



Northern Ireland
Assembly

Committee for the Environment

OFFICIAL REPORT (Hansard)

Inquiry into Wind Energy: Stakeholder Event

12 June 2014

NORTHERN IRELAND ASSEMBLY

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Members present for all or part of the proceedings:

Ms Anna Lo (Chairperson)

Witnesses:

Mr Sean Clarke	Cookstown District Council
Mr Lauri McCusker	Fermanagh Trust
Ms Helen Harrison	Juno Planning
Mr Jason Devine	Lisnahaney Area Residents Group
Ms Shauna Ward	Lisnahaney Area Residents Group
Mr Keith Graham	None
Mr David Manning	SSE Renewables Ireland
Mr Patsy Kelly	Strabane and Omagh District Council Wind Farm Working Group

The Chairperson: Good morning, everyone, and thank you very much for coming here today to Parliament Buildings to participate in this evidence event. We are trying to condense as much evidence as we can into the time available. We have now received 98 written submissions from a range of individuals and organisations keen to make us aware of their thoughts on the subject. I want to take the opportunity to thank you for your written submissions and your attendance today.

Before I outline the format for today, I want to quickly outline some housekeeping arrangements. Please switch off your mobile phone totally; please do not just leave it in silent mode. If you do not, they will interfere with our recording. Please switch your tablets to mute mode. Toilets can be found if you go out any of the doors and turn left along the corridor, and they are on the right-hand side. If the fire alarm rings, please leave the building immediately. Do not use the lifts, and follow instructions from the doorkeepers and Committee staff. If anyone feels unwell or needs assistance, please let a member of the Committee staff know immediately.

I will now outline the format for the evidence session. Today, we focus on three areas that have been consistently raised in relation to community benefit and community engagement. The first consideration is the strategy underlying the siting and location of wind development and how this impacts on the surrounding area and its residents. The Committee would like your views on how changes at a strategic level of government may lead to clearer, more coherent and transparent policy. Would such changes promote community understanding and engagement?

The second area relates to the planning and application process. Many of the submissions to the inquiry illustrate that people do not feel that their voice is being heard in the planning process and that their concerns are not being recognised. Their submissions tell us of a lack of awareness of applications for large wind developments that change the character of a location. A sense of not being

involved has resulted in communities feeling marginalised and disengaged. The Committee would like to hear how you believe the current process is working and how it might be improved.

The third and final area of focus is on the role of community benefit. The Committee would like to know whether this is a valid way of compensating those who live in close proximity to wind development or whether a very different approach would be more effective. What part should financial incentives play in this situation?

All the stakeholders attending today's session have been grouped into tables to reflect fairly similar areas of interest. I ask each table to nominate a spokesperson to feed back the views of that table during each plenary session. Committee members will circulate throughout the room and will remain at a table for the duration of one discussion session before moving on. We have put together a list of questions to guide today's discussion, and you will find these on your table. We will allow approximately 20 minutes for each table to discuss the questions in each session. A member of staff will be present at each table to assist by taking notes for the group.

At the end of each discussion session, we will have a short plenary to allow a spokesperson to present each table's responses. I request that the spokesperson for each table clearly identifies himself or herself by stating their name and the organisation that they represent. Hansard will record these contributions, and they will be included in the Committee's final report. After each plenary session, we will move on to the next group of questions. Time permitting, there may be an opportunity for a short discussion at the conclusion of the session, but we will have to keep fairly strictly to the indicative timings on your agenda to ensure that we finish on time. If you have any queries on the running of the event, please speak to a member of the Committee staff. We will start now with the first discussion session. Enjoy the session, and we will talk to you in about 20 minutes.

On resuming —

The Chairperson: From hearing the noise in the room, I am sure that you have all had a very useful and productive engagement. I invite the spokespersons to come forward. I invite table 5 to make comments on the first session of questions. Can you please give your name, the organisation that you come from and which table you are from?

Mr David Manning (SSE Renewables Ireland): I am speaking on behalf of the developer table today. We had a very interesting discussion from the beginning. We did not make it far beyond question 1, I am afraid, which is quite interesting. The question that was posed to us was about individual one-off wind turbines and large developments of wind farms. Three or four points came out of that, and I will try to touch on them.

The first point is that we have seen a large proliferation of single one-off turbines, with around 2,000 of them flowing into Planning Service. That places a burden on Planning Service. They are real people too, and they have to work through that process and those applications. We need to make sure that there is a robust assessment process no matter what the nature of the application might be. Whether it is a one-off turbine or a large wind farm, the robustness of how it is assessed is important, and everybody must be measured by the same yardstick. We think that, in the provisions of the legislation and in planning law, there is a solid framework for assessing all applications no matter what their scale.

The second point is on community engagement. I personally represent a large wind farm developer, as we all do around the table. Our focus is very much on community engagement, and we pour a lot of time and resource into that because we feel that it is the right thing to do. You must engage with communities and be willing to hear what they have to say, and, as a developer, you also get a lot of benefit from that feedback because you can get local intelligence on the area that you are developing in as well and can meet the community's need and your own need. We have a concern about the smaller-scale one-off developments of single turbines. Does the same community engagement take place? If I am a single landowner and I want to put up a 250 KW unit, am I investing a reasonable amount of time in engaging with my neighbours and my local community to make them aware that I am doing that?

