The Committee will meet at 2 pm in the Debating Chamber, Assembly Hall, the Mound, Edinburgh

1. **Renewable Energy Inquiry**: the Committee will take evidence from:

   **Panel 1**
   
   Mrs Marilyn Henderson, Secretary, Avich and Kilchrenan Community Council (Public Petition PE493)
   
   Mr WR Graham (Public Petition PE564)
   
   Christine Grahame MSP (Public Petition PE664)

   **Panel 2**
   
   Mr John BP Hodgson, Director, Skye Windfarm Action Group (Public Petition PE559)
   
   Mr Ben Palmer, Skye Windfarm Action Group (Public Petition PE 559)
   
   Mr Peter Hodgson (Public Petition PE615)

   **Panel 3**
   
   Councillor Alison Hay, COSLA Spokesperson for Environment, Sustainability and Community Safety
   
   Derek McKim, Head of Strategy (External), Comhairlie nan Eilean Siar
   
   James Fowlie, Team Leader, Environment and Regeneration (COSLA)

on its inquiry into renewable energy in Scotland.

Judith Evans
Clerk to the Committee (Acting)
Room 2.7, Committee Chambers
Ext. 0131 348 5214
The following meeting papers are enclosed:

**Agenda Item 1**

- Cover note on petitions
- Public Petition PE493 from Mrs Marilyn Henderson
- Public Petitions Committee briefing and papers on PE493 (PRIVATE PAPER)
- Public Petition PE564 from Mr WR Graham
- Public Petitions Committee briefing and papers on PE564 (PRIVATE PAPER)
- Public Petition PE664 from Christine Grahame MSP
- Public Petitions Committee briefing and papers on PE664 (PRIVATE PAPER)
- Public Petition PE559 from Mr John BP Hodgson
- Public Petitions Committee briefing and papers on PE559 (PRIVATE PAPER)
- Public Petition PE615 from Mr Peter Hodgson
- Public Petitions Committee on briefing and papers PE615 (PRIVATE PAPER)
- Submission from COSLA
Enterprise and Culture Committee

Meeting 13 January 2004

Public Petition PE493 from Mrs Marilyn Henderson

The Public Petition from Mrs Marilyn Henderson is attached. The Public Petitions Committee briefing is attached as a private paper, EC/S2/04/02/03.

Judith Evans
Clerk (Acting)
AVICH & KILCHRENNAN COMMUNITY COUNCIL

Tigh-an-Drochaid,
Kilchrenan,
Argyll,
PA35 1HD.

Mr. J. McAllion, MSP,
Minister for Petitions
The Scottish Parliament,
The Mound,
EDINBURGH.

25th March 2002.

Dear Sir,

Petition – Wind Farms

Please find enclosed Petition against any more wind farms in North Argyll. --- No enclosure

- Scottish Power have produced a Scoping Report, before lodging an application for Planning Permission with Argyll & Bute Council, to erect a wind farm at Inverleive, between Loch Awe and Loch Avich.

The Argyll and Bute Structure Plan has been submitted to Ministers for their consideration, even although Avich & Kilchrenan Community Council submitted that they strongly objected to Loch Awe being a “preferred area” for wind farms. Argyll & Bute’s response was “This objection is noted.”

We would not expect any pre-emptive action by Scottish Power or Argyll & Bute Council, Planning Department, until this Petition is heard.

We should, therefore, be grateful if you would give this Petition your attention.

Yours faithfully,

Marilyn Henderson (Wm)
Marilyn Henderson,
Secretary.

cc. D. Hamilton, M.S.P.
    L. MacDonald, MSP
    Councillor A. MacAskill
    Scottish Power
    N. MacKay, Development Control Manager, A & B Council

LEWIS MACDONALDS
28 MAY 2002
PRIVATE OFFICE
Enterprise and Culture Committee

Meeting 13 January 2004

Public Petition PE564 from Mr W R Graham

The Public Petition from Mr W R Graham is attached. The Public Petitions Committee briefing is attached as a private paper, EC/S2/04/02/05.

Judith Evans
Clerk (Acting)
To the Scottish Parliament.

