

Onshore Wind-Call for Evidence

Part A - Community Engagement and Benefits

Onshore Wind Call for Evidence

Part A – Community Engagement and **Benefits**

General information

Purpose of this call for evidence

This call for evidence seeks information on:

- the different types of engagement practices being carried out between onshore wind developers and communities, including before planning applications are made and;
- the various community benefit packages offered across the UK and internationally, outside of the planning system, but including local economic content of windfarm development, support levels for community owned projects, local benefit packages and innovative ways of delivering them.

This information will be used to examine how communities can have more of a say over, and receive greater economic and wider social benefits from hosting onshore wind farms.

This Call for Evidence is being issued in parallel with a Call for Evidence on 'Onshore Wind -Costs (Part B), details of which are published alongside this document on the DECC website.

This call for evidence was issued on: 20 September 2012 The closing date for responses is: 15 November 2012

Responses can be made by downloading the response template published alongside this call for evidence document on the DECC website and emailing the completed form and any accompanying third party reports, evidence or additional information to:

Onshorewind@decc.gsi.gov.uk

Alternatively hard copies of responses may be submitted to the address below:

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CHAPTER 1- INTRODUCTION

The case for onshore wind

1. Bringing forward appropriately sited onshore wind generation is an essential part of a responsible UK energy policy. Onshore wind is just as necessary for our security of supply over this decade as aging generation closes, as it is for helping to decarbonise our energy market. Since it is also one of the cheapest renewable technologies, it minimises pressure on consumer bills and protects them from the price and availability risks of over-reliance on a limited range of fuels as we bring forward investment in energy.

Contribution to our energy mix

- 2. In 2011, onshore wind already contributed 3% (10TWh) of the UK electricity supply (up from 1.9% in 2010), enough to power 2.4 million homes¹. The Government's ambition for onshore wind during this decade is set out in the Renewables Roadmap² published in summer 2011. This shows that up to 13 GW of capacity is expected as part of our renewable energy mix by 2020 and this could generate 24-32TWh of electricity per annum equivalent to 20-30% of renewable electricity generation and enough to power 7.7 million homes.
- 3. Much of development needed to achieve this ambition is already underway. In July 2012, 5 GW was in operation, nearly 6 GW had received planning consent and was waiting to be built, and around a further 7 GW was in the planning system³. Not all of this will be built or consented, and there will be some new projects to come, but the deployment the UK needs to meet the 2020 target is largely already visible within the planning pipeline. Roughly 60% of current development is in Scotland, 20% in England, and 10% each in Wales and Northern Ireland.

^{1 1} See Government's Digest of Annual Energy Statistics on DECC website at : http://www.decc.gov.uk/en/content/cms/statistics/publications/dukes/dukes.aspx

² For a copy of the Renewable Energy Roadmap published July 2011 see DECC website at: http://www.decc.gov.uk/en/content/cms/meeting_energy/renewable_ener/re_roadmap/re_roadmap.aspx

³ Data based on analysis from DECC's Renewable Energy Planning Database (REPD) which tracks renewables developments through the planning system. The REPD database can be found at https://restats.decc.gov.uk/cms/welcome-to-the-restats-web-site

Carbon savings

4. Wind turbines displace carbon emitting fossil fuel generation from our electricity supply. Life cycle research suggests that the average amount of time it takes for a modern wind turbine to pay back the carbon it emits during development, construction, operation and decommissioning is 3-10 months, depending upon the wind speed at the site and the type of turbines installed. Onshore wind power has a relatively small carbon footprint range of between 8-20gCO2eq/kWh. By comparison, the average emissions from fossil fuelled power generation in the UK was around 500gCO2/kWh⁴.

Intermittency

- 5. In the UK, wind energy normally generates 70-80% of the time to some degree but the overall onshore wind load factor is around 25% in England and Wales, 28% in Scotland and 33% in Northern Ireland⁵. As winds are stronger offshore, load factors are higher –the UK average load factor for offshore wind in 2011 was around 35% compared with equivalent onshore load figure of around 27% . Wind generation is not predictable, though stronger winds are usually experienced between Autumn and Spring when electricity demand is highest. Wind intermittency means that alternative sources of power must meet the demand for electricity on still or low wind days.
- 6. UK electricity supply is made up of a diverse mixture of gas, coal, nuclear and renewables (including non-intermittent generation from hydro and biomass). This diversity is a strength since any or all of these alternative sources can provide back up for wind when needed, and dedicated back up is not required. This is not a one way street: wind energy can back up for outages of nuclear and other stations in the same way. For example, when Sizewell (in 2010) and Tilbury power stations (in early 2012) were unexpectedly out of action, wind electricity was important in filling the gap. However, as the proportion of wind in our energy system increases so does the need for back up. Better demand management processes can mitigate this need to some extent, such as improved wind forecasting; demand side response measures; and a better understanding of generation embedded in the local network. More interconnection with other countries can also increase overall system resilience.

Economic benefits

7. As well as contributing to our energy security and low carbon objectives, onshore wind can bring substantial new economic benefits and job opportunities to the country as a whole and at a local

http://www.parliament.uk/documents/upload/postpn268.pdf which was updated in June 2011 by Postnote 383 at: http://www.parliament.uk/documents/post/postpn_383-carbon-footprint-electricity-generation.pdf

⁴ Parliamentary Office of Science and Technology Note (Postnote) 268 at

⁵ Assumed load factors for large scale onshore wind over the RO banding review period and based on historic trends as set out in DUKES . See, : http://www.decc.gov.uk/assets/decc/11/stats/publications/dukes/5956-dukes-2012-chapter-6-renewable.pdf

⁶ Based on DECC statistic set out In 'Digest of UK Energy Statistics 2011 - Chapter6 Table 6.5

level. A recent report by BiGGAR Economics⁷ based on industry surveys and analysis of 18 case studies shows that in 2011 onshore wind supported around 8,600 jobs and was worth £548m to the UK economy. Of this, around 1,100 jobs and £84m investment was estimated to occur at the Local Authority level in which a wind farm was sited. This equates to almost £700k for every MW of onshore wind installed in the UK, with over £100k estimated as staying in the Local Authority area in which the wind farm is sited.

8. In addition between 1 April 2011 and 31st July 2012, DECC has collated renewable industry announcements totalling over £2.7bn investment in onshore wind, supporting over 2400 jobs (with further potential for over £3.7bn investment and over 1,100 jobs from possible projects and manufacturing opportunities not yet announced).