The third point is about those single one-off turbines. If it is the intent of that one turbine to export power to the grid, grid reinforcement works are likely to be needed. That is costly and, ultimately, all that cost adds up, and it falls on the consumer to pay for that cost. We need to be cautious and sensible that we develop in an economically rational way.

I will skip forward to question 5, which relates to statutory consultees. We are looking forward to the introduction of the full provisions of the Planning Act in the first quarter of next year. It will introduce statutory timelines that will be very important for seeing the planning process move along in a timely way. That is very welcome and cannot come quickly enough.

The final point is on question 6, which is about a community engagement toolkit. We refer the Committee to wind industry best practice guidance that has been prepared. I think that we have left copies at the table at the top. If anyone cares to peruse it, we would welcome any feedback on it at any point from anybody. It feeds into one of the earlier points, which is that, as a large developer, it is our desire, our interest and our want to engage with communities.

The Chairperson: Thank you. Table 4, please. About three to four minutes, please.

Mr Sean Clarke (Cookstown District Council): I will excuse that I cannot read that well. It is not the fault of the person who did the notes.

On question 1, different points were made. Local development plans need to consider the local community and give it a say in the process from the beginning. With the new councils and community planning and developing of new area plans, there should not be a rush to make strategic decisions that will affect local areas. There was mention of whether there should be a moratorium. Should areas be strategically identified? Environment puts emphasis on particular areas for development plans. Given their new roles, new councils with power should have the decision, not central government. Councils have more of a local view and knowledge and should make the decisions. Designations strategically and identifying most viable areas; those points were brought up. Currently, the landscape character areas identified most viable areas, and the problems are when decisions are overruled by this, particularly by the Planning Appeals Commission (PAC). The lack of grid connection was also mentioned as a factor in determining locations. The super-councils will make the decision, and — this was mentioned again — they should not be rushed into doing so. A piecemeal approach was mentioned.

It was mentioned that single turbines use up the noise limit for wind farms, which leads to less generation capacity. The lifespan of a wind farm is 20 to 25 years, and there was a suggestion that, after that, the area should maybe be given a break. It was also mentioned that there needs to be a joined-up approach.

DOE's position is that it is aware of the best locations, but councils need to work collectively to develop a strategy with central government. It was suggested that, as with the situation in Scotland, forestry lands could be used for turbines.

On question 2, we agreed with the need for greater cross-departmental working, but we need clarification on the level of cooperation from all involved. There is no evidence on the ground that cross-departmental work is happening.

On question 3, developers undertake this voluntarily, but people developing single turbines do not do so. It was felt that it would be a tick-box exercise and a long process. In the past, it has been inaccurate and inappropriate, so the new pre-application process should provide the community with more confidence, but we need more detail and clarity on the statutory duty. I will have to pass on the next point, as I cannot see it.

On question 4, this would add weight to and encourage community buy-in. The support should be based on what the community wants, and there should be consultation and negotiation with the community about what it needs. Identifying the areas that would benefit would be a problem.

There was no comment on question 5.

On question 6, a toolkit would be useful, but a one-size-fits-all approach should not be taken to establish the baseline.

The Chairperson: Thank you. Can we have table 3, please?

Ms Helen Harrison (Juno Planning): We are planning and environmental consultants who work on wind farm projects.

We had a very interesting discussion on question 1 that looked at the needs of developers and wind energy versus the need to protect the landscape. On the one hand, we thought that it would be useful to identify viable areas where wind energy was most suitable and the areas that are most sensitive to development. Throughout the discussion, we agreed that areas for special protection should be identified, but we were not convinced, one way or the other, whether or not zones should be identified as being suitable for development. I should mention that there was reference to the Welsh and Scottish models and to the approach that they took in identifying areas of special potential and undertaking landscape capacity studies.

On the second question, there was agreement that there should be a greater cross-departmental working. It was recognised that a report entitled 'Communities and Renewable Energy: a Study' was recently undertaken by DETI and DARD, but we did not talk about that in detail.

We recognise that, for example, DETI's renewable obligation certificates (ROCs) targets have a direct impact on DOE's work in dealing with submitted applications. They also have a direct impact on the nature of the renewable energy industry in how that is being progressed and developed. We agreed that there needs to be a balanced approach that considers the impact on the community and the environment, while understanding the economic benefit that comes from ROCs and renewable energy targets.

On question 3, we noted that a consultation document is out at the moment on the requirement to undertake community consultation on major, regionally significant applications, which was welcomed. I think that it has been said previously that, in line with best practice, many parties already undertake or plan to undertake that, but it is good to formalise the process. We discussed — interestingly, table 1 did the same — the concerns regarding the approach taken to single wind turbines and the fact that, at the minute, they maybe fall beyond some of the regulations on community consultation and the environmental impact regulations.

We did not have a lot of time to discuss question 4. In summary, we thought that there was potential for this to be considered further.

We ran out of time, so we have no comment on question 5.

On question 6, the answer is yes. We refer to our answer to question 3.

The Chairperson: Thank you. Table 2, please.

Mr Lauri McCusker (Fermanagh Trust): Good morning. This is the rural table.

On question 1, we felt that there was a question mark over the adoption of suitable locations for wind farm development. Is it too late for that? Some communities may feel that it is too late in places where clustering has taken place, such as west Tyrone. So, there is a question mark over that.