PETITION FOR THE ESTABLISHMENT OF A STRATEGY ON RENEWABLE ENERGY IN SCOTLAND, AND FOR ALL CURRENT WINDFARM APPLICATIONS TO BE PUT ON HOLD UNTIL SUCH A STRATEGY IS IN PLACE

We, the undersigned, declare that:

1) Since the decision of Morny Council to give the ‘Green Light’ to the proposed windfarms at Cairn Uish and Paul’s Hill there have been 3 more proposals put forward. If all these were given the go ahead then there would be 160 x 330ft wind-turbines within 20 miles of Elgin. There are only 160 in Scotland and 900 in the whole of the UK.

2) The Public are completely unaware that the subsidies given to the Power Generators for producing more costly electricity from windfarms will be recovered directly from the consumer in the form of a levy.

3) The Public are also unaware that the current 900 wind-turbines produce only 0.25% of our electrical needs. The UK consumption of electricity increases by more than 2% every year therefore we would have to build thousands of these turbines each year just to keep pace.

4) Scotland already meets the UK target of “10% in renewable energy by 2010”.

5) The New Electricity Trading Arrangement, which has been designed to curtail the current malpractice by the electricity generators, is not going to be adopted in Scotland until 2004.

6) A recent report to Brian Wilson, the Energy Minister, from the Royal Academy of Engineers, stated that the government targets for renewable energy are “hopelessly unrealistic”.

7) There is no National Strategy for renewable energy in Scotland.

8) The Planning System within Local Government is not equipped to cope with the huge responsibility associated with what is, to all intents and purposes, the ‘industrialisation’ of the Scottish Countryside.

9) In only 29 hours of campaigning I collected more than 1000 signatures. This represents more than 1 every 2 minutes. Such is the depth of public concern.

I therefore request that the Scottish Parliament should urge the Scottish Executive to (a) develop a National Strategy for Windfarms as a matter of urgency, and (b) encourage the energy industry to defer the submission of planning applications for new windfarm developments and withdraw pending applications until such a strategy is developed and implemented. I would be more than happy to appear before the Scottish Parliament’s PPC.

I the petitioner have already approached Lewis Macdonald MSP and the Commissioner for Local Administration for assistance in resolving the issues contained in our petition.

W.R. Graham
Craigsvie,
Inchberry,
Orton,
Moray,
IV32 7QH

Tel: 01343 880264  e' mail: bobgraham@onetel.net.uk
Enterprise and Culture Committee

Meeting 13 January 2004

Public Petition PE559 from John B P Hodgson

The Public Petition from Mr John B P Hodgson is attached. The Public Petitions Committee briefing is attached as a private paper, EC/S2/04/02/09.

Judith Evans
Clerk (Acting)
Mr Steve Farrell
Clerk to the Public Petitions Committee
The Scottish Parliament
The Mound
Edinburgh
EH99 1SP

4 October 2002

Dear Mr Farrell

Thank you for your reply dated 26 September to the Petition submitted on 12 September. Following our telephone conversations I am submitting the following amended Petition for the consideration of the Committee:

Wind Farm Development in Scotland

We, the undersigned, declare that we are against large-scale commercial wind farm development. There are currently a large number of such applications in process and in preparation in Scotland.

The Skye Windfarm Action Group (SWAG) strongly objects to such developments, which they consider will cause irreparable damage to the Scottish landscape, environment and fragile local economies.

Scottish Executive policy is to encourage large-scale commercial development, with insufficient strategic guidance, such that commercial/technical/land ownership considerations are taking precedence over issues of sustainability.

We believe that insufficient consideration has been given to the following:

1. the impact of this scale of development on fragile communities;

2. the cumulative environmental impact of such market led and piecemeal development.


I trust that the above Petition will be acceptable and look forward to hearing from you.

Yours sincerely,

John B P Hodgson

Directors: J B P Hodgson, Chairman. B Palmer, H R Abendschein
Company Secretary: R Palmer
Registered Office: Bonnington Bond, Anderson Place, Edinburgh, Scotland
The Public Petition from Mr Peter Hodgson is attached. The Public Petitions Committee briefing is attached as a private paper, EC/S2/04/02/11.