Offshore wind

9. The availability of suitable sites for onshore wind in the UK is limited and after 2020 new onshore wind deployment is likely to be more difficult. Over the longer term wind will increasingly be built offshore rather than onshore. Offshore wind farms are already installed in UK waters. Based on central estimates for projects starting in 2011, onshore wind sites (larger than 5MW) were estimated to generate electricity at a cost of between £86/MWh to £126/MWh. As a new technology the comparable cost for offshore wind plants is £106/MWh to £137/MWh⁸ but they are projected to fall, and Government has set up an Offshore Wind Cost Reduction Task Force (CRTF) to draw up an action plan to reduce the costs of offshore wind to £100/MWh by 2020. Through the current decade, onshore wind is likely to be cheaper than offshore alternatives.

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⁷ Report by BiGGAR Economics for DECC and RenewableUK – 'Onshore wind – direct and wider economic impacts' May 2012 . See : http://www.bwea.com/pdf/publications/Onshore_Wind_Direct_and_Wider_Economic_Impacts.pdf Report covers gross impacts based on analysis of 18 case studies

⁸ Estimates are in £2012 prices and based on Projects Starting in 2011 using a 10% discount rate. Source: http://www.decc.gov.uk/assets/decc/11/consultation/ro-banding/5936-renewables-obligation-consultation-the-government.pdf Please note the Offshore Wind R2 estimate has been corrected compared to the source material to account for a computation error

CHAPTER 2- PURPOSE OF THIS CALL FOR EVIDENCE AND PROCESS

Purpose of the call for evidence

- 10. The majority of the public recognises the benefits and supports the growth of onshore wind in the UK⁹. However, Government appreciates that some people can have concerns about the impacts of wind turbine development in their area.
- 11. The UK's planning regimes include robust safeguards to ensure that developments, including onshore wind farms, are properly sited and individuals and communities are protected against any unacceptable impacts. This means that issues such as visual amenity, wind turbine noise and other environmental impacts are an important consideration within the planning process and indeed applications for wind farms can and are turned down due to these concerns. The planning system also provides many opportunities for local people to participate in key decisions about their areas. The coalition Government is committed to building on this and believes that early and meaningful engagement and collaboration with local communities on the planning of wind farm developments in their area is essential.
- 12. Government is clear that communities hosting renewable energy developments, including onshore wind farms play a vital role in meeting a national need for secure, clean energy. As such it is right that local people should benefit from the contribution such installations make to helping the UK as a whole to deliver its security of energy supply and carbon reduction goals.

Government response to Renewables Obligation Banding review

13. The Government's response to the RO Banding Review published on 25 July 2012 10 set out the support levels for onshore wind from April 2013, confirming our intention to reduce the level of

http://www.decc.gov.uk/en/content/cms/statistics/public_att/public_att.aspx

⁹ DECC published a survey on public attitudes to all of DECCs main business priorities in July 2012.On-shore wind had good support (66%) but had the highest level of opposition, though this was still only 12% opposing, with 5% strongly opposing. For further information see :

support to 0.9ROCs/MWh for new accreditations and additional capacity added in the banding review periods (1 April 2013 – 31 March 2017). This reflected evidence that capital costs for onshore wind were expected to fall by 3.6% between 2011/12 and 2015/16. However, we recognised that costs could fall more or less swiftly than expected and therefore agreed to carry out a Call for Evidence to examine the latest onshore wind costs (See the 'Part B' Call for Evidence Document on Onshore Wind- Costs published alongside this document.

- 14. At the same time, we committed to holding a call for evidence on community engagement and benefits, to examine how communities can have more of a say over, and receive greater economic and /or social benefit from, hosting onshore wind farms.
- 15. Current actions on community engagement and benefits differ across the UK, and between different developers. A key aim of this call for evidence is to assemble information on engagement with communities and the different types of benefits being provided across the UK and internationally. This will be used to examine good practice and to provide guidance for developers and communities as to how they can best engage with, and benefit from, the process of developing onshore wind. We will also consider what if any other measures are needed to strengthen engagement and deliver the sorts of benefits that local people desire.

Call for evidence process

- 16. The Call for Evidence published today (alongside Part B on onshore wind costs) will be open for eight weeks and will close on 15 November 2012.
- 17. Following analysis of responses, we aim to publish an Interim Report on Part A in January 2013, with recommended actions. This will be followed by a Final Report in May 2013, covering both Parts A and B of the Call for evidence.

Outputs from the call for evidence

18. Outputs will depend on the nature of responses and ideas received through this call for evidence but are likely to result in actions for both Government and industry and other stakeholders. It is envisaged that the call for evidence could lead to good practice being identified across both community engagement and the delivery of existing and more innovative community benefit schemes. The Government will consider with partners whether the accessibility of this good practice can be improved and whether bringing it together in practice guidance would help in its dissemination and use.

A copy of the Government Response can be viewed on the DECC website at: http://www.decc.gov.uk/en/content/cms/consultations/cons_ro_review/cons_ro_review.aspx The response to the Northern Ireland Renewables Obligation consultation can be viewed on the DETI website at: http://www.detini.gov.uk/niro_2012_consultation_-_government_response.pdf

19. The evidence is also likely to highlight barriers that should be addressed and we will consider carefully how these can be tackled and by whom. Government may have a role in delivering the principles and recommendations set out in any good practice guidance, for example by removing any regulatory or other barriers to the establishment of innovative community benefit schemes. External stakeholders such as the onshore wind industry, communities and consumer groups will also play a key part in delivering any standards or processes that arise from this work or are set out in any guidance.

Links with other related work

- 20. We will ensure that synergies in information arising from this Call for Evidence (Part A) and the Call for Evidence on costs (Part B) are taken into account in our analysis of both exercises. Currently, Community Benefits are not included as a cost in the levelised cost model used for the RO Banding review. If we expect that developers will be paying a higher level of community benefit as a result of this work, this may need to be considered as a cost.
- 21. We will also take into account any relevant wider cross cutting work that DECC is undertaking on community engagement and communication across its energy and climate change portfolios.

Scope

22. This call for evidence will:

- Identify and consider UK and international measures to strengthen engagement with host communities by windfarm developers, including before planning applications are made;
- Identify and consider UK and international measures to improve the economic benefit for host communities, outside of the planning system,¹¹ but including local economic content of windfarm development, support levels for community-owned projects, local benefit packages and innovative ways of delivering them and the transparency of these arrangements.

