

**friends of
the earth**

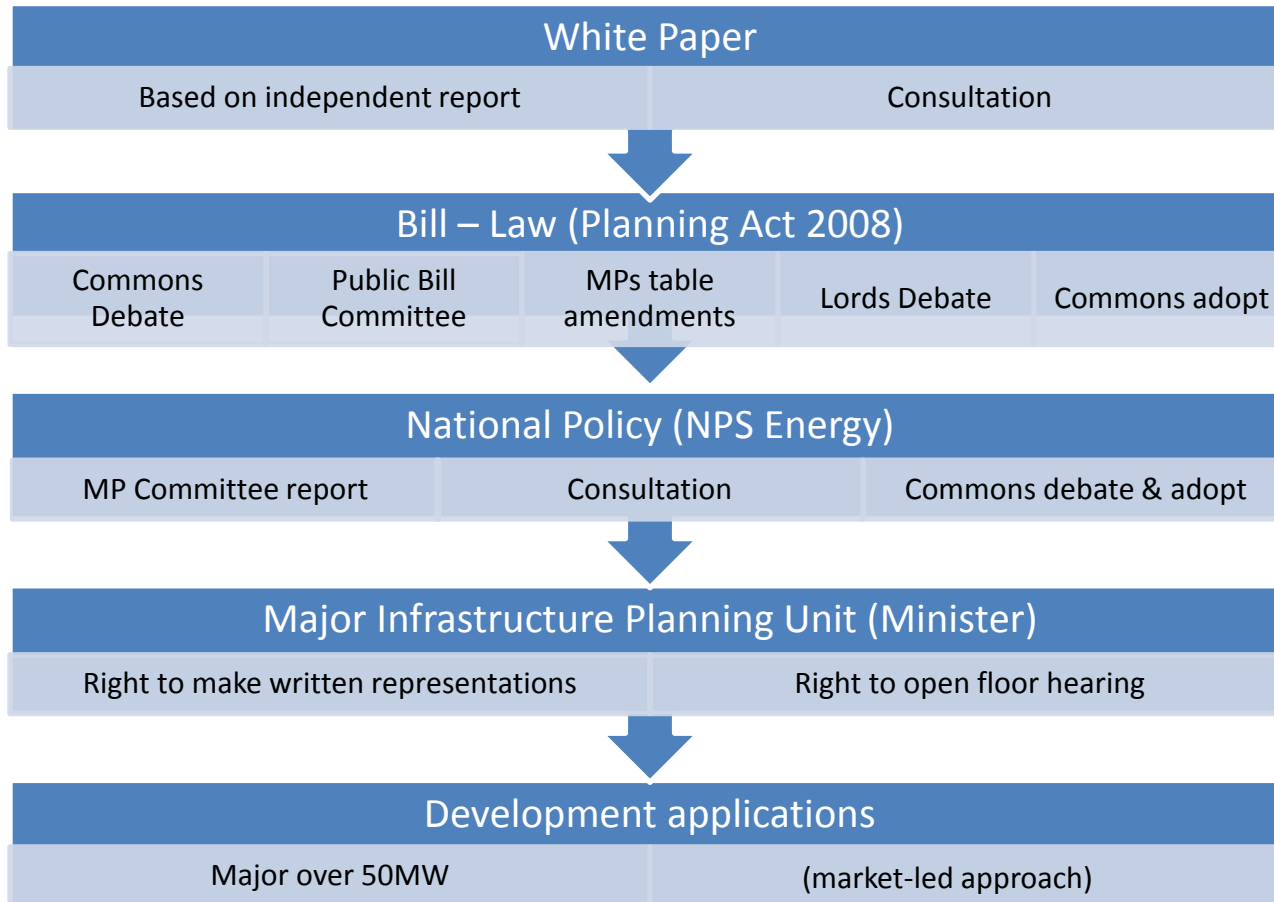
see things differently

Implicit in the idea of
environmental justice is the
conflict between the powerful and
the powerless.

Public Participation in Strategic Energy Planning – UK

A snapshot of process and current issues

An example: the strategic energy planning process in England & Wales



Public participation in strategic energy planning: the framework

- Strategic planning, specifically around energy in the UK depends on the technology and resource extraction, and on the arrangements in the devolved nations.
- For instance strategic documents (National Policy Statements) cover energy over 50 MW in England and Wales. England still has Regional Strategies and Wales has the Wales Spatial Plan. Scotland has a National Planning Framework. Northern Ireland has a Regional Development Strategy. These are all required in legislation and are or have been subject to Strategic Environmental Assessment.
- In addition there is guidance that may be issued by the relevant Minister but this is policy rather than a plan e.g. the National Planning Policy Framework, Planning Policy Wales.

Public participation in strategic energy planning: the framework (continued)

- Local plans are important for under 50MW energy planning, and are guided by national policy for local plans as well as the national policy for major energy projects.
- Minerals development e.g. coal, coal bed methane, gas and shale gas must be licensed (PEDL) by Ministry, and are then subject to planning process and permits

Public participation in strategic planning: within the framework

National Policy Statements Energy (England and Wales)

- went through a Parliamentary process;
- were considered by a Select Committee of MPs who made recommendations;
- who also took evidence from stakeholders including community representatives;
- there was a public consultation period;
- stakeholder workshops were held.
- The final adoption was voted on by the Commons.

Public participation in strategic energy planning: what are the issues?

- **Other factors** may result in strategic decisions e.g. financial assistance, changing consents for projects through legislation, market-led approach.
- **New technologies/new resources** for instance shale gas exploration. These are cases where developers may be ahead of Government policy and regulation and therefore this poses risks. Public participation is hampered by lack of evidence, lack of knowledge, and lack of a framework.
- **Review groups** without terms of reference who are invited by Government to make recommendations on changes.

Public participation in strategic energy planning: what are the issues?

- **Sector-led guidance** – who safeguards the public interest?
- **Reflection of consultation** when changes as a result of consultation are not flagged, and the documents are dense, transparency is lost.
- **Legislation without prior consultation** when changes are made to existing legislation but there is no public consultation on the measures proposed.
- **Government decides need but no strategic planning** because developments are ‘market led’ so there is in effect no ‘plan’ because there is a need for ‘all developments’.

- **To be a fair and participative process there must be the option of saying ‘no’** in the EDF application to build Hinkley C Nuclear Power Station in Somerset, there has been national political commitment, ten sites have already been identified by national policy, and pre-emptive work by EDF has begun in clearing the site before the main application planning process has even commenced.
- **Planning permission conditions are poorly met** which undermines public participation: such as the permission for test drilling for shale gas exploration near the Ribble Estuary - which is the most important site in the UK for wintering wildfowl – one diagram was provided by the developer Cuadrilla despite the conditions being “no transfer of fluids between geological formations and no uncontrolled discharge of groundwater to surface”. The Environment Agency to date have “lost track” of the waste water.



Public participation in strategic energy planning in the UK