We raised the issue of the relationship between clustering and how it applies in the case of single turbine developments vis-à-vis major or significant wind farm developments and how government might consider where single turbine developments are likely to be placed and how that would work. We felt that the Government could play a role in providing good practice on planning wind farm developments on public sector land in forestry, which DARD's Forest Service is leading on. Government can be an exemplar of how the public sector does community consultation. The Scottish Government have shown how that can be an effective mechanism and an exemplar that the private sector can then taken on.

Question 2 was on whether there should be greater cross-departmental working. Yes, there should. There is the sustainable energy interdepartmental working group, but it can do more and do it more quickly.

Question 3 was about the Planning Act. The statutory pre-application community consultation process is about preparing a report that will go into the planning system. We felt that the important thing there was that the report needed to show how the concerns raised by people during the community consultation had been acted upon. We can all produce reports — paper does not refuse ink — but what are people doing about the messages and what they are hearing? It can make a difference if implemented effectively.

Question 4 was about whether government support would be positive in promoting community engagement. Again, we said yes. We felt that there is real potential for embedding community energy in policy. Again, we looked to Scotland, where there are 300 community energy projects that have been partly facilitated by government policy and backed up by initiatives providing financial support, such as the Big Lottery etc.

Most recently, the Department of Energy and Climate Change (DECC) in London released its community energy strategy, which says that, by 2015, it should be the norm for communities to be offered some level of ownership of wind farm developments. That is a very important document that the Committee should look at. DECC has also implemented the shared ownership task force and a community right to buy.

On question 5, we said yes. On question 6, we said also yes. We encourage the examination of best practice, namely the Scottish Government's good practice principles on community benefits.

The Chairperson: Thank you. Table 1, please.

Mr Jason Devine (Lisnahrney Area Residents Group): I represent the residents here today.

On question 1, a lot of the talk has been about protecting the landscape, but what about protecting the residents in that landscape? We asked how many areas are being identified at the minute and how protection will be provided for specific classified areas, such as areas of outstanding natural beauty (AONBs). At the minute, it seems that no value is being placed on our landscape. It seems to be a free-for-all. Also, a lot of the areas that have been identified seem to be doing their bit already. They seem to be saturated with wind farm development already, so what is the point of adding more in those areas? If they have already been saturated, will development just keep moving back from there? There is also the need for site-specific analysis, not just depending on, I suppose, a UK-based analysis.

It is interesting to hear the issues of single wind farms being brought up. We are wondering whether that was possibly due to the number of applications and the Department actually having to handle them, rather than having to deal with the larger applications.

Like everyone else, we spend more time talking about the first few points. I will try to be quick. On question 2, yes, it goes without saying. It was asked how Departments are presently engaged in that and how independent such guidelines for that should be.

On question 3, yes, local government should have stronger emphasis on community consultation going forward. We had also asked about independent community engagement reports. In our application in our area, the developer did the community engagement report. When we saw it, we were absolutely shocked because it did not reflect the community I represent. So, we did our own community engagement report. If a community engagement report is put in as part of an application, how independent is it? It needs to be totally independent. It does not need to be from the developer or the bodies that the developer would actually use.

On question 4, a few of us here thought that it would actually polarise opinion more. People who were for it would definitely think that it was a fantastic idea. However, people who were against it thought that it was just another bribe — that is the word that was used.

On question 5, yes, but, again, it would depend on the bodies that were asked. Why have the likes of Outdoor Recreation NI, sports bodies in Ireland and Sport NI — people who represent those who are actively involved in using the outdoors and, particularly, the rural areas where the wind farms are going — not been involved in this? Why are they not statutory consultees?

On question 6, the toolkit could be useful. However, again, it goes back to there being an independent body. In the right hands, it is possible.

The Chairperson: Thank you very much. Those comments are all very useful. I am sorry that we do not have time. We have to move on to discussion 2. You need to report back in 20 minutes. Thank you.

On resuming —

The Chairperson: OK, everyone. We need to report back on discussion 2. I invite table 3 to do so first. We have until around noon to do the reporting back.

Ms Harrison: I am sorry, but we did not quite get through all the questions. We spent a long time talking about question 7 on the perception that Planning Policy Statement (PPS 18) permits renewable energy development unless adverse impacts are identified. The Department's perspective was that all views are taken into account by it and the statutory agencies. As applicants, we felt the same. We recognised that the policy at the minute under PPS 18 provides a presumption in favour of development. It is that which perhaps results in the perception of the weight being towards approving the development, rather than undertaking the robust analysis that may, in fact, result in it being refused.

We thought it possible that perceptions may be developed through people's lack of knowledge or understanding of issues and that that could be improved through the sharing of information through community engagement, pre-application discussions and reporting back on community issues and how they have been addressed — if indeed they can be addressed — where possible. However, we also recognised that there will be many instances in which the parties will not be able to agree. We have to take responsibility for that and understand that, when promoting wind energy development in Northern Ireland, that is part and parcel of what will happen. How do we promote constructive dialogue between parties in that situation?

We felt strongly that not only should the Department undertake extensive and diligent assessment with the statutory agencies but, from the developer's point of view, there should be checks and balances that are designed to protect the interests of the public and the community. Particular reference was made to the environmental impact assessment (EIA) regulations.