Devolved Administrations

23. We welcome evidence from all parts of the UK Planning policy is largely devolved to Wales and fully devolved to Scotland and Northern Ireland. The respective Devolved Administrations are

¹¹ There is a strict principle in the planning systems in all parts of the UK that a decision about a particular planning proposal should be based on planning issues; it should not be influenced by additional payments or contributions offered by a developer which are not linked to making the proposal acceptable in planning terms. Current planning legislation also prevents local planning authorities from specifically seeking developer contributions where they are not considered necessary to make the proposal acceptable in planning terms. This is to ensure that unacceptable development is never permitted because of unrelated benefits being offered by the applicant

already carrying out work on community engagement and benefits for onshore wind. They are fully engaged in this call for evidence, but reserve the right to use the evidence and adapt the outputs as appropriate for their countries.

CHAPTER 3 - COMMUNITY ENGAGEMENT

Current planning policy and legislation

- 24. The Government has put in place planning reforms to make the planning system less complex and more accessible, whilst continuing to protect the environment and promote sustainable growth. These reforms place communities at the heart of the planning system, with the aim of getting local communities involved, at the outset and in collaboration with developers, in the design of their local areas.
- 25. An extensive legislative framework already governs community involvement in planning in the UK. There are statutory requirements for making information available about plans and planning applications; providing opportunities for local engagement on plan making and planning applications; and governing independent examinations and inquiries.

Position in England and Wales

- 26. In England, planning for renewable energy developments, including onshore wind farms with a generating capacity of 50MW or less, are the responsibility of local authorities. In March this year Government published a new National Planning Policy Framework¹² which sets out the Government's planning policies for England and how these are expected to be applied. The Framework makes clear the important role of planning in helping places adapt to the impacts of climate change and making the transition to a low carbon economy. To this end local planning authorities are encouraged to put in place a positive strategy to promote energy from renewable and low carbon sources.
- 27. The Framework underlines that local plans are the key decision-making planning documents which ensure decisions are taken by those who know their areas best. The Government's aim is for every area to have a clear local plan which sets out local people's views of how they wish their community to develop, consistent with the Framework and against which planning applications will be judged. Early, proactive and meaningful engagement and collaboration with local communities is identified as an essential component of effective plan making.
- 28. In England and Wales, under the Planning Act 2008, developers of renewable energy projects above 50MW capacity are required to engage in pre-application consultation with local communities, local authorities, and those who would be directly affected by the proposals. Pre-

¹² see DCLG website: http://www.communities.gov.uk/publications/planningandbuilding/nppf

application consultation allows members of the public to influence the way projects are developed by giving feedback on potential options, providing them with an opportunity to shape the way their community develops. It also helps local people to understand better what a particular project means for them so that their concerns are taken into account early in the process.

- 29. In Wales, the Welsh Assembly Government's planning advice in respect of wind power captured within TAN8 (Technical Advice Note 8)¹³ outlines clear expectations for active and early engagement with the local community about a proposed development.
- 30. The neighbourhood planning system introduced in the Localism Act 2011, offers significant opportunities for local communities to influence the planning and development of their area. Neighbourhood plans will need to meet a number of basic conditions, including being in general conformity with the strategic policies contained in the development plan for the area and having appropriate regard to national policy. Neighbourhood planning is a permissive new addition to the planning system not a replacement for the planning system that is already in place.

Scotland

31. In Scotland the Scottish Government Planning Advice Note (PAN)3/2010- Community Engagement ¹⁴ follows up the Planning etc.(Scotland) Act 2006 which introduced new ways for people to get involved in planning. The advice in the PAN shows how everyone can take part in shaping the future of their local area and provides valuable information for planners and developers about how to engage people, and how to listen to them and understand what they want for their communities.

Northern Ireland

- 32. In advance of the transfer of the majority of planning powers to district councils, the Northern Ireland Department of the Environment intends to bring forward a Bill to accelerate the implementation of a number of the reform measures contained in the Planning Act (Northern Ireland) 2011. This includes provisions for enhanced community involvement through a requirement for developers to engage in pre-application community consultation in advance of submitting an application for major and regionally significant applications. It is the Department's intention to consult at a future stage on the proposed categories and thresholds of development that will be subject to this requirement.
- 33. The Department is also undertaking a revision of planning policy which will result in a more strategic, simpler and shorter policy and set out the core principles and policies that planning authorities should observe in the formulation of local planning policy, the preparation of development plans and the exercise of development management functions.

¹³ See Welsh Assembly Government website at: http://wales.gov.uk/topics/planning/policy/tans/tan8/?lang=en

¹⁴ See Scottish Executive website at: http://www.scotland.gov.uk/Resource/Doc/322754/0103851.pdf

Challenges to community engagement

- 34. Research carried out for previous administrations¹⁵, combined with anecdotal evidence suggests that effective community engagement on planning proposals including those on renewable energy projects such as wind farms, can be a challenge for all parties involved developers, local authorities and statutory consultees, and community organisations such as Parish councils, and other public interest groups and individuals.
- 35. A number of general barriers and challenges to effective community engagement on planning proposals were identified and these can be seen to be particularly relevant to onshore wind, given that it is a relatively new and controversial type of development. In particular:
 - The costs of participation for local communities (and for the planning authorities and onshore wind developers running community involvement exercises).
 - The complexity of many of the issues relating not only to the planning process but also the technology. This is especially true for onshore wind energy which can require complex environmental impact and noise assessments.
 - Planning can seem a remote, bureaucratic process which does not encourage involvement.
 - The difficulties of identifying and reaching the different groups within a community.
 - The language of planning, with its reliance on technical expressions and jargon, can be offputting.
 - The perception that community involvement exercises will be captured by individuals or articulate groups which dominate proceedings. Community involvement should not be about giving a free hand to unrepresentative vocal groups to block development irrespective of the case for it. Nor is it about talking to a few.
 - Accommodating the diverse nature of communities- within any area, the 'community' is likely to be made up of many different interest groups, which will come together for a whole variety of reasons. Community groups may focus on 'place' the area where they live and work; or may focus on interests, principles, issues, values. Both types of group may have an interest in onshore wind planning issues. Some of these groups will be well established and represented. In other cases, however, interests may not be organised and therefore be less able to engage with the formal processes of planning. An inclusive approach is needed to ensure that different groups have the opportunity to participate and are not disadvantaged in the process

