

P-04-473 Wind Farm Public Inquiry Financial Support –
Correspondence from the petitioner to the Committee,
22.06.2013

Additional information for Petitions Committee below

1. Reply to my letter sent 3rd March - from Mr Kris Hawkins
 2. Copy email from me (John Day) with additional question to Mr Kris Hawkins and First Minister
 3. Petitions Committee
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1. Reply to my letter sent 3rd March

Ein cyf/Our ref TO/JG/00469/13

21 March 2013

Dear Mr Day

I refer to your letter of 3 March to the Rt Hon Carwyn Jones AM, First Minister, concerning a public inquiry into an application for wind farm development in Powys.

The UK Government has responsibility for making decisions on applications for wind energy development generating over 50 megawatts. The Welsh Government has no formal role in the decision making process for such projects.

All of the planning fee for such applications is passed to the Planning Inspectorate’s National Infrastructure Directorate, and although the relevant local planning authority is expected to undertake substantial work to support the Inspectorate’s determination of these applications, and potentially bear extensive costs as a result, it receives no fee from the applicant and no financial support from either the UK Government, or the Planning Inspectorate.

Despite the fact that these applications are made to the UK Government, the Welsh Government has allocated funding from the Planning Improvement Fund, which is targeted at making improvements in the delivery of planning services at the local level, to go some way to reimbursing the costs experienced by local planning authorities when responding to consultation by the Planning Inspectorate on such cases.

When responding to consultation by the Inspectorate, the local planning authority should make its views on the application known, on the basis of national and local policy and material considerations. Where the recommendation is to refuse, then an inquiry is automatically generated; the local planning authority will have to defend this recommendation at a public inquiry and will also have to bear the costs of the inquiry. Powys County Council would have been aware of these procedures.

The decision to object to the wind farm developments in question is a matter exclusively for Powys County Council. In addition, the funding of public inquiries and the distribution of planning fees paid by major wind farm developers remain non-devolved matters, and your concerns about the costs borne by Powys County Council in relation to its recommendations, are matters for the Council, and the UK Government to consider respectively.

Yours sincerely

Kris Hawkins
Resources and Delivery Branch
Planning Division

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2. Copy email from me (John Day) with an additional question to Mr Kris Hawkins and First Minister Carwyn Jones

sent 22nd June 2013

For the attention of Rt. Hon Carwyn Jones AM First Minister and Mr Kris Hawkins, Resources and Delivery Branch, Planning Division

National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1N

Thank you for your letter referenced TO/JG/00469/13 (in reply to my letter dated 3rd March 2013)

I have one further question, is it within your power to provide the funding to help with the costs incurred by Powys County Council with the Public Inquiry?

regards
John Day

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3. Petitions Committee

I thank the staff in the Petitions Committee for their help whilst setting up this petition .

Your website states that a petition is a way of asking the National Assembly to consider any issue, problem or proposal that the Assembly has the power to do something about. The Assembly has set up a

Petitions Committee to consider admissible petitions and to decide what action should be taken.

In this case the Welsh Government representative appears to be saying in his letter (copy above) that it is not within their power, and yet the Presiding Officer must have decided that it does have the power by allowing the petition.

Those who support the petition believe that the Welsh Government take local views into account whilst making decisions that affect all of us, now I'm not so sure.

The role and power of the Petitions Committee and the process may require reviewing to ensure that the electorate are not mis-led into thinking that they do have influence.

John Day 22nd June 2013