Question 8 asked whether developments are being advertised at a sufficiently early stage. We felt that that would be improved significantly through the pre-application discussion process and particularly through community engagement. However, again, we recognised the question mark over the requirement for single turbines to go through that process.

On question 9 on neighbour notification, I think that everyone felt strongly that, at the minute, the system is weak, in that there are many interests that fall within areas that may be affected but that are beyond 90 metres of the site. We thought that it could be useful to consider the 10-times-rotor-diameter area as that within which neighbours should always be notified at the very least. Around the table, we felt strongly that site notices would be a really useful tool, whereby communities that have not been notified, people who fall outside the zone or those who have not read the local newspaper can see the site notice if they are in the local area and check it.

That also forms of our answer to question 10. The site notices would be an extremely useful tool. At the table, I have to say, we were split on who should take responsibility for neighbour notification. We probably recognise that to expect developers to give a signed acknowledgement would be extremely difficult in practice because there may be parties who are either unavailable or simply do not want to provide a signed acknowledgement. What impact will that have on the scheme going forward and being determined?

On question 11, although none of us had direct experience of that, we felt that, yes, it could be disruptive.

I am sorry that we did not have time to answer question 12.

The Chairperson: OK. Thank you. I invite table 2 to report back.

Mr McCusker: On question 7, we agreed. We touched on the draft PPS 18 document. It had an annex on community benefits that was dropped when the draft became a final document. That reflects the feeling that the policy has been weighted towards renewables.

Another very important point here is that communities do not have the resources of space and time that are often needed to make representations to counterbalance the position and documents that developers are able to put together.

The simple answer to question 8 is no. We think that it needs to be reflected on in future planning.

Question 9 links into the previous question. We asked whether those notifications are adequate, because we feel that they are not robust enough. We feel that there needs to be genuine engagement and that there may be a significant opportunity for some independence. It was interesting to hear from table 3, whose representative said that they had not had experience of those tensions at public exhibitions. If the planners are not aware of tensions between developers and local communities or individuals in those communities and have not experienced them in some of the public exhibitions, maybe there is an information gap.

Question 10 asks whether it would be useful for developers to provide planners with documentary evidence. Yes.

Question 11 uses the phrase "anti-wind turbine groups". I think that we need to be very careful with the terminology that is used. Some people may oppose a development but not be anti-wind. They may oppose a development on the basis of location, scale or size, but to put everybody into a category that they are anti-wind is unfair and incorrect. I think that we all need to be very careful in our use of language. Many people are opposed to something for particular reasons, but that does not mean that they are opposed to everything.

We felt that there is an issue with community engagement and disruptive protests, which we feel are wrong. Arguments need to be presented with courtesy, dignity and respect, and everyone needs to be given space. Adopting disruptive protests and antagonistic approaches does nobody any favours, and we should all be opposed to them.

On question 12, there needs to be more than four-hour exhibitions six weeks before planning in the local post office or community hall. We also felt that discussions and points that are raised in those forums, or so-called engagements, need to be recorded. Two peoples can have a conversation, and we can go away with a different understanding of what we have just said to each another. One could then report back to the planning authorities about what that conversation meant or what was said. Exhibitions need to be recorded, and we felt that there needs to be independence to oversee the process. We suggest the appointment of an independent facilitator. I again refer to the Scottish Government's good practice principles, which may be a useful tool.

Ms Shauna Ward (Lisnahrney Area Residents Group): I represent the residents groups at table 1.

Question 7 asks whether local communities are given enough due regard by planners and developers. We obviously think that they are not. When making a decision to approve a wind farm, a number of factors are considered. One of those is the visual impact, and we expect the planners to do their job independently, and we trust them to do that.

However, there are other points that residents raise that are not enough regard is given to. We feel that we are let down by the noise legislation and noise guidelines. Those need to be looked at, as many residents raise concerns about noise. We also raise concerns about health, including the sleep disturbance that is caused by the low-frequency noise that seems to come from wind farms. Those concerns always seem to be ignored, and we feel that we are not given enough support by planners when it comes to looking into that.

We are also concerned about our house prices and the residential amenity for the area. That seems to be overlooked, as we are meant to be looking at the greater good and the greater socio-economic benefits for the area. We feel that our individual houses and residential properties are affected by wind farms. We also think that wind farms impact on local businesses. I come from an area that is trying to develop tourism, and we feel that the wind farm will have a detrimental effect on local businesses and providers. Those kinds of people are not given enough support by the planners either. I know that developers talk about all the wonderful jobs that wind farms create and the business that they give to local quarries, and so on, but we usually find that that does not normally happen. The residents are then used to sucking it up for the greater good.

Questions 8 asks whether the proposed developments are being advertised sufficiently. We talked about that and how it related to question 9 about notification. We feel that a one-off hit in a local newspaper perhaps beside a notice about an extension to someone's house or a new bungalow is inadequate. Some around the table said that they had been notified of a wind farm in their area via Facebook and had picked it up and learned about it from there. We talked about residents in the local area being notified and written to as individuals. For example, if my neighbour were building an extension on their house, I would hear about it from the planners, yet there is wind farm going up in our area, and I was not written to by them. We had some discussion about the distances, and some

felt that the mailshot should be done for properties up to 3 kilometres away from the wind farm, while others felt that it should be 5 kilometres. That is done for electioneering purposes, so we feel that it is quite feasible. It could be done. We also feel that there should be repeated ads, not just one-off ads in newspapers to try to get the communication out.

