

Ninth meeting of the Jack's Lane Community Liaison Group (CLG).

Minutes, 27 October 2010

In attendance:

Cllr Terry Austin (TA)
Cllr Ann Harvey (AH)
Cllr Gerry Taylor (GT)
Mr Jonathan Powell (JP)
Simon Peltenburg (SP) – RES
Phil Briscoe (PB) - Bellenden
Matthew Horn (MH) – Bellenden

Four members of the public

Venue: Stanhoe Village Hall

Apologies:

Cllr Pamela Austin
Cllr Robin Maslin
Cllr Jeremy Brettingham Smith
Mr Henry Bellingham MP

Date: Wednesday, 27 October 2010

1. Welcome and Introduction

The Chairman welcomed the group to the ninth meeting of the proposed Jack's Lane wind farm community liaison group (CLG). He suggested that the group go around the table to introduce themselves for the benefit of the members of the public and the group themselves.

2. Apologies for Absence

The Chairman gave apologies on behalf of Cllr Robin Maslin, Cllr Pamela Austin, Cllr Jeremy Brettingham Smith and Mr Henry Bellingham MP. GT gave apologies on behalf of Cllr Brian Poulson.

A member of the public asked whether members of the group not attending the CLG on successive occasions should be removed from the Group. The Chairman highlighted that the group had not agreed to do so in the Terms of Reference but would if the members of the group thought it should be included.

3. Approval of Minutes of Last Meeting

AH outlined a correction to the previous set of Minutes highlighting that the statement outlined on page 5 came from the House of Lords and not the House of Commons. AH went on to state that the parish poll referred to on page 6 should be accredited to South Creake village and not North Creake.

A member of the public apologised for a statement made at the previous CLG meeting that Jack's Lane was a public right of way. He stated that the County Council had not maintained records of Jack's Lane as such and it was therefore not considered a public right of way. GT requested that if the member of public has any further information about Jack's Lane and maps relating to its status that he make contact with Reg Thompson. GT outlined that the County and Borough Council are doing their own investigations into the status of Jack's Lane. The County Council had written to GT outlining their investigation.

The Chairman asked if the group were happy to approve the minutes with the aforementioned amendments. The group agreed to confirm the previous set of minutes.

4. Matters Arising

AH stated that Rosemary Bryan at the CPRE had raised concerns over the potential effects on Barmer church from the wind farm. AH asked if RES had any further information about the CPRE submission. SP stated that he had seen the submission by Rosemary, about the potential effects on Barmer church, earlier in the day but had not had time to go through the letter. He outlined that RES had pursued its own investigations into the effects on Barmer church through studies conducted by Dr. Simon Collcutt. He went on to state that Dr. Collcutt believed that there would not be a significant effect on Barmer church.

After the close of the meeting, SP informed the group, via email, that RES were to issue a further update newsletter to the local community regarding the submitted proposal for the Jack's Lane wind farm.

5. Public Questions

A member of the public stated that, at the last CLG, the group mentioned that RES would implement a community fund for the project worth £2,000 per MW installed to be distributed to the local community. He requested that the group push for RES to consider increasing this fund. JP outlined that the group had agreed that the community fund should be considered by the CLG but not until further down the line in relation to the outcome of the proposed development. SP agreed and outlined that the community benefit fund should not affect the planning process or anybody's opinion about the proposal, which should be considered on its merits, and therefore did not feel it appropriate to discuss it in detail at the CLG at this stage. He went on to state that if the community believed that the community fund should be increased, that they make a case for its increase and to let him know.

GT outlined that the group and the community are aware of the arguments both for and against the development and to discuss the fund at this stage would be premature. TA agreed with GT and emphasised that if the group focused on the community fund then it may be perceived that they are supportive of the development where it may or may not be the case. GT stated that the fund should be discussed if the plans for the Jack' Lane wind farm were approved.

6. Jack's Lane Project Update

SP outlined that the consultation process has gone on via King's Lynn and West Norfolk Borough Council and that, as far as he was aware, all the parish councils on the CLG had responded except for North Creake. AH outlined that North Creake had requested an extension for their submission but had issued their response against the development to the council.

JP outlined that submissions for comment can be issued to the council up until a week prior to the decision being made.

SP stated that RES is currently responding to the submissions made by the Parish Councils to the King's Lynn and West Norfolk Borough Council. For example, RES had responded to the MoD submission and it has been established that the MoD has no objections to the proposed development. The lighting issue on the turbines has been addressed and RES has committed to infra-red lighting on the structures. GT asked if it was the British or Americans who were consulted via the MoD; SP indicated that all parties are included in the MoD consultation. GT went on to outline concerns that the MoD had in relation to the Chiplow development and the effects of the turbine blades on their radar. SP outlined that unlike other sites proposed in the local area the Jack's Lane turbines are below the areas that may affect radar in the area. He stated that RES had reduced the number of turbines at the site to ensure that this was the case.

