

Representor name: Rosemary Watton
Representor ID: 6639

30.04.17

Response for Hearing Session 15: RENEWABLE ENERGY

FFC 79 POLICY RE1 NOVEMBER 2016

Dear Ms Gulley,

In addition to my original representation dated 11th November 2016 I wish to make the following comments relating to the Agenda set for Hearing Session 15. These comments relate specifically to **FFC 79 Policy RE1 November 2016**. As advised, I shall submit additional comments in relation to the Revised RE policy due out May 2017 separately.

In the comments below I will refer to my original submission. This can be found under in the Examination Documents (ED033) under the following link:

http://pstatic.powys.gov.uk/fileadmin/TranslatedDocs/Planning/ldp/LDP_Examination/Exan_Docs/ED033_Rep_6639_redacted.pdf

Qu3. In respect of renewable energy policies and proposals, has the Plan been prepared in accordance with the necessary procedural requirements?

3a) Has the Plan been prepared in accordance with the Delivery Agreement, including the Community Involvement Scheme?

I believe that there are significant shortcomings in terms of community involvement and in the treatment of representations from members of the public.

1. I believe that the approach adopted by the council with regard to RE1 is in conflict with WAG guidance on **community involvement**.

WAG Community Strategies and Planning Part 2 p47 (Supporting Document no:1)

Community involvement

7.11 The involvement of local people is central to the effective development and implementation of community strategies, and to wider change and improvements in the longer term. There is an often untapped pool of ideas, knowledge, skills, experience, energy and enthusiasm among individuals, groups and communities as a whole which, if realised, can be a real driver for change. Community strategies should provide an opportunity to put local people at the heart of partnership working and should be grounded in the views and expectations of those people.

7.12 If community strategies are to respond to public concerns, there needs to be genuine public engagement and involvement throughout the process. It is important that community planning enables communities to be fully involved in establishing both the long-term vision and the shorter-term priorities for action. It would not be sufficient simply to consult communities on a range of options determined by the authority and its partner organisations. Attention should be given at an early stage to ensuring that all sections of the community have the opportunity to participate.

- With regard to 7.11 above how can a policy that has generated almost 600 letters of objection be considered to be “grounded in the views and expectations of those people”?
- With regard to 7.12 above this advice is clearly breached. The community of Powys **has** “*simply been consulted on a range of options determined by the authority and its partner organisations*”.

It is also of significant concern that the same approach is being adopted to the revision of Policy RE1.

- With regard to 7.12 above, FFC 79 was introduced not at an early stage but at a **very late stage** again clearly breaching the advice.

2. The treatment of Public Representations

In collating public representations in Appendix 5b the council took the decision to significantly edit some responses to the extent of removing almost entire representations and significant evidence from others prior to publication. In my own case, 97% of the response was removed and a detailed **43-page** analysis with supporting graphs, charts and tables was reduced to just **one** page (page 2 of 43). **Every single** argument and **all** the supporting evidence was removed thus totally undermining the response. In the case of the CPRW a significant amount of important and highly relevant evidence was classed as *supporting material* and removed from the response. In both cases, the reason given for the removal of the material was that it contained graphics in the form of tables, charts, graphs and diagrams. The council did eventually agree to publish the full representations in the Examination Documents Section however it required extensive letter writing to achieve this and the council remained unwilling to provide a clear link between the edited representations in Appendix 5b and the full documents in the Examination Documents.

Correspondence between myself and the council and the CPRW and the council regarding this matter can be found under ED033 and ED034. **(See supporting Document no:2)**

It is my understanding from Council guidelines (see p3-4 below) that Appendix 5b should contain the **full** representations from the public to the Renewable Energy policy in the Further Focussed Changes.

- I. In submitting its documentation with regard to policy RE1 the council is able to (and expected to) provide supporting evidence. Due to the nature of policy RE1 much of this evidence is inevitably in the form of tables, graphs and charts. Indeed, the submission from AECOM contained graphs, charts and tables as supporting evidence. The Council’s evidence is available in the paper LDP documents and available for anyone to access on the LDP website.

It is therefore highly likely that any reasoned response from the public might also contain similar supporting evidence in graphic form. How can it be considered a balanced approach if supporting evidence submitted by members of the public is removed prior to publication on the website? This leads to a situation that significantly strengthens the council’s argument and significantly weakens the public response.

- II. In our responses to Nicola Gulley for the hearing sessions we were asked to consider specifically the **soundness** of the plan. The 42 pages omitted from my representation **related directly to the soundness** of the plan.

The Agenda for Hearing Session 15 raises the following two questions:

Qu4: Does the policy provide an appropriate policy framework for realising the area's potential for renewable energy development?