Current work to address these barriers

36. As explained above Government and the Devolved Administrations are already working to make planning more accessible to all, but a key part of this Call for Evidence will involve looking at

¹⁵ In particular see the 2005 report to Dti 'Community Benefits from wind power- a study of UK practice and comparison with leading European countries'-by the Centre For Sustainable Energy (CSE) in 2005 at: http://www.cse.org.uk/pdf/pub1049.pdf and The protocol for public engagement with proposed wind energy developments in England – report by CSE to Government – 2006 at: http://webarchive.nationalarchives.gov.uk/+/http://www.berr.gov.uk/files/file38708.pdf

- what additional actions might be needed outside planning to address barriers where they relate to onshore wind developments .
- 37. Recent research carried out by the Scottish Executive as part of an EU project examining the obstacles to further development of wind turbines¹⁶, suggests that effective, meaningful and early communication between project developers, local communities, local authorities, statutory consultees and other economic actors is essential to the "harmonious integration of wind farms within local natural and economic environments."
- 38. It concludes that proactive, clear and honest communication, providing detailed information on the planning system (including permitting and consenting procedures and timelines, the management (including mitigation and monitoring) of impacts as well as transparency on local benefits and how they are distributed can all help people to feel empowered to engage with proposals and ultimately help to increase social acceptance of a project.
- 39. The Scottish research points to a number of vehicles for positive communication and the dissemination of factual information on specific wind farm applications including:
 - social media networks and forums (although some thought might be needed as to whether some of the more specific legal issues around a planning application for a wind development would be appropriate for such an approach);
 - newsletters,
 - community and developer websites,
 - as part of school curricula
 - during specific local events.
 - public and private meetings and exhibitions
 - pomoting the features of a wind farm that are attractive to tourists (e.g. visitor centre development) and or arranging site visits for local people to operational sites.

Current work to develop guidance and/or standards

- 40. We are aware that there already examples of good community engagement practices and some work in this area is being undertaken by industry and other organisations. Following on from the EU research project mentioned above, the Scottish Executive published on 21 August new guidance on wind development planning for developers, planning authorities and communities. This document "The Good Practice Guide' includes around 70 recommendations supported by over 130 examples of good practices, collected in three categories: Minimising Environmental Impact; Optimising Social Acceptance and Optimising Spatial Planning.
- 41. The Scottish Executive also announced the establishment of an onshore wind taskforce to consider what improvements can be made to the planning consent process for onshore wind. Community engagement is one of the key considerations for that taskforce. The taskforce will bring together the experience and knowledge of the Scottish Government, developers and

¹⁶ For further information on the project see: http://www.project-gpwind.eu/index.php?option=com_content&view=article&id=8<emid=113

¹⁷ For further information see the Good Practice Wind website at: http://www.project-gpwind.eu/index.php

- statutory consultees (including Scottish Natural Heritage, SEPA, and planning authorities) to critically examine current procedures.
- 42. In England and Wales, Community engagement protocols for onshore wind were issued in 2005 by the then Government. These provided practical models of how public engagement can work for an individual proposed wind energy development and included best practice guidance and toolkits aimed mainly at developers, decision makers and statutory consultees as opposed to communities or the public ¹⁸. More recently the onshore wind industry's main trade body, Renewable UK published a voluntary Community Benefits Protocol for England ¹⁹ which commits developers to undertake early and transparent community consultation in line with, as a minimum, the relevant planning decision maker's (i.e. Local Planning Authority or Major Infrastructure Planning Unit) requirements for community consultation.
- 43. Northern Ireland will use the results of the call for evidence to inform a study on communities and renewable energy which is being undertaken jointly by the Department of the Environment which holds the planning remit and the Department of Enterprise, Trade and Investment which is responsible for energy in the region.

Evidence from overseas

- 44. We are keen to examine how the question of community engagement is dealt with in countries outside the UK, particularly those who have greater levels of wind deployment and/or where onshore wind projects are more readily accepted by local people than in the UK.
- 45. Previous research for the then DTI by CSE in 2005²⁰ suggested that long term political support for renewables in countries such as Denmark, Spain and Germany had made these types of developments culturally more acceptable to the public. It found that in general onshore wind development was built into regional and local planning strategies and as such decisions around individual projects tended to be less controversial. It also found that the economic benefits of onshore wind were better understood and established as many of these countries have developed robust manufacturing and service industries around onshore wind. The links to employment and GVA were therefore fully transparent and built into regional strategies. The technology was seen as a low investment risk and the concept of community ownership widespread.
- 46. It is clear that arrangements in one country are not necessarily replicable in another, but we will look at the latest position and practices on community engagement outside the UK as part of this call for evidence, to see whether any lessons can be learnt.

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¹⁸ The protocol for public engagement with proposed wind energy developments in England – report by CSE to Government – 2006 at: http://webarchive.nationalarchives.gov.uk/+/http://www.berr.gov.uk/files/file38708.pdf

¹⁹ See The Protocol, titled 'A Community Commitment – The Benefits of Onshore Wind' will be available at www.bwea.com/pdf/publications/CommunityBenefits.pdf

²⁰ See Report to Dti 'Community Benefits from wind power- a study of UK practice and comparison with leading European countries'- 2005 at: http://www.cse.org.uk/pdf/pub1049.pdf

EVIDENCE SOUGHT ON COMMUNITY ENGAGEMENT

47. We would welcome views on the following questions on community engagement:

Call for Evidence Questions		
1.	Do you have examples of where you have seen positive community engagement?	
	Please give details:	
	-Who was involved? (e.g. Developer, local organisations, local government) and who did they engage with?	
	-When did they engage? At what stage of the planning and development process?	
	-How did they engage?	
	-What was the impact of the engagement? Did any of the project details change as a result of this engagement? Did your opinion of the project change?	
2.	Have you experienced difficulties when trying to engage with a developer, local planning authority or other local organisation about a proposed onshore wind development? Please give details:	
	-What in particular causes difficulties – timing, location, accessibility to developer and /or other relevant parties /lack of information?	
3.	Do you have any details / experience of how community engagement is carried out outside the UK? Please give details.	