Judith Evans
Clerk (Acting)
1 Title of Petition
Discrepancy between application of Climate Change Levy and Renewables Obligation (Scotland)

2 We the undersigned declare that
The Climate Change Levy (CCL) is charged to Companies at a rate dependent on power usage and pollution. Its stated aim is reduce the amount of power used and to reduce global warming emissions to comply with Kyoto. It is collected through Ofgem or its agents for distribution to achieve those aims.

The Scottish Renewables Obligation certificates are issued from the Scottish Executive for the purchase of “green” electricity from income derived from the CCL fund. But the manner of distribution of SRO’s is only dependent on the amount of electricity produced by approved suppliers without due consideration of their contribution to the stated aims of reducing emissions. The use of the CCL fund in this way is harming the development of less commercial (but genuinely “green”) renewable sources, together with industry and the consumer through increased prices, without achieving the stated objective of the levy.

In addition, start-up grants should only be awarded to those projects that are best able to meet our Kyoto Agreement.

Aside from the Kyoto Agreement and intermittent electricity production, there is the factor of unpredictability. This is the phenomena whereby small fluctuations in motive power causes large fluctuations in generation. The National Grid estimates the demand to be expected and matches that by arranging suitable generation capacity. Because the generation from sources such as wave and wind cannot be predicted and “back-up” power is on line, there is a danger of either under-supply (blackouts) or over supply (brownouts). It is accepted, even by the windfarm industry, that above a market penetration of about 8%, blackouts or brownouts can occur. (California in 2000, Denmark 1st January 2002, Germany Aug 2003). Research by ILEX Energy and UMIST has shown that the costs due the impact of these phenomena are about an extra 14%! This is just another reason why financial support for such projects may be very detrimental to Scottish industry and population without any offsetting gains.

3 The petitioners therefore request that the Scottish Parliament
Reconsider the funding of renewable energy projects to encourage the development of sustainable sources that have a known benefit towards our Kyoto Agreement commitment and which can be marketable for their advantages. Conversely, to discourage development of intermittent sources, i.e. those needing the provision of supply at all times from thermal sources, which do not overall contribute to the Kyoto Agreement and cannot be expected to be marketable technologies.

\[Signature\]

PUBLIC PETITIONS
0.3 MAR 2003
SCOTS PARLIAMENT
Enterprise and Culture Committee

Meeting 13 January 2004

Public Petition PE 664 from Christine Grahame MSP

The Public Petition from Christine Grahame MSP is attached. The Public Petitions Committee briefing is attached as a private paper, EC/S2/04/02/07.

Judith Evans
Clerk (Acting)
# Minch Moor Petition

We the undersigned, are concerned that Minch Moor, near Innerleithen/Walkerburn, has been identified as a preferred area for a windfarm; that the plan is for approximately 14 x 100 metre high turbines most of which would be in direct sight of the village of Walkerburn and in close proximity to the Southern Upland Way; further we are concerned such a sensitive area has been so designated and request that the Scottish Parliament enquires into the issue of planning/environmental procedures for proposed windfarm developments and the impact on valued areas of internationally recognised recreational countryside.

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<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Signature</th>
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<tbody>
<tr>
<td>Mahri Henderson</td>
<td>48 Pearslo Rd W/B</td>
<td>Mahri</td>
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<tr>
<td>Judith Graham</td>
<td>Highside Cabster Ave Walkerburn</td>
<td>Graham</td>
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<tr>
<td>E. L. Kergence</td>
<td>Stronbairn, Walkerburn</td>
<td>E. L. Kergence</td>
</tr>
<tr>
<td>Helen Manson</td>
<td>10 Cabster Rd, Walkerburn</td>
<td>H. A. Manson</td>
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<tr>
<td>John (J. Birks)</td>
<td>The Shieling, Glenanne, Walkerburn</td>
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<td>Martin Dyer</td>
<td>Thomas Mackenzie, Innerleithen</td>
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<td>Denise Hanks</td>
<td>Stonyhill, Walkerburn</td>
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<td>Steve Harrison</td>
<td>Stonyhill, Walkerburn</td>
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Return to:

Christine Grahame MSP 69 Bank Street, Galashiels.
Tel 01896 759575 Fax 01896 759579
Enterprise and Culture Committee

Meeting 13 January 2004

Renewable Energy Inquiry: Submission from COSLA

The submission from COSLA is attached.