Qu5: Does the Plan provide an appropriate balance between realising the area's potential for renewable energy production and the protection of the landscape, natural and historic environment of Powys?

Given that almost my entire representation related specifically to these two questions how could it be considered acceptable to remove the material prior to publication?

- III. One of the key tests of *soundness* is that proposals should be *evidence based*. In the exploratory meeting held by Nicola Gulley on 10th May 2016 she repeatedly asked the planning team for *evidence* to substantiate proposals in the LDP. In removing all the evidence from public responses the **responses themselves were rendered unsound**. I do not feel that this acceptable.
- IV. I accept that a standard form is the *recommended* means of submitting a representation but it is not a *required* means, and no system should be so inflexible that it prevents the submission or publication of key evidence in whatever format is most suitable for that evidence.
- V. In both my own case and that of CPRW the documents were submitted in electronic form and hard copy and could have been uploaded without change or editing.

In the interests of democracy and balance a system should be used that allows for the publication of this evidence on the website. This could easily be achieved by a **separate linked appendix** for any representation not published in full in Appendix 5b, with a **clear link** between the representation in Appendix 5b and the full version in the separate appendix.

- VI. **ED023 Examination Guidance Notes for Participants** states:

*7.5 Participants will be advised via email when any further statements invited by the Inspector are published on the website (please refer to clause 10 of these notes). Participants should familiarise themselves with these and any representations that are relevant to particular hearing sessions they are involved in (**representations can also be viewed on the Examination website**). The hearings will be conducted on the basis that everyone taking part has read the relevant documents, although participants will be able to refer to and elaborate on relevant points, as necessary.*

Clearly if the **full** representations are not available on the Examination website then participants who wish to make written or oral representations to the Hearing Sessions are being denied the right to easily access evidence that will aid them in their representations. It is simply unrealistic in a county the size of Powys to expect that participants will be able to access the full representations from one central location.

- VII.** Many members of the public expressed concern at the apparent lack of transparency and democracy in the proposals in RE1. Given the very significant concern and unease that the proposals in RE1 have generated it is vital that the democratic process is both followed and seen to be followed. When responses from the public are edited and rendered unsound before publication then clearly there will be a perception of lack of democracy. I am extremely concerned that a precedent is being set where it is considered acceptable for the council to remove almost an entire representation and some or even all of the key evidence from public responses prior to publication. It undermines the very notion of democracy and sets an unfortunate precedent for future public consultations.
- VIII.** Council guidelines support the publication of the full public representations on the Examination website.

ED023 Examination Guidance Notes for Participants:

10. Availability of information

*10.1 The Programme Officer will maintain an Examination Library at the Programme Office **and online** at the Examination website. This will contain the Core Documents including copies of the Plan and associated documents as well as all representations. The Library will also include Examination Documents comprising, further representations, statements and related correspondence **as received.**"*

Clearly when almost entire representations and significant evidence are removed prior to publication then then the Library does not contain documents **as received.**

ED030 11. Accessibility of Information states:

Examination library available for inspection at the Media Resource Centre and can be viewed on the Council's website.

3. The Powys Community Involvement Scheme and the Treatment of Representations

I believe that the approach adopted by the council with regard to representations received for RE1 is in conflict with the council's own guidance on Community involvement in the CIS.

Please see **Supplementary Document 3** for a full analysis of the Council Guidelines with regard to Community Involvement.

In addition see page 2-3 of my original representation(ED033)

Errata: In my original submission dated 11th November 2016

p3 paragraph 5 -final sentence is incorrect- Renewable Energy was included under Item 7 "Any Other Matters" where brief reference was made to LSA's and to Powys' contribution.

p1 Dear Sir/Madame should be Dear Sir/Madam

4. The Powys **Community Involvement Scheme** and the **Role of Councillors and Planning Officers**.

With regard to the role of Planning Officers and councillors the Community Involvement Scheme states in 3.4

3.4 **Community Involvement Scheme: Who Will We Involve?** p19

3.4.1 **Role of the Council's Officers & County Councillors**

*The respective roles and responsibilities of professional officers and elected County Councillors (Members) within the Plan preparation process are distinct. **Professional Officers** (such as planners, engineers, etc) are employed by the Council to provide **impartial** research, analysis and technical advice to Councillors on all relevant development plan issues within their area of expertise. Professional Officers provide a **robust foundation** for decision making but will not, unless specifically given delegated powers, take decisions on behalf of the Council. **County Councillors, as the democratically elected representatives of the people of Powys, are charged with taking decisions on behalf of the electorate to whom they are accountable.***

*Seminars for all County Councillors will be held at important stages including: discussion on the vision, aims and objectives for the plan; to consider the preferred strategy; and to discuss site and settlement specific issues. **Councillors will also have an important role to play in acting as local "champions", engaging the community and facilitating the Plan preparation process***

The review into Renewable Energy in Powys was provided by AECOM, a global company with a vested interest in large infrastructure projects. Indeed, the AECOM website states:

Whitelee Windfarm

Our involvement helped make this large-scale renewable energy project a reality, helping Scotland to generate cleaner, greener power.