At the end of the day, these wind farms are big developments, and they are getting bigger and bigger. The turbines are 125 metres tall in our area — some of them are even going to be taller than that — and they will be there for 25 years and more. The residents would like proper notification so that they can respond, and respond properly.

We then talked about documentary evidence and the notification of residents. We are very much for that. If the developers have gone around the doors, we would like to see a written report of all the residents whom they visited, and residents should sign to say that they have received the information. In our area, the developer said that they had consulted derelict houses, and I think that, if we went to local graveyard, we might find in there some of the people whom they said they consulted. They were not living in those houses. Those are the kinds of things that get residents' backs up and get them annoyed. Proper information should be given out, and people should sign on receipt of that information. The information should also be proper and factual. We have evidence in our group of some of the groups taking developers to the Advertising Standards Authority (ASA), which upheld their objections. Some developers oversell and are not descriptive enough about the information that they give. So, the information should be factual and be signed for by the residents.

Question 11 refers to community engagement and destructive protests. We say that we live in a democracy and that people have a right to protest. We also discussed how we can prevent protests and why they happen in the first place. They happen in the first place because developers do not do their community engagement correctly, and there is a lot of misinformation out there. By the time that they come to have their meetings in a local hall or wherever, there is a lot of mistrust and misinformation in the area. We feel that that could be properly handled to avoid the protests happening in the first place.

We also feel that meetings should be properly organised. In our area, for example, there were montages up around a room like this — perhaps not as grand as this — and it was like going into an art gallery. You looked and walked back out again, as no proper information was given. We feel that the developers should have a top table at which they do a presentation and take questions and answers from the group. Residents may not feel comfortable or qualified enough to ask questions, but somebody in the audience might ask a question that I want the answer to. There should be proper dialogue and proper question-and-answer sessions to give the community proper information. If there were, we could avoid protests and that build-up of frustration in the area.

How should information be structured? I have just covered that.

Our group made a point about community liaison officers. Most developers have a community liaison officer, but their only function is to try to sell or promote community benefits. I feel that the community liaison officer should be on the ground from day one knocking doors and going around residents trying to allay their concerns, rather than promoting community benefits. It also gets residents' backs up when you find out that a cycling group six miles away has accepted a community benefit from a developer. Because it has accepted a benefit, it seems to be associated automatically with supporting the wind farm, and those who live close to the wind farm then feel pressurised by the fact that other groups have received a community benefit. That is not what a community engagement is about or what the community liaison officer should be about.

The Chairperson: Can you sum up quickly?

Ms Ward: That is it.

The Chairperson: Table 4, please.

Mr S Clarke: I will just make the points again. On question 7, there is a problem with the process. We need more focus on the cumulative impacts. The true impacts are not apparent until the turbines are built.

It was also mentioned that undeveloped individual applications stop new developments. When there are turbines with a scattered distribution, a lot of people are involved. The question was asked

whether policy should dictate the treatment of individual turbines. Moreover, the point was made that there are a lot of individual turbines that are not built, and that is probably because NIE does not have the grid to take them. Whatever is erected or approved has an impact on future development in the general locality for everything. It has a big impact on that. Furthermore, why not let the Government develop wind energy on their own land — for example, forestry — and decapitalise the energy industry?

We took questions 8 and 9 together. It was felt that the community engagement should take place at the beginning of the pre-proposal stage, to give plenty of time for discussion and before vast amounts of money are spent on the development. The notification time is insufficient to get adequate information. The notification area should be widened, and the process should be mandatory. The planners should be more responsible for notifying people. In the cases of Omagh and Strabane, it was indicated that everyone inside a one mile radius should be notified. DETI does not get all the applications. It probably gets applications for wind farms but not for all individual turbines. It may receive some applications for individual turbines but not all.

Environmental health offices have an awful lot of work to do, and that includes noise monitoring. It was felt that that should be handed to the developer, because environmental health officers should be assessing the reports, rather than doing the research themselves.

There is no complaint investigation condition here. It is hard for councils to gather information to investigate breaches of, for example, noise restrictions. Shadow flicker was discussed. It was also noted that the size of and technology used in new turbines is completely different, and we do not know what the noise and health implications are.

On question 10, it was felt that there is not enough impartiality. It was felt that planners rather than developers should be responsible for providing that information and that there should be genuine community engagement as part of the process.

On question 11, it was felt that people should have the right to protest but not to disrupt. Opinion should be taken into consideration from the beginning the process, which brings us back to points made earlier.

On question 12, it was felt that at least two weeks' notice should be given before an event, and access to the appropriate information should be available.

The Chairperson: Thank you. Table 5, please.

Mr Manning: Thank you. I tried to rotate the chairmanship of this table, but, unfortunately, it did not work.

Table 1 made a number of comments, and, on dialogue, we could not agree more. It is absolutely fundamental and critical, because that is how understanding arises. On question 7, we hold the view that PPS 18 is robust. The planning adjudication process means that all correspondence is considered equally, and I think that that is the point in question 7.