Judith Evans
Clerk (Acting)
RENEWABLE ENERGY INQUIRY – COSLA COMMENTS

Introduction

The Convention of Scottish Local Authorities (COSLA) welcomes the opportunity to contribute to the Enterprise and Culture Committee’s inquiry into renewable energy in Scotland. In responding to this inquiry COSLA has attempted to consult, as far as possible in the short time available over the festive period, our member councils in order to provide an informed response on behalf of Scottish Local Authorities. Individual councils will wish to comment in more detail on issues that are particularly significant locally to them.

This written response will be complemented by evidence that will be presented to the Committee by COSLA’s Environment, Sustainability and Community Safety Spokesperson Councillor Alison Hay on Tuesday 13th January 2004.

Detail

COSLA recognises the importance of Scotland shifting away from generating electricity through consuming fossil fuels, to tapping the country’s considerable renewable energy potential. Scotland is in an excellent position to gain real environmental and economic benefit from renewable energy, if key issues are addressed now. Consequently, COSLA welcomes the inquiry into renewable energy, and hopes that our evidence will provide the Committee with a clear picture of the challenges faced by Local Authorities, and the current and proposed work by Councils to promote sustainable energy.

The Committee will be aware that onshore wind power is the fastest growing form of renewable energy, and that wind farm planning applications predominate over other renewable schemes. COSLA’s evidence to the Committee reflects Councils’ experience, which necessitates concentrating on onshore wind generation. However, we are well aware of the importance of other forms of renewable energy, and we would emphasise the need to encourage and support such developments, so that future renewable energy production does not rely too heavily on one technology.

In summary we would highlight the following

- The impact of local environmental, social and economic factors on achieving national targets;
- The requirement for a integrated National Energy Strategy for Scotland;
- The need to strengthen Local Authority planning control over wind farm and other renewable energy schemes; and
- The need to ensure that communities derive true long-term benefit from renewable developments and associated infrastructure.

This submission develops these by responding, as far as possible, to the questions set by the Committee.
National Targets, Local Factors and the Need for an Energy Strategy

A balance needs to be found between national and local priorities that maximises local accountability, minimises barriers to development and provides the Scottish Executive with a clear picture of the progress made.

The Scottish Executive has set the target of 40% of Scotland’s electricity being generated by renewable technologies by 2020. It is currently impossible for those outside the Scottish Executive to know how this target relates to any wider energy policy.

In seeking to achieve this target, the Committee should be aware that there are a number of factors that restrict the development of wind farms and renewable energy generally, over large areas of Scotland. These include:

- Environment and landscape;
- The capacity of the electricity grid and availability of connections;
- Objections by the MoD relating to sites being too close to installations and low flying tactical training areas; and
- The need to separate developments from communities and settlements.

The above factors restrict the availability of land for renewable schemes and can result in the ‘funnelling’ of developments into a small number of areas. This increases cumulative impact in such areas and may create community opposition. It also means that the rush to develop onshore wind farms now could mean in the longer term the best sites potentially being neglected - sites that could have been used had the development constraints been addressed at an early stage.

COSLA would wish to make a number of recommendations that should both clarify and maximise the generating potential of Scotland:

- The Scottish Executive needs to work with all those involved to increase the rate of infrastructure upgrading, to ensure that those areas with the largest potential for renewable electricity generation (e.g. Western and Northern Isles) are able to contribute to the national grid;
- The Scottish Executive, in consultation with local authorities, needs to engage with the Ministry of Defence to ensure information about development restricted areas, is passed on to councils for inclusion within their plans;
- Scotland must develop its power technologies sustainably. It is simply not sustainable for electricity demand to increase continually. This link to energy conservation to ensure that energy is used as efficiently as possible. This would also be an opportunity to support heat and energy generating technologies such as Hydrogen fuel cells;
- To guarantee the availability of power on demand in the future, renewable energy must increase as other forms of power generation (Coal, Oil, Gas and Nuclear) are phased out. This transition needs to be defined as part of a Scottish energy strategy. The need for such a strategy is discussed in a later paragraph;
- National Planning Policy Guideline No 6 should be updated in order to reflect the larger targets set since its creation and advancements in technology; and
The announcement of plans to extend Renewable Obligation (Scotland) system to 2015 is welcomed. Emerging technologies should continue to benefit from Renewable Obligation Certificates to avoid being excluded from the market by older, more established forms of power generation. This may happen if mature technologies, like onshore wind, provide cheaper power. New technologies need to be encouraged and supported as a priority.