Hunterston Onshore Test Facility

AECOM worked closely with wind turbine manufacturers on the proposed berths at the Hunterston site

- I. In view of this significant vested interest how can the research undertaken by AECOM be considered in any way *impartial*? It is of significant concern that despite this AECOM has been appointed to carry out the review of policy RE1.
- II. Given the numerous errors and omissions in the original document produced by AECOM for policy RE1 how can Professional Officers be said to have provided a *robust foundation* for decision making?

III. At the time of the Cabinet Meeting on 17th January 2017 council members had access to the summary of the public responses provided by the council but as Appendix 5b had not been published Cabinet Members did not have access to the original responses from members of the public and therefore may not have been fully aware of the strength of public feeling against the proposals in RE1. Given this lack of direct access to the public response how can Cabinet Members be said to have fulfilled their *important role in acting as local champions*?

iv In their letter to Mrs Bolter (1st Feb 2017), Alex Carlile QC and R Neville Thomas QC state:

“We refer to the decision made by the Cabinet on Tuesday 17th January 2017, when they approved the Further Focussed Changes to the LDP. Our particular and strong concern is with FFC 79. It is apparent that the Cabinet members felt that the Welsh Government was putting them under pressure. Despite the self-evident fact that both Cabinet and Chairman were barking up the wrong tree, no Officer in the Chamber attempted to correct the misunderstanding. Cabinet was given no guidance other than to accept the FFC. The impression was left that the purpose of the meeting was to accept the draft document. Had the true position been known to elected members, the result should and certainly would, have been very different. Members appear to have been left to reinforce each others’ confusion, in the mistaken belief that Welsh Government had left them no choice but to vote in favour of a plan that they said repeatedly was unacceptable to them. In taking that approach, the Council fundamentally misdirected itself, in our view to the extent of inviting Judicial Review. We suggest that the position should be remedied by the Cabinet reconvening to give entirely fresh consideration to the matter, on a correct basis.”

This letter, from a highly respected source, would suggest strongly that the Council Members were not sufficiently well informed to be *charged with taking decisions on behalf of the electorate to whom they are accountable*.

See **Supporting Document no:5** for the full text of the above letter.

3c) Has the Plan been informed by a robust consideration of reasonable alternatives?

See my Additional Comments on Revised RE1 Policy (May 12th 2017)

3d) Has the Plan had regard to the requirements of the Well-being of Future Generations (Wales) Act 2015?

I do not believe that policy RE1 has had sufficient regard to the Well-being of Future Generations Act

See Section 8 p35-37 of original representation (ED033)

See letter to Well Being Commissioner (**Supporting Document no:6**)

Qu4. Does the Policy RE1 provide an appropriate policy framework for realising the area’s potential for renewable energy generation?

4a) Is the policy consistent with the requirements of other legislation and national planning policy?

In my original representation (ED033) see:

Section 3 p15 Lack of consideration given to grid infrastructure
 Section 5 p18-19 Lack of assessment of environmental impact - LANDMAP
 Section 6 p26 Adverse Impact on local environment and economy
 Section 9 p38 -42 Inconsistent with WAG policy on renewable energy (TAN 8)

4b) Has the policy been informed by robust and credible evidence, particularly in relation to the defined local search areas (wind and solar) and the renewable electricity contribution (Table RE1)?

In my original representation (ED033) see:

Section 2 pages 4 -15 Lack of proportion in proposals – policy not adapted to nor reflects local need
 Section 3 page 15 Lack of consideration given to grid infrastructure

Qu5. Does the Plan provide an appropriate balance between realising the area’s potential for renewable energy production and the protection of the landscape, natural and historic environment of Powys?

The Plan seeks to maximise the county’s potential for renewable energy production with little regard for the protection of the landscape, natural and historic environment of Powys.

In my original representation (ED033) see:

Section 4 p15-18 Lack of consideration given to cumulative impacts
 Section 5 p18 – 25 Lack of Assessment of Environmental Impact - LANDMAP
 Section 6 p26 – 34 Adverse Impact on local environment and economy
 Section 7 p34 Open Access and Right to Roam

.....
 I have enclosed the following Supporting Documents in the Appendix:

Document Number	Topic	pages
1	WAG Community Strategies and Planning Part 2	i
2	Correspondence regarding treatment of public representations	i
3	Council Guidelines with regard to Community Involvement (CIS)	ii - iii
4	Letter from Alex Carlile QC and R. Neville Thomas QC	iv
5	Letter to Office of the Future Generations Commissioner for Wales	v - xiii

I was advised in an email (22/02/17) that if I wished I could also make additional comments with regard to the revised RE1 policy due out on May 12th 2017. I have enclosed these comments in a separate document.