On question 8, I referred earlier to the Northern Ireland Renewables Industry Group best practice guidance, of which there are copies here today. That sets out a view on best practice on consultation. However, we fully support the formalisation of a pre-application process. We think that that is a very important thing. It comes back to the point about dialogue and communication. Perhaps some of the issue that arises is that planning does take a while. I apologise if I am offending anybody in the room by saying that. It takes a while to get from the point at which you enter into the process to the point at which you get an answer out the back end. In that very long process, there is drift, and, if there is a sense that developers are not talking to communities, or vice versa, that might be a function of time. So, the lesson for the industry is the importance of ongoing engagement, and I think that we are comfortably committed to that.

Question 9 is a matter for Planning Service. One of the things that we noted there is that, as planning is devolved to new, larger local authorities, that will become a function for them.

Question 10 is on a signed acknowledgment of the receipt of information. In practice, that will be a little bit difficult, and that is because individuals are not generally minded to sign their name on forms, which is understandable. However, we all spoke of the fact that, when we run our community events, we have an open book in which people can sign their name and acknowledge that they were there.

We also make comment boxes available so that, if they are not comfortable with making the comment out loud, people can write it down and submit the comment in that way. There might also be a data protection issue around the particular proposal, and that probably warrants a little bit of further investigation.

Question 11 is on disruptive protests. Look, we live in a democracy. People are entitled to have their voices heard, but, for both sides of the conversation, disruptive protests do not help engagement. We are always willing to engage with all members of the community and with interested groups. That is our concluding point on that.

On structured engagement with local communities, there is an open willingness from this table — perhaps the most relevant table is table 1 — on any suggestion that can help to improve the engagement process. We are always willing to listen to anything that we can both agree together as a realistic proposition to improve community engagement, and we are willing to act on it.

The Chairperson: Thank you very much to all the tables for their contributions. We now move on to the third and final discussion, which is on community benefit. We have 20 minutes for that.

On resuming —

The Chairperson: I hope that you are all ready to report back. We call upon table 1. Can you please state which organisation you are representing?

Mr Keith Graham: Good afternoon, ladies and gentlemen. I do not represent any organisation, but I do have the privilege of living beside an installation, Slieve Kirk, which is owned by the organisation represented by one of my colleagues at table 5.

The questions should be approached from the point of view of those who are affected already and those who are potentially affected. I suggest that, for community benefits and for people like me who are already affected in a fairly extensive way, it is really the only game in town. There is no way that the installations are going to be removed. They have longevity of 20 years, possibly 25; therefore, the adverse effect, which is a broad spectrum, has to be addressed. I suggest that the current arrangements are not democratic in any way. The companies that are developing are setting out their stall by acquiring the land asset. To do that, they have to deal with individual landowners whose interests are not the interests of the population as a general whole. So, in order to counteract that, we need a fundamental change in the governance of how benefits are issued. We have to move away from what is commonly known as the 30 pieces of silver to get somebody to agree to something, with other people just having to suffer the consequences.

There must be uniformity of the financial structures, and the only way to address that is through government. People at this table and other representatives from other organisations who are affected by these issues would highly question the methodology that is being used for the distribution of funds. To make it uniform and transparent, and to have it set at a level that will incrementally affect people who live closest to the installations, it needs to be government-based. The way in which you would address that would have to be along the lines of the cost of people's housing. We must remember that, in this present environment where economic austerity is very much the name of the game, for a lot of people in various communities, their house is their pension. I will not go into the details of my personal case, but, suffice to say, that pension is grossly diminished as a result of those installations.

In terms of the energy provision that is produced by the companies, their profit margins and share prices certainly do not reflect the amount of money that is issued into the community in any way. Therefore, you are into the realms of electricity charges as well. I find myself in the perverse situation where I am contributing to the electricity renewable tariff while I am living beside an installation that is not compensating me in any way, and I am effectively paying for my own torture. These are serious issues. It may be easy for companies to take the view that there is a wider picture and that we should, for want of a better phrase, suck it up for the benefit of other people. However, we live in a democracy, and there has to be a degree of sharing out the difficulties that people are encountering on a level of how they are affected. At the present time, that is not the case.

In terms of the way in which development money is passed out at the minute, certain institutions and businesses are targeted to try to get them to sign up to take benefits. Once they sign up, effectively, they enter a gagging clause, whereby they are then prevented from showing any opposition to the

development that is there. If it is the view of all the people that a development is beneficial, that is then negated by the fact that they are completely gagged and cannot contribute any further on it.

To sum up, I would say that governance of this development is our prime concern. Even the sharing out of profits would need to be controlled by government. That is the only way that it can be trusted; we see no other way.

The Chairperson: Thank you. We move to table 2.

Mr McCusker: Our first question was about whether monetary community benefits schemes have real merit. The important word there is "monetary", because there are a number of types of community benefit schemes, including community ownership. Yes, they can be used to benefit communities. There are examples of where communities have used such schemes to help tackle issues such as fuel poverty etc. However, it is very important that, if there are to be benefits, they last as long as the operation of any development and are sustainable. We touched on the fact that Omagh, Strabane and Fermanagh district councils have put in place community benefit protocols, which are of interest in terms of the new local government structures.

Our next question was about whether these things could be perceived as bribes. Yes, obviously some people perceive them to be bribes. We feel that, as with earlier points, engagement is the key, and early engagement is critical.