CHAPTER 4 - COMMUNITY BENEFITS

- 48. Communities hosting renewable energy installations play a vital role in meeting a national need for secure, clean energy and it is right that that local people should be recognised and rewarded for their contribution to helping the UK achieve its wider energy security and low carbon goals.
- 49. Recent surveys by DECC²¹ have shown that overall support for onshore wind is good . However, we recognise that some people have concerns and there has been a feeling in some local communities that whilst others get the benefit of the energy generated by this source, they bear the brunt of the cost, for example in terms of the perceived impact on the local landscape. This is particularly true for onshore wind developments.
- 50. There are already measures in place through the planning system to address some of these concerns, and to mitigate adverse impacts. Planning legislation allows developers and local authorities to enter legal agreements to mitigate the impact of a development. These agreements (known as Section 106 obligations) require the developer to provide for any matters that are necessary to make a development acceptable in planning terms. This can include contributions to the provision of services and infrastructure that benefit local people, such as education and health facilities and roads²².

Other Government led measures

51. In England, the Government has announced that subject to progress of the Local Government Finance Bill, from April 2013 all of the business rates income from new renewable energy projects, including onshore wind farms will be retained by the local planning authority, (i.e. the decision maker, for the relevant renewable energy project at county or district level).

Community benefits provided by industry

52. This call for evidence is concerned with the benefits that can be delivered outside the planning system. Whilst it is claimed by some that community benefits are perceived as simply a means

²¹ The DECC Public Attitudes Tracking Survey results published in July 2012 showed that 66% of people surveyed supported onshore wind. See summary of results of Wave 1 of survey on DECC website at: http://www.decc.gov.uk/assets/decc/11/stats/5707-decc-public-att-track-surv-wave1-summary.pdf

²² Section 106 (S106) of the Town and Country Planning Act 1990 allows a local planning authority (LPA) in England and Wales to enter into a legally-binding agreement or planning obligation with a landowner in association with the granting of planning permission. The obligation is termed a Section 106 Agreement. The equivalent in Scotland is the new Sections 75 to 75G of the Town and Country Planning (Scotland) Act 1997 together with two new regulations, the Town and Country Planning (Modification and Discharge of Planning Obligations) (Scotland) Regulations 2010 and the Town and Country Planning (Modification and Discharge of Good Neighbour Agreement) (Scotland) Regulations 2010, came into force. The equivalent in Northern Ireland is Article 40 Planning Agreement.

- of cultivating acceptance and expediting planning consent, they have the potential to support lasting improvements in the areas around windfarms²³.
- 53. In many cases industry are already providing a variety of different types of benefits on a voluntary basis. These range from grants to carry out immediate one off improvements to local amenities (i.e. new playgrounds for children), through to annual funding to support longer term projects which could have a wider and more lasting legacy (i.e. environmental enhancement schemes and energy efficiency programmes). With increased engagement and participation from all parties we are also seeing in some cases the relationship between community and developer evolve into one of partnership working with communities are physically and metaphorically 'buying in' to onshore wind development, through community ownership schemes. In addition there are opportunities for communities and indeed the UK more generally, to benefit from the direct and indirect economic and social rewards that onshore wind can bring to local areas.

<u>Diagram showing spectrum of potential opportunities generated by onshore wind community benefits</u>



We are keen to explore further through this call for evidence what more can be done to provide the types of benefits that communities and local people truly want, in a way that is fair to all concerned, and through a process that is clear and transparent.

²³ This issue is explored in more detail in the report by the Joseph Rowntree Foundation 'wind energyand justice for disadvantaged communities- May 2012 at : http://www.jrf.org.uk/sites/files/jrf/wind-farms-communities-summary.pdf

Existing community benefit models

54. There are a wide variety of voluntary benefits packages and schemes being offered by industry to communities outside of the planning system. Some examples of current models include:

(i)Community fund

- 55. One of the most common ways for wind energy developments to provide community benefits is for money to be paid into a fund for the use of the community. This involves the owner of the wind farm distributing funding to be used for community projects, usually on an annual basis and often related to the scale or production of a wind farm.
- 56. Funds are usually administered by organisations specifically set up to do so, but can also involve representatives from local authorities, community councils and specialist community fund management organisations.
- 57. The aim of the community benefits is to improve the direct quality of life of local people by supporting investment in community projects. However, they can also generate economic impacts by creating jobs relating to the administration and management of the income and as a result of the projects themselves. This would include, for example, supporting construction jobs where an investment is made in a community facility or supporting jobs in the social economy where local charitable organisations receive support.
- 58. Funds can be set up and operated in different ways. For example :
 - An annual payment per megawatt (MW), either for every year or some years of the project

Annual payments linked to the MW capacity of the project are simple, low risk for the community, and predictable for the project owner. They create an ongoing fund which can support initiatives over a long period. Such payments are sometimes, by agreement, index linked.

A lump sum payment when the project starts operating or at some point thereafter

Lump sum payments can be significant sums of money, which is particularly relevant where there are large and immediate funding needs within a local community (e.g. new community building programme etc). However, without such immediate needs for the money, they could carry the risk of 'burning a hole' in a community's pocket and require an investment strategy to manage the money if an ongoing income is wanted.

An amount linked to the revenue generated by the project

Linking the amount paid to the 'success' of the project can reduce risk for the wind developer (because they pay less if they project produces less income). It also creates the strongest link between the community benefits and the benefits being generated by the wind farm. However, it also exposes the community to the risks of poor performance or low renewable electricity prices, raises additional auditing and monitoring costs to check the amounts, and may cause concerns over commercial confidentiality for the project owner.

In some cases developers offer a **combination of some or all of the above**. There are examples where a lump sum payment has been made (for example, to fund an upgrade to a local school) and then more modest annual payments per MW made to provide ongoing revenue to the community.

Case study on An Suidhe wind farm



An Suidhe Wind Farm is located five miles west of Inveraray in Argyll. Construction started in January 2009 and it became operational in January 2011. An Suidhe is owned by RWE npower renewables which took control of developing the wind farm in 2005.

The model for the community benefit fund was chosen after a consultation process that included written feedback from five local organisations. This concluded that the area that the fund would primarily benefit would be communities within a 10km radius of the site. The fund would provide £28,500 annually (which would rise withinflation) and is administered by the Scottish Community Foundation. So far eight grants have been awarded including grants for the repair and improvement of a church, museum and village hall. The fund will have an economic impact through making these facilities more attractive and accessible to tourists. The fund will also have an impact through grants such as the one to assist the running costs of Cairndow Community Child Care

(iii) Supporting local energy efficiency initiatives

- 59. A number of wind energy projects have contributed to funds which have a tightly focused purpose of supporting sustainable energy initiatives within the locality, often through a particular energy agency. This may include improving the insulation levels and heating efficiency of local dwellings and public buildings, installing small-scale renewable energy equipment such as solar water heating, solar PV, micro-wind and biomass (wood) boilers. Energy advice and education activities can also be included.
- 60. The rationale for taking this approach is that it magnifies the environmental benefits already being delivered by the wind farm and represents genuine sustainable development. It also supports local employment.