Yours sincerely,

Rosemary Watton

APPENDIX

SUPPORTING DOCUMENTS HEARING SESSION 15

REP ID 6639

Document Number	Topic	pages
1	WAG Community Strategies and Planning Part 2	i
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Supporting Document 1: WAG Community Strategies and Planning Part 2

<http://www.communityplanningtoolkit.org/sites/default/files/Wales%20Community%20Planning%20Guidance%202010.pdf>

Supporting Document 2: Correspondence regarding treatment of public representations

EDO33

http://pstatic.powys.gov.uk/fileadmin/TranslatedDocs/Planning/ldp/LDP_Examination/Exan_Docs/E033_Letter_from_R_Watton_26.2.17_redacted.pdf

http://pstatic.powys.gov.uk/fileadmin/TranslatedDocs/Planning/ldp/LDP_Examination/Exan_Docs/E033_Letter_to_R_Watton_3.3.17_i.pdf

http://pstatic.powys.gov.uk/fileadmin/TranslatedDocs/Planning/ldp/LDP_Examination/Exan_Docs/E033_Letter_to_R_Watton_8.3.17_i.pdf

http://pstatic.powys.gov.uk/fileadmin/TranslatedDocs/Planning/ldp/LDP_Examination/Exan_Docs/6639_redacted_letter_from_R_Watton_and_response_to_R_Pitts_12_03_17.pdf

EDO34

http://pstatic.powys.gov.uk/fileadmin/TranslatedDocs/Planning/ldp/LDP_Examination/Exan_Docs/E034_Email_correspondence_with_CPRW_re_FFC_reps_March_2017_redacted.pdf

Supporting Document 3

The Powys **Community Involvement Scheme** and the **Treatment of Representations**

I believe that the approach adopted by the council with regard to representations received for RE1 is in conflict with the council's own guidance on Community involvement.

I. **3.1: The Principles of Community Engagement and the LDP p17**

Under the principle of **Fair Interpretation** (p18) the Council states:

In preparing its LDP, the Council recognises the importance of making the process fair, open and transparent.

*At formal consultation stages, **all representations will be made publicly available at deposit locations and on the Council's website together with Council responses.** They will also be detailed in a Consultation Report. At non-statutory stages, representations, feedback and summaries will be dealt with as detailed in Table 5 and as noted below (see Publication / Feedback).*

The above statement is clear with regard to the Council's treatment of public representations at formal consultation stages.

The advice is given further weight in the **Community Involvement Scheme (Opportunities for Involvement 3.6.1 p23-39)** where the Council states (Feedback Mechanism):

STAGE 5: DEPOSIT OF PROPOSALS (Regulations 17 & 18) p30-31

Feedback Mechanism

The Council will produce a standard representation form to be used by respondents

The Council will acknowledge receipt of duly made representations and make a copy of the representations available at deposit locations and on the Council's website

However, by Stage 7 the wording with regard to the treatment of public representations (Feedback Mechanism) at formal consultation stages changes slightly:

STAGE 7: FOCUSED CHANGES (WAG CIRCULAR LETTER CL-01-2009) Jan – Feb 2016 p34

Feedback Mechanism

The Council will produce a standard representation form to be used by respondents.

The Council will acknowledge receipt of duly made representations and make a copy of the representations available at deposit locations and place details on Council's website

This change of wording is in conflict with previous guidance and causes confusion for both council officers and the public.

See **Supporting Document no:4** for full copies of the above Stage 5 and Stage 7 Tables

II. The Powys **Community Involvement Scheme** states in 3.1.1 p16:

The purpose of the Community Involvement Scheme is to:

- *improve the **process** of plan preparation by **engaging and involving the public** in the preparation of the LDP.*
- *seek to establish **agreement & consensus** between stakeholders on the plan's aims and objectives and in its options and preferred strategy.*
- *provide a **transparent** and **structured** process of engagement with the community, at all stages in the preparation of the LDP.*
- *produce a **sound** plan.*

With regard to the 4th aim the Community Involvement Scheme further states in 3.1.2 p16

3.1.2 The Council's Approach to Community Involvement

*The Welsh Assembly Government's agenda in Making the Connections reaffirms that citizens should be at the forefront in terms of public involvement and decision making. Powys County Council is keen to embrace this citizen-centred approach and will endeavour to consider carefully how to break down barriers to public involvement and **ensure there are opportunities for all to express their opinions** on the production of a new Local Development Plan*

The treatment of representations from members of the public would appear to be in conflict with the councils stated aims in the Community Involvement Scheme.