The next one was about whether the level of community benefits should be set by government. In England and Wales, the Department of Energy and Climate Change (DECC) stated that the expectation is £5,000 per megawatt, and that is clearly stated in DECC's community energy strategy and in 'Onshore Wind Call for Evidence: Government Response'. Scottish Government policy is similar. So, government can set the benchmark and play a lead role. The Scottish Government and Welsh Government have done that through the release of public sector land for wind farm developments. We hope that the Assembly follows suit with the current plans.

The next question was about whether a community benefits register should be established. Yes, as it would help to improve accountability.

We took questions 17 and 18 together. Question 17 was about whether community benefits should be calculated in terms of those impacted the most. We felt that a local electricity discount scheme is attractive. There is one such scheme currently in place here. The people closest must benefit. That particular model offers an example of how people can benefit.

The final point is about whether those who live close to wind turbines and whose homes have been impacted on regarding value be compensated? Absolutely. Again, we refer the Committee to the Danish model of good practice, where those householders who have been directly impacted upon need to be compensated. It is not rocket science. There are examples of where that has been done.

Just to conclude, DECC and the Scottish Government have done a lot of work in those areas. Some papers have been prepared on good practice. The Danish model is interesting in terms of how the impact on householders can be partially overcome. We recommend that those models of good practice are examined and adopted by the various Departments.

The Chairperson: Thank you. Table 3 is next. Please state which organisation you are representing.

Ms Harrison: I am representing Juno Planning.

Question 13 was about whether monetary benefits schemes have real merit. We discussed some existing schemes that appear to have community merit, but then we considered the definition of "community benefit". How do you define the community and those who need to benefit? We discussed whether that benefit process, if you like, should be outside the statutory planning process and different from, for example, an article 40 agreement requiring a developer to contribute to a road or a school that is directly related to the development itself. We felt that there is general support amongst developers to provide community benefit, but there is no direction in terms of the form that that benefit should take. The benefit should be to the local community and also, to an extent, to the wider community. It should not be just to local residents but potentially beyond that.

We referred to the community renewable energy study and the best practice studies that are included in it.

We noted that there also need to be measures for single turbines.

In relation to question 14, we thought that a good way of approaching this would be through the community planning process, which is one of the powers being devolved to councils. The community planning process may provide an opportunity for the communities within those areas — either currently affected or targeted as areas of potential for wind energy — to engage with the developers and statutory agencies to enable them to understand what community benefits are needed and how they may be delivered.

With respect to question 15, we felt that it would be important to have community ownership and that community benefits should be set by the Government and that that should be done at Executive level, but it should be undertaken in consultation with energy companies and also with the communities to understand what those benefits might be and what mechanism might be used for delivering them. It is also important that they are related to the scale of the development and, as has been mentioned, there are best practice examples out there that we can use as points of reference.

An important point to note, which has been raised, is what happens about existing wind farms. I can see that residents of communities affected by wind farms would feel that it is unfair for them, as one of the earlier speakers said, to have that development imposed on them and for them to see no benefits. So, we need to think carefully about existing wind farms and the communities that are affected by them.

In terms of the community benefits register, we said yes and recognised that that is a useful tool for monitoring benefits and it is also a record of the tangible benefits. The register could be a check to see which benefits are working and which are most popular and effective in communities. It also promotes transparency.

In terms of how community benefits should be calculated so that those most impacted should receive the highest level of benefit, we thought that, in simple terms, this has the potential to fracture the community and be quite a divisive tool. However, we recognise that there are parties closer to the turbines and closer to the development who may feel more impacted by it. We thought that a better approach might be to refer to government policy and opportunities through the community plan process looking at benefits.

We recognised, and this relates to question 18, that there are opportunities for energy companies to look at reduced tariffs and that those people who are benefiting from reduced tariffs should clearly be those closest to the turbines. Tariffs are seen as an equitable benefit for individuals and one that people can understand. We also noted that some companies are already offering that.

In relation to the question about compensation, we noted that it was interesting that the word used was "revalued" rather than "devalued". I am not sure about the wording of that question. Compensation for roads is not a useful comparison in this case, because roads compensation is implemented where land is taken from residents and acquired through compulsory purchase. So, I think that it is not a helpful comparison in this case.

The Chairperson: Table 4 is next.

Mr Patsy Kelly (Strabane and Omagh District Council Wind Farm Working Group): I am a new councillor on the Derry and Strabane super-council.

Question 13 is about whether monetary community benefits schemes have real merit. Yes, they have the potential to enhance communities and community infrastructure in such a way that the investment is guided by how the community itself feels that it would benefit the area. However, community benefits should not be used as a mechanism to carry out projects that are the statutory responsibility of Departments.

Question 14 is about whether such schemes could be perceived as bribes for communities to overlook the wider community impact. Members have no experience of communities being willing to overlook the wider community impact of a wind farm in order to gain assistance from a community benefits scheme. Community benefits are not written into legislation and, therefore, are not automatically put in place when the community becomes a host community for a wind farm.

Question 15 is about whether the level of community benefits should be set by government rather than energy companies. Yes, energy companies should be given a minimum standard by government, starting at £5,000 per megawatt per annum throughout the lifetime of the project, and they should be encouraged to view it as a minimum and therefore be encouraged to exceed the minimum standard. Given that the level of community benefits currently provided in Northern Ireland are much lower than in the rest of the UK, government standardisation of acceptable levels of community benefits should be welcomed.