(iv) Wider environmental and societal benefits

- 61. Instead of, or in addition to, contributions to a fund, there may be local improvements which are easier, cheaper and less contentious for a developer to deliver directly as part of the construction process. These might include improvements to local facilities, environmental improvements, tourism or recreational provision, telecommunications improvements etc.
- 62. Nature conservation and enhancement initiatives can contribute to improving physical and mental wellbeing in communities by providing opportunities for people to interact with nature, learn about wildlife and get active by participating in activities such as walking, cycling and volunteering. With the right investment, these sites can be made accessible to everyone, and with the right management they will provide a legacy for future generations..
- 63. Such 'benefits in kind' need to be considered as separate from those actions which the developer needs to deliver under planning law, in order to mitigate an impact of the development (e.g. correcting TV interference or providing alternative wildlife habitat) or to provide for a need created by the development (e.g. road improvements).



Revenue generated from Burnfoot Hill Wind Farm has been used to support the Ochils Landscape Partnership (OLP), a £2.26 million portfolio of small projects (currently 22), which provide long-term social, economic and environmental benefits for the area. The objectives of the scheme are to conserve the area's built, social and natural heritage with opportunities for local people to learn and participate in the work. The wind farm provides more than 50% of the OLP's funding, with £0.5 million having already been contributed to get a number of projects up and running. This funding has also allowed the OLP to secure matched funding from other sources.

Projects include"Wee Bit Hill and Glen" (a programme to promote, celebrate and enhance access to the Ochil Hills); "By The Banks of the Devon" (a programme to the enhance, promote and conserve the River Devon); and "The Hills of Time" (a programme that promotes the cultural, social and industrial heritage of the area). Wind Prospect and EDF Energy Renewables will also be participating in the first annual Ochils Festival, by providing educational opportunities focusing on renewable energy and climate change.

(iii) Provision of cheaper electricity

- 64. Some developers are exploring ways to offer reductions to electricity bills for local communities in the vicinity of wind farms. This can be a challenging area and has previously met with mixed success. However, RES has recently launched a new approach with a pilot scheme to offer discounted electricity to those living in the vicinity of its proposed site in Bryn Llywelyn in Carmarthenshire, Wales, where the discount is completely independent of the electricity supplier.
- 65. Under the proposed Local Electricity Discount Scheme (LEDS) initiative those residential, community and business properties closest to a proposed RES wind farm will each receive a minimum discount of £100 per year off their electricity bills, which will be paid directly to their electricity supplier. The discount scheme requires no change of electricity supplier by the recipient, simply for them to provide account details. Payments would commence once the wind farm is operational and would continue for the lifetime of the wind farm.
- 66. LEDS will be offered as an additional benefit to RES' Community Benefit Funds, which at its new sites provide £2,000 per megawatt (MW) annual contributions to local communities that are used to support local initiatives and organisations.
- 67. RES is committed to implementing the discount scheme at Bryn Llywelyn and, if the current pilot scheme here continues to be received positively, RES is looking to roll this out to other new sites in the UK. For further information on the initiative see RES' website at: http://www.res-leds.com/fags.aspx#whatis
- 68. We are aware that other operators have previously reported difficulties in providing discounted electricity schemes to those living in the vicinity of wind farms. In particular issues have arisen around the transfer and administration of the 'discounts' between the wind farm operator and household energy supplier, which in many cases will be different companies. We are keen to learn more about any possible barriers and how they might be addressed.

Consistency and transparency in community benefit packages

69. Whilst the above benefits are all being offered by developers on an ad hoc basis, there has been some work in England by the trade association RenewableUK to pull together standards on benefits. It launched in February 2011 a Community Engagement Protocol ²⁴ which specifies a benefit package worth a minimum of £1,000 per megawatt, per year of installed wind power during the lifetime of the wind farm (typically 25 years. The Protocol recognises that not all communities are the same nor will they necessarily want the same sorts of benefits so it contains flexibility to tailor schemes to match the wishes of communities and covers financial payments and /or benefits in kind and profit sharing or community ownership.

Registers of community benefits

70. As well as providing an element of consistency, the industry Protocol approach can also provide the basis for setting up and publishing a common register of the types and levels of community benefits being offered. This would enable developers and communities to share latest information. It could be particularly useful in helping communities who may not have experience

²⁴ (http://www.bwea.com/media/news/articles/pr20110216.html)

- in this area to see how community benefits are being tackled by communities and developers involved with similar developments.
- 71. Similarly it could help to facilitate collaboration and potentially a more strategic pooling of benefits between individual communities located within larger local areas. For example, communities may wish to decide to combine and /or coordinate funding attached to several wind energy developments in an area, so that the benefits are felt more widely. This may also create opportunities to lever in even more funding from other sources.
- 72. As part of the Scottish Government Community And Renewable Energy Scheme (CARES), Community Energy Scotland are administering the Scottish Government Register of Community Benefits from Renewables²⁵. This includes details of existing community benefit packages agreed between developers and communities (it is applicable to all types of renewable development but covers mainly wind projects so far) and demonstrates the range of ways in which community benefits can be negotiated, administered and distributed.
- 73. In Northern Ireland, the Department of the Environment in is considering how best to maximise the community outcomes that can be achieved from wind energy developments. In particular the Department is examining how formal planning agreements under Article 40 of the Planning (Northern Ireland) Order 1991 can be used to secure community benefits where a developer has identified their provision in the Environmental Statement or other information accompanying the planning application.

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²⁵ See Scottish Executive website at: http://www.communityenergyscotland.org.uk/register/about

CHAPTER 5 - COMMUNITY OWNERSHIP

- 74. Renewable energy such as onshore wind can bring real economic growth and opportunities. To ensure that these benefits filter down to local people, Government is committed to supporting community ownership of renewable energy schemes including onshore wind. We are developing support for communities and local authorities to assist them with this process. Further details are set out in 5 pledges contained in the Microgeneration Strategy published in June last year: http://www.decc.gov.uk/en/content/cms/meeting_energy/microgen/strategy/strategy.aspx
- 75. In England ,there are also programmes to support the development of community-owned windfarms, for example the £15m Rural Community Renewable Energy Fund announced by the Chancellor in Autumn 2011. This is due to launch in spring 2013.
- 76. Owning a share of a wind energy project is a clear way in which an individual or a group can participate in the benefits of the project.