It is important that we ensure that Scotland has a strategic long-term view for renewable energy, as the current ad hoc approach sits at odds with national targets. To give the move towards renewable forms of energy a clear policy direction, the Scottish Executive, together with other partners, should develop an integrated energy policy that details how Scotland will move towards sustainable energy. This policy needs to combine moves to reduce consumption through energy conservation measures, boost energy efficiency and increase renewable power (while reducing reliance on fossil fuel and nuclear generation) by utilising an array of technologies. Targets will be more meaningful if they are derived from this comprehensive approach.

It is possible that the rapid expansion of onshore wind will not provide Scotland with the best value renewable energy resource. There is an argument that money may be better invested in future schemes that have greater generating potential and a reduced environmental impact e.g. Wave, tidal and offshore wind. It is important to decide now, based on all the evidence, whether onshore wind developments should be pursued as the primary source of renewable energy. This decision can only be made if there is national coordinated approach to developments, identifying the areas that are suitable for wind development and improving infrastructure where required. Only then will we know the true generating potential and national impact of onshore wind developments.

The Committee will be aware that the National Planning Framework will be published in the next few months, and will provide a long-term view of the development requirements of Scotland’s varying geography. COSLA believes that the introduction of the National Planning Framework could provide the strategic planning overview, which together with the national energy policy described in the a previous paragraph, will provide the direction that is required.

**Strengthening Local Planning Control**

There is a growing trend towards larger wind farms that generate an increasing amount of power. There is a logic to developing suitable sites to their full potential; however, the trend to larger wind farms does result in a rising number of planning decisions being removed from the planning system, as they then fall under Section 36 of the Electricity Act 1989. It is a major concern to Councils that increasingly the decisions on wind farms are being taken centrally by the Scottish Executive. This not only deprives the authority of planning fees, but also more importantly, removes the automatic trigger to a public inquiry if there are objections, and thus weakens local democratic accountability.

As the Committee will know for planning applications for wind farms generating over 50 MW of power, the decision to approve or refuse lies with the Scottish Executive. Although the final decision of Section 36 applications rests with the Executive, it remains the responsibility of Local Authority planning departments to provide the Executive with all the relevant information regarding the development. It should be pointed out that the level of work for the authority is similar whether the final decision is taken locally or by the Scottish Executive.

This situation is obviously illogical Local Authorities have the professional planning expertise to appraise development, expertise that the Scottish Executive Energy Division lacks. Elected members have the local knowledge and democratic accountability best suited to decide on such developments. The continued use of Section 36 also leaves the Executive in a difficult
position, as it both sets national targets and takes the decision on larger developments. Decisions taken so far geographically or democratically from the local area, can lead to a view by local communities that their concerns are not being taken into account. This negative perception may increase opposition to schemes that otherwise would have no obvious grounds for refusal. Some would argue the Scottish Executive is likely to be more sympathetic to developers than the local planning system, and therefore, that developers are intentionally submitting applications for farms that generate just over 50 MW to avoid the local planning system.

In summary it is COSLA’s view that:

- Planning fees should be paid to the authority for the work carried out for any size of development, regardless of whether the decision is taken locally;

- All wind farm developments, irrespective of their size and power output, should be covered by local planning controls, as is now the case for mobile telephone communication masts; and

- It is a view of some local authorities, that at the very least, the section 36 thresholds should be increased to take account of increased targets and advancements in technology. COSLA’s view is as stated in the bullet point above, and we do not have a recommendation on a potential value for a higher threshold.

COSLA’s proposals to strengthen local planning controls and accountability should link well with the National Planning Framework, and give an effective balance between local decisions and national strategy.