GT outlined that Syderstone Parish Council had written to Henry Bellingham MP to ask what the current coalition government's position is on onshore wind farms. He informed the group that Mr Bellingham had agreed to respond in due course.

GT asked if RES knew what the current government policy was towards onshore wind farms. SP stated that under PPS-22 the government is still supportive of onshore wind farms. He went on to mention that there has been no recent, formal policy initiatives outlined that he was aware of. TA stated that he believed there was a recent announcement that onshore wind was seen to be more favourable than the Severn Barrage. SP outlined that he believed Rt Hon Chris Huhne MP had made that statement. The Chairman outlined that he believed the government had committed to an equal supply of nuclear and renewable energy technologies.

AH outlined that the government had committed to £200m towards offshore wind technology and £1bn towards a full scale Carbon Capture and Storage (CCS). AH went on to outline that Rt Hon Chris Huhne MP had flagged up Dogger Bank as a prime area for offshore wind farm development. She went on to highlight that wave and tidal had also been supported. SP stated that tidal energy production is still a bit of a way off from being viable but that is why it is being invested in. He went on to state that the government is supporting onshore wind as it is a more mature technology.

GT outlined that there was a project proposed for a turbine blade manufacturing plant either in the North East or East of England. He asked if RES knew anything about the progress on this issue. SP outlined that he thought there had been reports that the government was looking to bring the likes of Siemens and Mitsubishi to the UK to build turbine blades, specifically in light of the Round 3 offshore developments.

A member of the public asked why factories are closing down throughout Europe if wind farms are so popular. A member of the public asked when someone would highlight that wind turbines are not popular. SP refuted the statement that wind farms were unpopular highlighting a recent poll by Ipsos Mori that supported the view that the public likes wind farms and did not consider that the closure of turbine plants in mainland Europe had anything to do with

popularity of wind farms. The member of the public asked if SP lived near a wind farm. The member of the public went on to state that, at the first CLG meeting, she had suggested that an employee from RES live by one for a week and see if they like it. SP stated that he remembered the comment but has not done it yet due to the age of his daughter. He went on to question if everybody should live next to something they propose to develop. GT stated that the questions outlined by the member of the public were raised at every meeting of the CLG and that the group should continue with the meeting. He highlighted that the application has been submitted to the council and that there are arguments both for and against the development. GT apologised for the incorrect use of title for the member of the public to which he replied.

JP stated that he believed most statutory consultees had responded to the proposal and asked who had not done so as of yet. SP stated that North Creake Parish Council was the only one he was unaware of so far and that Anglia Water may also need to respond.

AH stated that when looking at a map of the local area she highlighted that there was a medieval village near Barwick Hall. AH asked if an archaeological dig had been proposed at the site. SP stated that the site had been ploughed over many times and there had only been scattered finds uncovered. SP went on to state that if there is disturbance to the area required for the project, in relation to the access routes, that there would likely be a condition for an archaeological scheme of works. The scheme of works would be specific for that area and would outline the amount of archaeological work that would need to take place: in the vicinity of the medieval village a 'watching brief' would be likely required. A member of the public stated that Barwick would not have put in a comment to King's Lynn and West Norfolk Borough Council and asked if any other Parish Council had commented on the Barwick site. SP stated that, no, he did not believe they had, Syderstone Parish Council has made a reference to Bloodgate Hill in their submission.

AH outlined that the CPRE states that 96.6% of hedgerows are to be protected by law and only 3.4% were permitted to be removed when asked by developers. SP stated that he could only presume that the developers requesting permission to remove hedgerows had not put in place mitigation and re-planting measures in their application. He went on to outline that RES had submitted a proposal to replace any hedgerows removed with new species-rich hedges that would, RES believes, result in a net ecological benefit to the area. A member of the public asked who would encourage the growth of the new hedges after they had been planted. SP stated that he would look into it but typically it would be specified in the Ecological Mitigation and Enhancement Strategy which will be agreed in consultation with relevant stakeholders. GT asked if the responsibility for hedgerows would return to the landowner after the approval of the development. SP stated that the responsibility would remain with RES as set out in the Ecological Strategy but that the ownership of the hedges would remain with the landowner.