Supporting Document no:4 **Letter from Alex Carlile QC and R. Neville Thomas QC**

Letter concerning Powys windfarm developments and Powys LDP

By email: Replies please to Lord Carlile at : XXXXXXX

1 February 2017

Dear Ms Bolter

Powys Local Development Plan 2011 – 2026: Further Focussed Changes FFC 79

We refer to the decision made by the Cabinet on Tuesday 17th January 2017, when they approved the Further Focussed Changes to the LDP. Our particular and strong concern is with FFC 79.

It is apparent that the Cabinet members felt that the Welsh Government was putting them under pressure. Councillor Graham Brown spoke of “having to dance to the tune of Welsh Government” and “having to introduce (FFC79) because we know that if we don’t its going to be rejected”. The Chairman responded “Thank you Graham. I think you summed it up very well”. All this, of course, was a fundamental misconception. The First Minister, Carwyn Jones has stated clearly, when responding to Russell George AM: “We have not directed Powys Council to amend their LDP.” In the same question session he responded to Neil McEvoy AM: “The reality is that it’s for the local authorities to adopt their LDPs, it’s for the local authorities to decide what to do with their LDP. The Assembly has no legal role or power to rescind the LDP of a local authority, nor can there ever be a vote on the floor of this Chamber to rescind an LDP. It’s a matter of local democracy that a local council can produce its LDP, taking into account national planning policy, and taking into account what the inspector says as part of that LDP process.” Despite the self-evident fact that both Cabinet and Chairman were barking up the wrong tree, no Officer in the Chamber attempted to correct the misunderstanding. Cabinet was given no guidance other than to accept the FFC. The impression was left that the purpose of the meeting was to accept the draft document. Had the true position been known to elected members, the result should and certainly would, have been very different. Members appear to have been left to reinforce each others’ confusion, in the mistaken belief that Welsh Government had left them no choice but to vote in favour of a plan that they said repeatedly was unacceptable to them. In taking that approach, the Council fundamentally misdirected itself, in our view to the extent of inviting Judicial Review. We suggest that the position should be remedied by the Cabinet reconvening to give entirely fresh consideration to the matter, on a correct basis. We would appreciate your response to the matters raised above. Yours sincerely

R Neville Thomas QC (resident and elector living in Newtown)

Lord Carlile of Berriew CBE QC (former MP for Montgomeryshire)

38 Pentrosfa Road
Llandrindod Wells
Powys
LD1 5NL
17th April 2017

Office of the Future Generations Commissioner for Wales

Market Chambers
5-7 St Mary's Street
Cardiff CF10 1AT

Dear Commissioner,

I would like to bring to your attention some significant errors and omissions in the following document:

**Powys Public Services Board
Well-Being Assessment 2017
Environment Key Findings (September 2017)**

The document can be found under the following link:

<http://powys.moderngov.co.uk/documents/s16476/5%20Powys%20Wellbeing%20Assessment%20Final%20V1%20Environment%20Key%20Findings%20.pdf>

The document uses the following key to assess each key finding against the 7 well-being goals:

Key	
	Negative - Critical
	Negative - Substantial
	Negative - Moderate
	No current impact on well-being
	Positive - Moderate
	Positive - Substantial
	Positive - Critical
	Negative - Critical (if no intervention)
	No Score Given

In general I believe that this document fails to represent the impact of Policy RE1 (Further Focused Change 79) in its well-being assessment and also that it fails to fairly represent the very significant concerns raised by Powys citizens and numerous environmental organisations with regard to Policy RE1 and its impact on the well-being goals.

Section 1: RENEWABLE ENERGY p3 -7

1. Page 5 states :

"What do citizens say?"

*Despite the issues surrounding renewable energy projects, there is limited quantitative data on the views of our citizens on Renewable Energy. In response to the LDP 2011-2026 consultation **only 20** of the recorded 1091 responses to the LDP were concerned with the proposed Renewable Energy planning policy. We do not have the ability to provide a balanced and fair representation of citizens' attitude to Renewable Energy generation. Note: The responses include the June 2015 consultation and Jan 2016 consultations to the LDP."*

In November 2016, a document entitled Further Focussed Changes was issued by Powys County Council. Further Focussed Change 79 (Renewable Energy) proposed significant changes to the Renewable Energy Policy and, in particular, it introduced the concept of Local Search Areas for Wind and Solar energy with a 12- fold increase from 50MW to 600MW additional installed capacity of renewable energy capacity.

