Attached: Yes/No
Biodiversity Impact Assessment	Required:	Yes/No	Attached: Yes/No
Contact Officer:	Adrian Smith-Forward Planning	Telephone:	01706 252419
Email:	adriansmith@rossendalebc.gov.uk		

1.	RECOMMENDATION(S)
1.1	That Cabinet note and authorise conclusion of Planning Performance Agreements for Scout Moor and Rooley Moor Wind Farms
1.2	All future minor amendments to the Planning performance Agreement to be delegated to the Director of Business in consultation with the Portfolio Holder.

2. PURPOSE OF REPORT

- 2.1 To update members of the current position regarding negotiation of Planning Performance Agreements for major wind farms in the area.

3. CORPORATE PRIORITIES

- 3.1 The matters discussed in this report impact directly on the following corporate priorities:
- **Regenerating Rossendale:** This priority focuses on regeneration in its broadest sense, so it means supporting communities that get on well together, attracting sustainable investment, promoting Rossendale, as well as working as an enabler to promote the physical regeneration of Rossendale.
 - **Responsive Value for Money Services:** This priority is about the Council working collaboratively, being a provider, procurer and a commissioner of services that are efficient and that meet the needs of local people.
 - **Clean Green Rossendale:** This priority focuses on clean streets and town centres and well managed open spaces, whilst recognising that the Council has to work with communities and as a partner to deliver this ambition.

4. RISK ASSESSMENT IMPLICATIONS

- 4.1 All the issues raised and the recommendation(s) in this report involve risk considerations as set out below:
- Staff time spent on assessing these applications will have to be taken from other pressing work and risk delays on other planning applications/the Local Plan unless funding can be secured
 - Failure to properly assess and report on these applications risks poor decisions been made to the detriment of the Borough as a whole

5. BACKGROUND AND OPTIONS

- 5.1 Scout Moor Wind Farm extension is a joint project of Peel Energy/United Utilities. It involves up to 26 new turbines. Because of its scale it will be decided by the Secretary of State following consideration by the National Infrastructure Directorate of the Planning

Inspectorate. However as Local Planning Authority Rossendale has an important role in advising on consultation, commenting on the quality of the evidence base, in particular the Environmental Impact Assessment (EIA) and producing a Local Impact Report.

- 5.2 Peel Energy has actively sought to engage Rossendale, Rochdale and Lancashire Councils in preparation of a Planning Performance Agreement (PPA). In return for meeting prescribed deadlines for undertaking defined pieces of work and attending technical group meetings on behalf of the partner authorities the developer would fund local authority staff time and the appointment of consultants to undertake specific tasks. There has been extensive consultation about the precise arrangements for this but a legal agreement is now very close to being reached and should be finalised by the time this Report is considered.
- 5.3 It is anticipated that the main input into this work will be by the Director of Business and in particular by the Principal Planner-Forward Planning. In order to ensure that Local Plan preparation and other targets are met it is anticipated that the funding received will be used as necessary to fund additional consultancy work on the Local Plan. The final costs per hour for staff time still remain to be finalised but will as a minimum cover wages and additional “on-costs” such as pensions.
- 5.4 Rooley Moor Wind Farm is a 12 turbine scheme to the east of Scout Moor. It is being proposed by Coronation Power with an application expected to be received by the time this Report is considered. Two of the turbines will be in Rossendale with the remainder being in Rochdale. This scheme will be decided by the two planning authorities but the level of detail to be considered, particularly through the EIA, will not be dissimilar in scale to Scout Moor.
- 5.5 As Planning Authority with the largest number of turbines Rochdale MBC will receive the entire Planning fee payable. They are also close to finalisation of a PPA which will pay for the time of the key officers engaged on the project and pay for consultants to analyse key elements of the data. While Rochdale will commission the consultants the analysis to be undertaken will also encompass Rossendale.
- 5.6 Officers have sought to enter into negotiations with Coronation Power about creating a PPA for the payment of staff time for consideration of this application. In return the Council would be able to commit to meeting agreed deadlines. The intention is to employ someone on contract to provide extra capacity within the service. Planning Officers are currently operating close to capacity. It would be very challenging within existing resources to commit the amount of officer time necessary to consider the proposal without a knock-on effect on other applications. Available budgets to procure temporary staff are very limited. Coronation Power indicated an initial willingness to enter into a PPA but subsequent engagement has been challenging but negotiations are ongoing.
- 5.7 A sum of £25 000 is being sought to cover the time of officers engaged in consideration of the application based on an estimate of staff time involved. This will ensure that if necessary additional temporary staff resources can be procured to ensure that the performance of the planning service as a whole does not suffer while ensuring that the applicant secures a high quality of service.

COMMENTS FROM STATUTORY OFFICERS:

6. SECTION 151 OFFICER

- 6.1 Comments included in the Report

7. MONITORING OFFICER

- 7.1
1. Members are reminded of item H1 and paragraph 16 of the minutes of Council held on 20th July 2011 and the positive implications for the Council's Medium Term Financial Strategy.
 2. Under the new arrangement for local government financing, 100% of business rates raised from renewable energy schemes are retained by the local billing authority. The Councils Medium Term Financial Strategy currently estimates this as potentially c. £700k by 2018/19 and is fundamental to the Council's ability to balance total expenditure with income.

Financial compensation for work undertaken on responding to planning proposals via PPA's contributes to ongoing revenue budgets

8. POLICY IMPLICATIONS AND CONSULTATION CARRIED OUT

- 8.1 Extensive engagement has been undertaken with officers from Lancashire and Rochdale Councils as well as with Peel Energy.
- 8.2 Consideration of the Scout Moor scheme to be decided by the Secretary of State will be subject to extensive consultation to be carried out by the developer as required by the Town and Country Planning Act 2006 and associated Regulations. The Council as statutory consultee has advised on locations where consultation should be advertised. The Rooley Moor scheme will be decided by this Council and consultation undertaken in line with approved development control procedures for major applications. With a scheme with such a broad impact careful consideration has been given to how this can be undertaken most effectively but also cost efficiently.

9. CONCLUSION

- 9.1 The conclusion of a PPA for Scout Moor Wind Farm will enable the Council to reclaim for staff costs incurred by senior officers engaged in the Project. It will also fund the employment of consultants to analyse key technical elements of the application such as landscape impacts to ensure that the best available evidence is available. This money can be used in turn to "backfill" any day to day work that cannot be undertaken by officers working on this project.
- 9.2 Officers will continue to seek to negotiate a PPA for the Rooley Moor scheme as the Council will otherwise have to assess this application without the benefit of a planning fee.

Background Papers

Document	Place of Inspection
Planning Performance Agreement for Scout Moor Wind Farm	Business Centre, Futures Park