JP asked about the planning timetable if the proposal is rejected and it goes to appeal. SP stated that if RES decide to appeal a rejection of the development then they would be likely to lodge their appeal within about 1 month to 6 weeks after the decision. He expected that the case might be heard within five to six months. SP went on to state that some Planning Inspectors (PI) are experts in renewable energy developments. A member of the public asked if the PI would go on a site visit to the Jack's Lane area. SP stated that they would and would

typically be attended by landscape expert witnesses for the developer and the council. The member of the public asked if a representative from the local community would also attend. SP stated that the PI would not be listening to opinions if visiting the site as they have strict code of conduct guidelines, but that on occasion local representatives have attended such site visits. GT outlined that the PI usually takes the submissions of the Parish Councils into consideration.

GT asked if the PI's decision was final and if one could go higher to amend any decision made. SP stated that, yes, if someone perceives there has been an error in the Planning Inspector's procedure then they can go to a judicial review. This cannot be done purely on the judgement made by the PI but only if there is a perceived flaw in the procedure undertaken. TA asked if a Public Inquiry would take place in the local area. SP stated that it would likely take place at the King's Lynn and West Norfolk Borough Council's offices. GT asked if the Council could choose not to determine the application and take it to a higher level of elected authority. SP stated that the council could choose not to determine the application, in which case the developer could appeal and take it to the Planning Inspectorate. He outlined that the Secretary of State can 'call in' applications they deem to be of strategic importance.

AH asked if the cabling process from the site would be determined in a separate application. SP stated that the cabling would come under the electricity act and as such would be consented by a different process and cannot form part of the wind farm application. SP outlined that the cabling would not be going as far as Egmere, as mentioned by AH, but would travel only as far as the existing 33Kv line at East Common.

AH commented on the effects of the wind farm on the pink footed geese. AH highlighted that RES had suggested mitigating measures for the re-allocation of sugar beet planting to reduce collisions and asked where this would take place. SP stated that the sugar beet would not be grown in the fields where the turbines were located, however, RES had factored sugar beet being grown in the fields for their collision calculations in the Environmental Statement, as those calculations used survey data gathered when there was sugar beet in the fields. He stated that, through those calculations, and based on evidence from other operating wind farms, there is a predicted figure of five geese per year being hit by the turbine blades. He highlighted that over 20,000 pink footed geese per year are shot in the UK. AH outlined that she believed they were protected. SP stated that because they are a designating species for the North Norfolk Special Protection Area they have some protection, but in other parts of the UK they are not.

TA asked at what height the geese fly. SP stated that he was unsure but that it was likely about turbine height. He went on to state that the Environmental Statement outlines at what height the geese fly. SP went on to outline that Scottish Natural Heritage had stated, this year, that geese will take evasive action away from wind turbines on 99% of occasions.

7. Public Questions

The Chairman asked if there were any further public questions. There were no further questions.

8. Future Meeting Dates

The Chairman asked the group if they would like another meeting prior to the decision about the proposed wind farm. TA outlined that he did not feel there would be a need for another meeting prior to the application being decided. The Chairman outlined that the group had RES' contact details if they had any further questions. TA suggested further meetings after the application had been decided. SP stated that RES are keen to continue with the CLG meetings. AH outlined her appreciation of RES for organising and attending the CLG meetings.

9. Any Other Business

JP outlined that he had been given three dates on which a barrage balloon could be flown at the Jack's Lane site and asked if they could still do so. SP stated that it should be fine and he would get back to JP about the request.

TA outlined that he had received a proposal about an offshore wind farm of 150, 700ft turbines some 30 miles north of the north coast of Norfolk. He highlighted his concern that if large offshore turbines are being considered then they might be considered onshore as well. JP outlined an article by Richard Girling in the Sunday Times being critical about the wind industry and that he was concerned that all would be seen would be a horizon of wind turbines if the offshore site went ahead. SP asked how the group perceived offshore turbines. TA stated that they are not always visible but sometimes when they are lit up by the sun that they look awful. He stated that the offshore turbines could be seen from Brancaster. JP stated that there were no plans to connect the offshore turbines for another three years. GT outlined that once the Sheringham Shoals project outlined that money and jobs would be coming into the local area it changed people's attitude about the development. TA asked if the offshore turbines were to be 700ft high as per the proposal sent to the Parish Council. SP stated that most offshore turbines are usually only about 130m (426ft) high.

GT thanked RES for the effort in keeping the group and public informed about the proposed Jack's Lane wind farm over the past year through the CLG meetings.

The Chairman thanked the members for agreeing to attend the group over the previous nine meetings and closed the meeting.

The meeting finished at 8.05pm

The next meeting will be held on a date and location to be confirmed.