This policy alone generated 570 objections from the public, many of them very detailed, in the November 2016 consultation. These representations can be found on the Powys LDP website Appendix 5b. To omit these responses from the above statement significantly misrepresents the views of the citizens of Powys.

I would ask that the above statement be withdrawn and rewritten to correctly represent the very significant concern expressed by Powys residents with regard to Policy RE1 (Renewable Energy).

2. Page 5 states:

What does the third sector/private sector say?

This information was not available, but has been identified as a data gap.

Many third sector bodies expressed significant and detailed concerns in response to Policy RE1 (FFC 79) including the following:

Representor ID	Body
4349	Cambrian Mountains Society
1519	CPRW
3822	Welsh Water Elan Valley Trust
1037	Open Spaces Society
5118	RSPB Cymru
5839	Conservation of Upland Powys
6714	The Snowdonia Society
6732	Epynt Commons Association

These representations can be found on the Powys LDP website Appendix 5b.

I would ask that the above statement be withdrawn and rewritten to correctly represent the very significant and detailed concerns expressed by third party bodies with regard to Policy RE1 (Renewable Energy).

3. Page 6 states:

What we don't yet know?

Locations of renewable energy projects within Powys and people's attitudes to renewable technology in Powys.

Again, with reference to the 570 objections from Powys citizens and organisations, this statement significantly misrepresents the views of the citizens of Powys and should be withdrawn and rewritten.

4. Page 7 states:

Is need being sufficiently met?

Although Powys is the leading authority in the number of projects there still a need for renewable energy projects to be delivered to meet the LDP target and the energy gap as older power stations are decommissioned.

This section is unclear - does this statement refer to the energy needs of Powys, Wales or the UK as a whole? There are significant concerns as to whether the LDP target of an additional 600MW installed capacity is an appropriate or proportionate response from Powys.

The above statement therefore relates an undefined need to a highly disputed target and as such should be withdrawn and rewritten.

5. Page 3 the assessment against the 7 well-being goals states:

Prosperous Powys	Resilient Powys	Healthier Powys	Equal Powys	Cohesive Powys	Vibrant Powys	Globally Responsible Powys

Many of the 570 responses to policy RE1 (FFC79) raised very significant concerns with the effect on the habitat, the environment, the economy, the mental and physical health and well-being of citizens. In the light of this many citizens would seriously question the four assessments below, particularly as the policy lacked the use of the vital resource LANDMAP to assess the impact of the policy on the Geological Landscape, the "Visual and Sensory" and the Historic Landscape. All three of these aspects are vital to the tourism industry in Powys and to the health and well-being of its citizens.

- Prosperous Powys → Positive moderate
- Resilient Powys → Positive moderate
- Healthier Powys → No current impact
- Vibrant Powys → No current impact

The above assessments should be re-evaluated in the light of the significant issues raised by the 570 public responses.

SECTION 2: ENERGY IN HOUSING p7 -14

Page 8 “What does the Data Tell us? states:

The average domestic electricity consumption for 2015 in Powys is 4316 kWh per annum, which is higher than both the Wales average (3656 kWh/annum) and the UK average (4021 kWh/annum) (ONS, 2011).

Page 12 “National Trends” states:

The average domestic electricity consumption is 4564 kWh per annum for Powys, which is higher than the Welsh average (3930 kWh/annum) and higher than the UK average (4092 kWh/annum).

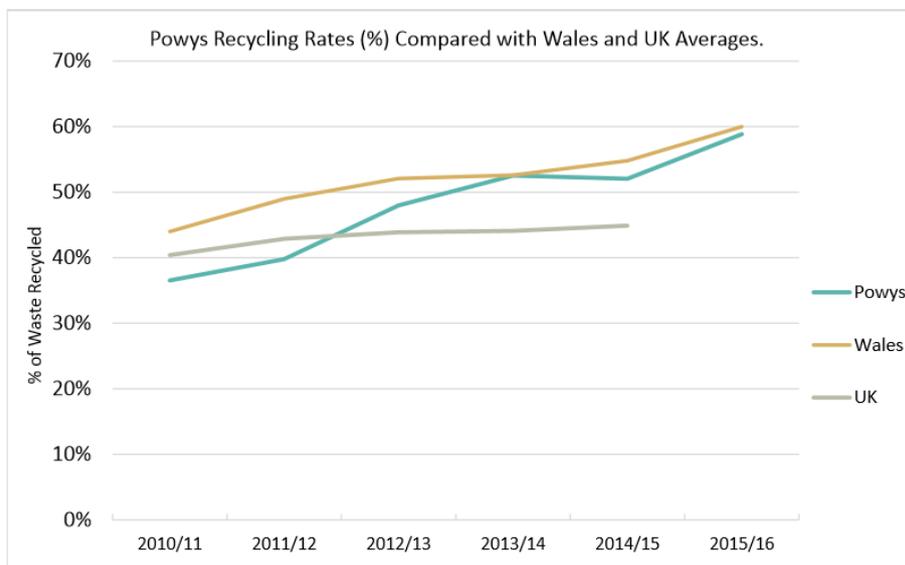
There appears to be a conflict between the figures in these two statements.