Current community ownership models in the UK

77. The main two models of community ownership are cooperatives and community development trusts are:

Community cooperative schemes

78. Under this model shareholders will typically share any profit made by the project (after all costs and bank loan payments have been paid). Shareholders' dividends are directly related to the performance and profitability of the project. Therefore, if members of a local community own shares in a local wind farm this can create a strong link between local benefits and the wind farm's success.

79. There are a variety of co-operatives including the Energy4All family of cooperatives, which has seven renewable energy co-ops, three in England and four in Scotland. Energy4All was formed in 2002 in response to enquiries received by Baywind Co-operative from people looking to replicate the model. Baywind Cooperative currently has 1,300 shareholders (of whom 29% live in Cumbria or Lancashire). It provides a financial return to shareholders of around 7% per annum.

Case study on Westmill coop owned wind farm



The wind farm is owned by the Westmill Co-op, which was established in 2004 and now has 2,374 members. The Co-op was founded with the aim of giving local people an opportunity to invest in the production of renewable energy. The co-op managed to raise £4.6 million through a share issue and fundraising campaign and supplemented this with a bank loan from the Co-Op Bank. The project development process for Westmill began in 1998 and the site became operational in 2008. Westmill was the first wind farm to be constructed in the South East of England and the first 100% community owned scheme in the UK.

The Westmill Sustainable Energy Trust is an established charity associated with the Westmill wind farm. The Trust receives 0.5% of the annual revenues of the wind farm (approximately £5,000-£6,000/year) which it uses to encourage and promote the deployment of sustainable energy in the local area. To achieve this, the Trust organises visits to the site, educational projects for local schools and maintains a website about the wind farm.

80. Another example of a community owned wind farm is the turbine erected by Bro Dyfi Community Renewables (BDCR), a community energy cooperative established in 2001 to develop community owned renewable energy projects in the Dyfi Valley area in Wales. The cooperative raised part of the funding for the turbine from a share offer and in return, shareholders now receive an annual dividend. In addition, 30% of BDCR's profits go to a community energy fund, which is used to fund energy efficiency measures within the Dyfi Valley area.

Community development trusts

81. There are many examples of community development trusts in Scotland. Many of the islands in Orkney have challenges in maintaining a sustainable community, particularly in terms of depopulation and aging population and many of the islands have a Community Development Trust, tasked to deal with the issue. As well as the benefits arising from the energy generation and the associated income and the jobs supported during construction, the projects can have a

wider role in community development since they require community consensus in order for the project to be given the go ahead.

Case study on Ore Brae



The Island of Hoy, part of the Orkney Islands has a population of around 400 and is known for its birdlife and natural beauty. In common with many of the islands in Orkney it has challenges in maintaining a sustainable community and has a Community Development Trust – the Isle of Hoy Development Trust – to deal with this issue

The trust has set up a trading company, Hoy Energy Ltd, to operate the Ore Brae project, which is a 67m high 0.9MW wind turbine that was handed over to the community in November 2011. The funding for the project was raised via a 90% loan from the Co-op. The remaining 10% was raised from grants

There are two main sources of economic impact from this project. The first is the creation of employment. The development and construction of the project has supported seven jobs in the Orkney Islands, mostly from the balance of plant contract undertaken by an Orcardian company, Heddle Construction. This expertise exists due to the many onshore wind projects that have taken place in Orkney.

This particular company is now becoming involved with the marine renewable sector including work at the European Marine Energy Centre which is a test and research centre for wave and tidal power development in an area with one of the highest marine energy potentials in Europe. On the island three part time jobs have been supported for the administrative and technical support of the turbine. In addition, five directors of Hoy Energy Ltd, of which four are island residents receive a small annual income. In total this will inject £40,000 into the local economy. These figures may seem small but in communities such as these, they are vital for sustaining the population.

The second source of economic impact is the operating income it provides to the community which will be used on projects which will develop and sustain the island. This income is through a community benefit fund which will be created by the Island of Hoy Development Trust. It will receive a minimum of 50% of the operating surplus of the turbine project. The remaining 50% will be spent on long term maintenance and ultimately for a 'follow on project' to provide for the community in the longer term

CHAPTER 6- LOCAL ECONOMIC IMPACTS OF WINDFARM DEVELOPMENT

- 82. As well as contributing to our energy security and low carbon objectives, onshore wind can bring substantial new economic benefits and job opportunities to the country as a whole and at a local level. Significant sums of money are involved in the development and construction of a wind farm, typically around 1.3million per MW. Money is then spent every year operating and maintaining it, on average around £53, 000 per year 26. How much of this is of benefit to the local community depends on who does the work, where they are based, and where the various components of a wind farm are made.
- 83. A recent report by Biggar Economics for DECC and R-UK on the economic impacts for onshore wind found that onshore wind supported 8,600 jobs and was worth £548m to the UK economy in 2011. Of this figure it was estimated that around ,100 jobs were created at the Local Authority level in which the wind farm was sited, worth £84m.

Building supply chains

- 84. Maximising local and regional impacts is not only beneficial for the communities in which wind farm projects are located, but also for the developer investing in the project. Benefits to the developer are likely to include reduced transportation costs and environmental impact due to supplies being sources closer to the site. The importance of developing the local and regional supply chain to wind farm developers is illustrated by Scottish and Southern Energy's decision to invest in the wind turbine tower manufacturing and assembly plant in Argyll. It is also illustrated by the willingness of many wind farm developers to work with local authorities and economic development agencies to identify opportunities for local and regional suppliers, for example by participating in 'meet the buyer' event.
- 85. Recent surveys by Biggar Economics confirm that many businesses are committed to securing supplies and components from UK based businesses where possible. Hewlett for example, a civil engineering company that specialises in wind farm construction, generally purchases non-specialised supplies such as concrete and bricks as close to the site as possible in order to minimise transportation costs.

²⁶ Based on analysis carried out by BiGGAR Economics- see their report to DECC and RenewableUK – 'Onshore wind – direct and wider economic impacts' May 2012 at: http://www.bwea.com/pdf/publications/Onshore_Wind_Direct_and_Wider_Economic_Impacts.pdf The report covers gross impacts based on analysis of 18 case studies and industry surveys.