**Community Benefit**

Wind farm developments are particularly controversial and can create high levels of tension between all those involved in the planning process. This is again a reason for strengthening local accountability, and avoiding decisions being taken on the largest projects, far from the communities involved. Moreover, unlike other developments there is no clear long-term economic benefit from creating a wind farm. Any jobs created are most likely to be temporary and only at the construction stage.

Some perceive that it is the electricity companies who export the power to the rest of the UK that benefit most from the schemes. This may lead to increased local opposition and hinder the development of new technologies.

We believe that steps must be taken to lessen any negative views within local communities, and to mitigate the environmental impact of wind turbines and transmission lines. There are a number of ways this might be achieved:

- Encourage the generators of power to contribute to a community benefit fund on a per MW, per annum basis. This is already happening in Highland Council and is being looked at by other authorities. It is perhaps the time to consider how developers can be persuaded to provide money for community benefit, especially if there are no other obvious benefits to communities. COSLA is happy to work with the Scottish Executive and electricity generators to arrive at a proposal that will see companies give money to communities, in proportion to the size and impact of the scheme;
- Encourage the set up, where there is local support for it, of consortia of local authorities and community groups, to create companies capable of generating power for their communities. Shares can be issued to members and profits stay within the community. For example, Shetland Islands Council has set up a company call Viking Energy Ltd to build a 300MW wind farm for the island’s benefit;

- We would encourage the Executive to look favourably on those councils that seek to use the power to advance well-being innovatively to generate community benefit from renewable developments;

- Encouraging small-scale renewable schemes for houses and community projects. This happens under the Scottish Community and Householder Renewable Initiative, although this scheme will end in March 2005. Small scale schemes are ideal for urban environments and, like SCHRI, make the link to energy conservation;

- Small-scale community projects can be aided by organisations dedicated to community energy projects for example, The Argyll, Lomond and the Islands Energy Agency. This agency, working closely with Argyll and Bute Council has pioneered a number of local schemes, including wind generation on the Isle of Gigha.

- The operators of the national grid must be flexible and encourage small community electricity projects. At the moment some communities could be discouraged by the cost of connection to the grid; and

- The employment potential of onshore wind developments are restricted mainly to temporary construction jobs. However, those manufacturers of renewable technologies that do operate facilities in Scotland will be helped by the long-term vision provided by the COSLA proposal for a Scottish energy policy. Maximising the employment potential of renewable energy schemes would be an important way of benefiting communities, although opportunities to do this through onshore wind generation appear limited.

**Conclusion**

It is COSLA’s firm belief that renewable energy is vital to Scotland’s future economic and environmental well being. In order to ensure that we are making the correct decisions on the future shape of renewable energy in Scotland, we must have a strong and accountable local planning system, which can feed into the national framework. Strengthening the local planning system to ensure that the all applications for renewable developments are subject to local planning control is a vital step that should be taken as soon a possible.

There is an urgent need for a strategic energy policy for Scotland that can be able to combine the drive for renewable energy with energy conservation and efficiency. COSLA is happy to work with partners to help devise such a strategy.

COSLA is keen that Scotland does not rely too heavily on one form of renewable technology, and we support moves to diversify and invest in future technologies.

However, only by having a clear policy and planning picture of the potential benefits and impacts of onshore wind developments will we be able to answer the question: Is onshore wind the best value renewable energy source? If the answer is yes, then it will give a new legitimacy to wind development and should answer some critics; if the answer is no then as a nation we should be looking now at investing in other schemes e.g. offshore wind, wave and tidal.
We are also clear that local communities should not be disadvantaged by renewable developments, particularly onshore wind, and that local people should benefit as much as possible from the schemes. The Scottish Executive should see community benefit as a priority and a central part of encouraging renewable energy. COSLA is willing to work with the Scottish Executive and other stakeholders to identify the best means to ensure communities gain tangible benefit from any nearby renewable energy developments.

For further information please contact:

James Fowlie  Robert Nicol
Policy Manager  Policy officer
james@cosla.gov.uk  robertn@cosla.gov.uk
0131 474 9263  0131 474 9241

8 January 2004