SECTION 3: YOUR LOCAL ENVIRONMENT p14-20

1. Page 15 – “What Does the Data Tell us?” states:

*In Powys, the amount of waste not reused or recycled has been falling since 2010. The recycling rate has also been increasing each year, despite a slight dip in 2013 and 2014, caused by changes in the regulations about recycling windfall leaves (Welsh Government, 2015). Regardless, Powys' recycling rate increase over the past five years has outpaced Wales and the UK, with a rate of **200%**.*

This figure of 200% does not seem to be born out by chart which follows the above statement on p16.



In the above chart for Powys:

Recycling rate for 2010/2011 37%

Recycling rate for 2015/2016 59%

The above figures represent a **60%** increase in the recycling rate over the last 5 years rather than the 200% stated in the above paragraph. Does this statement need correcting?

SECTION 4: CLIMATE CHANGE p20-25

P23 “What does the third sector/private sector say?” states:

*Third sector organisations, particularly environmental organizations such as RSPB, National Trust and Woodland trust are supportive of measures to combat climate change such as energy efficiency, waste reduction, **renewable energy** and habitat restoration and often lobby government on these issues. For example, RSPB say ‘The effects of climate change on the wildlife and wild places we know and love can already be seen’*

Although third sector organisations and in particular environmental organisations are certainly supportive of appropriate and proportionate renewable energy in principle, many such organisations have expressed significant concerns with respect to the specific Renewable Energy policy (RE1) detailed in Further Focussed Change 79. The following third sector organisations are amongst those that have expressed significant and detailed concerns:

Representor ID	Body
4349	Cambrian Mountains Society
1519	CPRW
3822	Welsh Water Elan Valley Trust
1037	Open Spaces Society
5118	RSPB Cymru
5839	Conservation of Upland Powys
6714	The Snowdonia Society
6732	Epynt Commons Association

These representations can be found on the Powys LDP website Appendix 5b.

The above statement should be qualified to acknowledge these concerns.

SECTION 5: RESILIENT ENVIRONMENT p25 -30

Prosperous Powys	Resilient Powys	Healthier Powys	Equal Powys	Cohesive Powys	Vibrant Powys	Globally Responsible Powys
	☆					☆

1. p25 states

What are the key findings?

The natural environment and natural resources of Powys provide us with our basic needs. They provide clean air and water; help protect us from flooding; provide us with food, timber minerals and

a landscape that both residents and visitors can enjoy. A healthy, resilient environment creates the conditions for a thriving and sustainable society.

Policy RE1 (as described in FFC79) will devastate the landscape of Powys – the landscape that *both residents and visitors enjoy*. It will have very significant environmental impacts. It will significantly impact on the conditions for a *thriving and sustainable society*.

In the light of Policy RE1 the following assessments are deeply questionable:

Prosperous Powys	→	Positive Substantial
Resilient Powys	→	Positive Moderate
Healthier Powys	→	Positive Moderate
Vibrant Powys	→	No current impact on well-being

The above assessments should be re-evaluated in the light of the significant issues raised by the 570 public responses.

2. p28 states:

What do citizens say?

Though no figures exist for Powys alone, one in ten adults in the UK are members of landscape/conservation groups and the general public are generally supportive of conservation and environment measures.

In the 570 responses to Policy RE1 (FFC79) many citizens raised concerns about the impact of Policy RE1 on the landscape and on the environment. These concerns are not reflected in the above statement.

The above statement should be rewritten to include the concerns raised by citizens with regard to the effect of Policy RE1 on the landscape and the environment.

3. p29 states:

What does the third sector/private sector say?

Large & prominent environmental/landscape third sector organisations such as the National trust, RSPB, Woodland Trust and others are strong advocates of a resilient environment.

In the 570 responses to Policy RE1 (FFC79) many third sector organisations raised concerns about the impact of Policy RE1 on the landscape and on the environment. These concerns are not reflected in the above statement.

The above statement should be rewritten to reflect the concerns raised by third party organisations with regard to the effect of Policy RE1 on the landscape and the environment.

Section 6: ENJOYING THE ENVIRONMENT

Prosperous Powys	Resilient Powys	Healthier Powys	Equal Powys	Cohesive Powys	Vibrant Powys	Globally Responsible Powys

1. p30 states:

What are the key findings?