86. There are also wider indirect economic and job benefits arising from the development of onshore wind. These include:

Wildlife and habitat management and enhancement

- 87. Whilst difficult to measure in pure monetary terms improvements to the local environment can provided benefits to the quality of life for local people. Many wind farms have habitat management and enhancement schemes. For example Scottish Power Renewables has developed habitat management plans for its wind farms and is therefore responsible for habitat management areas covering 8,201 hectares. The habitat schemes have encouraged Golden Eagle breeding in Kintyre, increased Black Grouse populations at projects in Argyll as well as protecting rare types of habitat.
- 88. The construction of a wind farm can result in the creation of new access tracks. Sometimes these are left after the construction phase in order for the local residents to use them to access the countryside for walking, horse riding and mountain biking. For example Whitelee farm has over 70km of trails as a result of the additional tracks added to the area during construction including trails for the disabled.
- 89. In addition there are examples of wind farm visitor centres being created, providing information on the wind farm itself and on other tourism facilities and attractions. This includes Whitelee wind farm which has a visitor centre that has a café, shop, learning hub and exhibition centre. The visitor centre is run by Glasgow Science Centre, hosts educational visits and provides bus tours of the wind farm. In its first year of opening it attracted 120,000 visitors.

Impact on landowners

90. Land owners can receive economic benefits from the development of wind farms on their land and depending on their business objectives the income can provide wider benefits to communities. This is particularly the case where the income or rent from the wind farm to diversify their business and create new job and economic opportunities.

EVIDENCE SOUGHT ON COMMUNITY BENEFITS, COMMUNITY OWNERSHIP AND LOCAL ECONOMIC IMPACTS

We have set out above some examples of current types of community benefits and ownership models in the UK, and are keen to get views from all interested parties on how effective these are in providing a genuine and fair reward to communities who host onshore wind developments. In addition we would like to hear about any other forms of community benefit or ownership models that you may have come across in the UK or elsewhere, or any innovative ideas for benefits which you may have in mind, but have not yet seen implemented. We are also keen to look at what more can be done to maximise the potential local economic and job benefits arising from wind developments.

We also wish to assess examples of community benefits and ownership models from other countries. Research carried out by the CSE in 2005 for the then Dti and Renewables Advisory Board²⁷ looked at how community benefits were handled in Germany, Spain and Denmark. It concluded that the issue was far less contentious and in most cases a mixture of benefits could be clearly seen to arise from developments through:

- the provision of strong local economic impacts (these countries had established wind turbine manufacturing industries and tended to adopt 'parochial' procurement policies which encouraged developers to use local suppliers);
- local retention of business taxes;
- a culture of widespread community ownership with simple support mechanisms and a financial framework aimed at helping communities to raise necessary funding to invest in wind energy.

²⁷ See report "Community benefits from wind power - A study of UK practices and comparison with leading European countries at: http://www.cse.org.uk/pdf/pub1049.pdf

It is clear that arrangements and political landscapes in one country are not necessarily replicable in another, but we will look further at the latest position and practices outside the UK as part of this call for evidence, to see whether any lessons can be learnt.

We would welcome views on the following questions about community benefits, ownership and local economic impact :

COMMUNITY BENEFITS

Call for Evidence Questions on Community Benefits		
For Developers		
1.	. What types and amounts of community benefit do you currently offer?	
2.	Are there types of community benefit that you would like to offer but are not able to? Why not? Are there regulatory barriers?	
3.	Have you seen examples where the provision of community benefits have changed local people's attitude towards a windfarm ?	
For Communities		
4.	What types and amounts of community benefit have you been offered?	
5.	What types of community benefits would you most like to be offered?	
6.	Have community benefits changed your attitude towards a windfarm in your area?	
7.	Do you feel like you have a stake in the windfarm development in your area? If not what types of community benefits, or actions from developers, Government or other organisations would make you feel more positive about a windfarm development?	
For All		
8.	Do you have views on who in the community should benefit from any funding?	
9.	Do you think it would be a good idea to establish a standard level or value for community benefit packages either nationally or across the UK ? If so, do you have views on what an appropriate value might be for all parties and how this could be calculated?	

10. Do you think it would be useful to have access to a central/national register of benefits, recording details of benefit packages provided at existing onshore wind developments (For example, along the lines of the Scottish Government Register of Community Benefits from Renewables)?

COMMUNITY OWNERSHIP

Call for Evidence Questions on Community Ownership

For Developers

1. Do you have experience in working with communities or individual local people to provide a share in your development? Please give details

For Communities

2. Would you personally, or as part of a wider community group, consider investing in a stake of an onshore wind development community? If not why not? Please explain your reasoning.

LOCAL ECONOMIC IMPACT

Call for Evidence Questions on local economic impact

For Developers

1. How much of development, construction and operational costs for your projects are expended locally? Is there potential to increase this? What would the impact be?

For Communities

2. Have you or your business benefited economically from the development of a windfarm in your area?

Can you see greater scope for local economic involvement in a windfarm project?

HOW TO RESPOND TO THIS CALL FOR EVIDENCE

The review period begins with the publication of this document on 20 September and will run for eight weeks until 15 November 2012. Please feel free to comment and provide evidence on any aspect of the call for evidence that you wish to.

When responding, please state whether you are responding on behalf of an individual or representing the views of an organisation. If responding on behalf of a larger organisation, please make it clear who the organisation represents and, where applicable, how the views of members were assembled.

Responses can be made by downloading the response template published alongside this call for evidence document on the DECC website and emailing the completed form and any accompanying third party reports, evidence or additional information to:

Onshorewind@decc.gsi.gov.uk

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Alternatively hard copies of responses may be submitted to the address below:

Department of Energy & Climate Change,

Renewables Delivery team 4th Floor Area A, 3 Whitehall Place, London, SW1A 2AW

Tel: 0300 068 6194

Email: onshorewind@decc.gsi.gov.uk

Confidentiality and Data Protection Information provided in response to this call for evidence, including personal information, may be subject to publication or release to other parties or to disclosure in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 1998 and the Environmental Information Regulations 2004). If you want information, including any personal data that you provide to be treated as confidential, please say so clearly in writing when you send the information. Under the FOIA, there is a statutory Code of Practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence.

It would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information, we will take full account of your

explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, in itself, be regarded as binding on the Department.

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