Question 16 is about whether a community benefits register should be established for all relevant developments in Northern Ireland, as is the case in Scotland. Members are in favour of a community benefits register similar to the Scottish model. They agree that the information provided to populate the register should be given on a voluntary basis. It should provide details of the funding spend, as well as providing ideas and advice for communities, to ensure that funds are spent appropriately and in the way that would benefit communities where the highest level of need has been identified. The register would also provide a mechanism for communities and possible developers to share their experiences and lessons learned. That information would then act as a useful way for communities to ensure that they are on an equal footing in terms of the levels of community benefits that they are receiving and are able to find out the outcomes of projects delivered in the past.

Question 17 is about whether community benefits should be calculated so that those most impacted by the turbines receive the highest level of benefit. The guidance protocol developed and adapted by Strabane and Omagh district councils sets out that a community benefits scheme will receive support to the minimum value of £5,000 per megawatt of installed capacity per annum, and that they will be linked to the retail price index for the lifetime of the project. The monetary value of any benefits in kind shall not be considered as part of the £5,000 per megawatt support. Seventy per cent of the community benefit fund should be allocated to the community living within five miles of the outer boundary of the wind farm. The remaining 30% should be allocated to the community living within eight miles of the outer boundary of the site.

Question 18 is about whether reduced tariffs for those living close to wind turbines would be more appropriate than a contribution to a community fund. Reduced tariffs may be appropriate where they are offered in conjunction with community benefits. Also, from the point of view of transparency, it would be useful if the Utility Regulator made it a requirement for energy companies to state on bills how much of the bill is going towards funding renewable energy projects.

Finally, question 19 is about whether it would be appropriate to compensate those whose homes have been revalued by the siting of a wind farm development in the same way as other infrastructure such as major roads. Yes, this should be mandatory. Also, homes that suffer from issues such as noise pollution, shadow flicker and interruption of TV signals should also be assessed for financial reimbursement. However, members are of the opinion that, overall, if a home is adversely affected, planning permission should not be granted and, in some cases, there may be cause for the turbine to be removed. Ideally, turbines should be granted planning permission only where providing compensation would not be an issue and, therefore, would not be required.

The Chairperson: Table 5 is next.

Mr Manning: The question was about whether monetary community benefits schemes have real merit. Yes, but a lot of the conversation that we had was specific to the nature of community funds, which is a little bit narrow in focus, because the actual local economic value associated with wind farm development is far broader than that. It includes, most importantly, local authority rates payments, civil upgrades in local areas that are undertaken by the developers to the benefit of all in the community, landowner rental payments and, generally, through the economic activity surrounding the operation and ongoing maintenance of wind farms. There is always general activity where people are involved in maintaining those wind farms, so there is always a consistent economic benefit to the local community.

As to the perception of bribes, I do not use the word "perception" in error. Community funding has no part to play in the planning process, and the decision on planning operates completely independently of any form of community fund, and rightly so. Therefore, it cannot be perceived to be part of a bribing methodology.

You would expect any business established in a local area to have some sort of economic benefit for or contribution to make to the local area. As I stated for question 13, community benefit is just one element of that contribution.

The next question was about whether the level of community benefit should be set by government. We are the only industry that does it. So, the energy industry — wind farms — is the only one that works with local communities and has a community benefit protocol. If we are going to make this mandatory and the Government is to take responsibility for it, in the interest of equity and fairness, can we then assume that all commercial enterprises will have a responsibility to contribute to a community fund in that area? I will just leave that question out there for consideration.

Question 16 is about whether a community benefits register should be established. Absolutely. Certainly.

The next one was about whether community benefits should be calculated based on those most impacted? It is a community fund. It is for the community.

The next one was about whether reduced tariffs for those living close to wind would be more appropriate. There are many different mechanisms by which community funds operate. Some communities have stated a preference with regard to that type of a programme; other communities have selected other options. All developers work with communities in that regard.

Finally, on the question about the revaluation of homes, I will just refer the Committee to a piece of work published earlier this year by the Centre for Economics and Business Research. Rather than me elaborating on it and have you say, "Well, you would say that anyway, wouldn't you?", I will say that the really important part of this is to ensure that there is independent, peer-reviewed evidence in everything that we have spoken about here today, and that is just one example of that independent, peer-reviewed evidence on that particular issue.

The Chairperson: Thank you very much. I thank all those who spoke for their contributions. They have been very valuable, and thank you for keeping to time so well. In closing, I thank you all, once again, for coming here today and for sharing your time and expertise and knowledge with the Committee. I am sure that I speak for all my Committee colleagues here in saying that it has been a most productive event. A transcript of this event will be circulated to all participants in the next few days for comments. The finalised transcript will be available on the Committee's website and will form part of our report to the Assembly.

This inquiry has a number of complex strands, and this event has addressed just one element. The Committee will continue to gather evidence so that it can draw up well-balanced conclusions and recommendations for the attention of the Assembly.

Finally, I extend a quick "Thank you" to the Assembly official reporters for transcribing the event, and to the catering and support staff for their help today. Again, thank you very much for coming, and I hope that you have a safe journey home.