The natural environment of Powys - our mountains, rivers, lakes and lowland landscapes give us a fantastic environment in which to live, work and recreate. They provide a backdrop for the tourist industry and help us lead healthier and better lives. A healthy resilient environment creates the conditions for a thriving and sustainable society. However, we are not maximising the benefits from our natural environment that could help residents lead healthier lives; encourage outdoor and other forms of tourism; and support the prosperity of the county. People who are active and enjoy the outdoors are more likely to live longer, healthier and happier lives. There is also strong evidence linking poor environmental quality (air quality, Water quality etc) with poor public health.

What does the data tell us?

Powys has a large network of Rights of Way and cycle routes, including footpaths and bridle paths. Issues relating to these include the maintenance of these paths, accommodating the needs of multiple users, and increasing demand for access (Welsh Government, 2011). Outdoor recreation can make a large contribution to physical health and the mental well-being of the population, while using these routes for regular travel can cut down on carbon emissions. Rivers, such as the Wye, can also play a key part in recreation, but also requires significant maintenance as a result (NRW, 2014). Other rivers, such as the Severn, experience issues relating to public rights of navigation. Despite living in a county with large areas of green space, not all residents have access to them.

No one would question the truth of these statements but no mention is made of the impact of Policy RE1 (FFC79) which will devastate the very landscapes that *give us a fantastic environment in which to live, work and recreate*. No mention is made of how the policy will destroy the landscapes that *encourage outdoor and other forms of tourism; and support the prosperity of the county*.

The above statements should be rewritten to take into consideration the very significant impacts of policy RE1 on the ability of residents and tourist alike enjoy the environment.

2. p32 states:

What do citizens say?

Within the Dyfi Natural Resources trial (which covers part of Powys) – residents and stakeholders identified Connecting people with the outdoors as one of 6 key priorities. According to the Powys

Residents satisfaction Survey, 60% of residents are satisfied with Rights of Way in the County (this does not include open access that is approximately one third of the total Wales provision).

In the 570 responses to Policy RE1 (FFC79) many citizens raised concerns about the impact of Policy RE1 on the ability of residents and tourists to enjoy the Powys environment. These concerns are not reflected in the above statement.

The above statement should be rewritten to reflect the concerns raised by citizens with regard to the effect of Policy RE1 on the ability of both Powys citizens and tourists to enjoy the Powys environment.

3. p33 states:

What does the third sector/private sector say?

Non-Governmental Organisations are supportive of access & enjoyment of the countryside. For example, the National Trust policy is to ensure that the countryside retains characteristics which afford the widest range of experiences and enable people to enjoy access to its properties.

In the 570 responses to Policy RE1 (FFC79) third sector organisations raised concerns about the impact of Policy RE1 on the ability of residents and tourists to enjoy the Powys environment. These concerns are not reflected in the above statement.

The above statement should be rewritten to reflect the concerns raised by third party organisations with regard to the effect of Policy RE1 on the ability of both Powys citizens and tourists to enjoy the Powys environment.

As a result of the significant concern raised by members of the public with respect to policy RE1 the council is undertaking a review of RE1. This would have been an ideal opportunity to invite members of the public to contribute towards an alternative vision for renewable energy from the outset and to contribute towards a discussion on the impact of the policy on the well-being goals. It is a matter of significant regret that the council chose to appoint the same firm that produced the original deeply flawed and contentious policy to carry out the review.

The Well-being of Future Generations (Wales) Act, is a vitally important document that sets out goals for improving the social, economic, environmental and cultural well-being of Wales.

It places a duty on public sector organisations and partner agencies **to work together** and produce a plan which helps to improve the well-being of not just the current generation but takes into account the needs and well-being of future generations.

Given the long-term importance of the Well-being act it is vital that the citizens of Powys and third party organisations are fully consulted on the contents of the document and that their views are reflected in the document. I believe that the Powys Well-Being Assessment (Environment) document needs significant reviewing for the following reasons:

1. Policy RE1 impacts significantly on all sections of the Powys Well-being Assessment 2017 (Environment Key Findings). The document, in its current form, does not sufficiently recognise the impact of policy RE1 on the well-being goals.
2. It fails to reflect the significant concerns raised by third party organisations with respect to the impact of Policy RE1 on the environment and on the well-being goals.
3. It fails to reflect the strongly stated concerns raised by Powys citizens with respect to the impact of Policy RE1 on the environment and on the well-being goals.
4. Any consultation should enable citizens and third party organisations to make a **meaningful contribution from the outset** and it is questionable whether the survey fulfilled this function, particularly given the comment in (6) below.
5. The document is repetitive and it contains errors and omissions.
6. Given the vital importance of the document, the number of times the following statement appears is of significant concern.

“This information was not available and has been identified as a data gap”

Yours sincerely,

Rosemary Watton