

Environment and Transport Overview and Scrutiny Panel, 10 APRIL 2014

**ENVIRONMENT AND TRANSPORT OVERVIEW AND SCRUTINY PANEL
10 April 2014**

PRESENT: Councillor Mark Anderson - Chairman; Councillors Sue Anderson, Eddie Coope, Dennis Gritt, Patrick Oakley, Christopher Rochester, Gill Seymour, John Trickett and Ron Whittaker.

APOLOGIES: - Councillor John Beesley

OTHER MEMBERS PRESENT FOR ALL OR PART OF MEETING:

Councillors Robert Chapman, Steven Chappell, David d'Orton-Gibson, Beverley Dunlop, Barry Goldbart, Mike Greene, Robert Lawton, David Smith, Philip Stanley-Watts, Lawrence Williams.

COMMUNITY REPRESENTATIVE

Angela Pooley - East Dorset Friends of the Earth

ALSO ATTENDING FOR ALL OR PART OF MEETING:

Bill Cotton - Executive Director, Environment and Economy

Andrew England - Head of Planning

Mike Holmes - Service Director, Planning and Transport

Tanya Coulter - Service Director, Legal and Democratic

REPRESENTATIVES OF THE POOLE AND CHRISTCHURCH BAYS' ASSOCIATION

Lawrence Crapper

Peter Fenning

Bill Hoodless

John Yelland

The meeting commenced at 6.00 p.m.

Note: To see a copy of the public reports that were considered by the Panel at this meeting please visit:

<http://www.bournemouth.gov.uk/CouncilDemocracy/Councillors/BoardsPanels/EnvironmentTransportOverviewScrutinyPanel.aspx>

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SECTION I - BUSINESS RECOMMENDED TO THE COUNCIL

No Items

SECTION II - BUSINESS DECIDED UNDER DELEGATED POWERS

11. SUBSTITUTE MEMBERS

None.

12. DECLARATIONS OF INTEREST

Councillor Sue Anderson - member of the RSPB and Dorset Wildlife Trust

Councillor Eddie Coope - member of the RSPB

Councillor Patrick Oakley - member of the RSPB and Dorset Wildlife Trust

In response to a query from the Co-opted representative as to why Navitus Bay Development Limited -NBDL- were not invited to the meeting the Chairman informed the Panel that it was investigating whether there is potentially a problem in relation to noise and wildlife from an offshore wind park, and not into whether the NBDL proposal as a whole should or should not be recommended. If the Panel felt that there was a potential problem relating to noise and/or wildlife as a result of the meeting then at that point they would request further investigation and that inevitably at that point NBDL would be consulted.

13. PUBLIC ITEMS

The Democratic Services Officer reported that no public items had been received for this meeting.

14. NAVITUS BAY WIND PARK

The Executive Director for Environment and the Economy thanked the Chairman for the chance to respond to the deputation made by the Poole and Christchurch Bay Association -PCBA - to the Full Council on 4 March 2014 which had focussed on the Navitus Bay Wind Park.

The Executive Director for Environment and the Economy reported to the Panel that the proposed plans for the wind park had been scaled down a number of times and that it was now smaller and further out than in previous form.

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The Panel was informed that the development consent order - DCO- would be decided in accordance with the Planning Act 2008 and as a major proposal it will ultimately be decided upon by the Secretary of State. It was explained that the Council's role was as a statutory consultee meaning it would be offered the chance to feed its views to the Planning Inspectorate - PINS-, to whom NBDL will be submitting its plans. The Panel was informed that at the last consultation stage the Council had raised concerns about the following areas:

- Seascape, Landscape and Visual Impact Assessment
- Noise Assessment
- Climatic and micro climate assessment
- Impact on the local economy/tourism

The Executive Director for Environment and the Economy also highlighted the difficulty in fully understanding the extent of the visual impact from the photo montages and that this was an area that would need further investigation.

It was explained to the Panel that the once the application for the DCO had been submitted local authorities will have up to 28 days to make representations to PINS on the adequacy of the consultation carried out prior to submission by the applicant. After this if the application is accepted by PINS local authorities will be able to submit a Local Impact Report detailing their views on how the development could impact upon their local area.

The Chairman thanked the Executive Director for Environment and the Economy for an informative presentation. The Chairman explained that he would take questions from members of the Panel, other elected members and members of the public who had taken the time to come to the meeting.

A number of questions were asked to the Officer who, whenever possible, gave an immediate response and when further information was not available undertook to provide a follow up response. In particular the following issues were raised:

Registering Interest - A member of the Panel enquired as to whether members of the public were able to register their interest on the proposed development with PINS and then submit their views. The Executive Director for Environment and the Economy explained that members of the public could indeed register an interest in the matter and then submit their views.

Visualisation - Members of the Panel, other elected members and members of the public raised the issue of the potential visual impact and spoke of various ways to visualise it. The Executive Director for Environment and the Economy emphasised that this was an area that needed further investigation and that it looked probable the Council would seek further expertise on the issue.

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Bournemouth Residents' Views - An elected member explained that they had received more representations from constituents on the proposed wind park development than on any other issue and a member of the public enquired as to how residents' views could be heard going forwards. The Executive Director for Environment and the Economy informed the Panel that a public meeting would be taking place on Saturday 10 May where both sides of the arguments would be present to inform local residents of their views on the wind park development as a whole. It was also emphasised that local residents should consider their local councillor as a port of call for representations on the proposed Wind Park.

15. POOLE AND CHRISTCHURCH BAYS' ASSOCIATION -PCBA-

Please note that the PCBA circulated a correction to the slide in the presentation for item 6 on the agenda entitled 'Operational Noise' which will be circulated with the minutes.

Representatives from PCBA thanked the Chairman for the opportunity to address the Panel. The Panel was told that the PCBA represented the views of 43 Residents' Associations geographically located from Purbeck to Highcliffe and that the group had made a number of representations to local authorities, PINS and the developer in relation to the Navitus Bay Wind Park.

A representative of the PCBA informed the group that it should be expected that a wind farm creates noise during construction and during operation. The Panel was told that during construction that the noise of the pile driving would be of concern and that previous wind farms had prompted numerous noise complaints.

The Panel was also informed that the PCBA believed there had been no serious noise assessment undertaken in relation to the proposed Navitus Bay Wind Park and that one conducted by the PCBA showed that operational noise from the wind park would be above the 35dBA limit.

The Panel was also told about 'Wind Turbine Syndrome' which the PCBA were of the opinion was a real medical condition with worldwide recognition and that the possibility of the syndrome occurring in Bournemouth had not been assessed in relation to the proposed development. The representative of the PCBA cited a study that had shown people living near an onshore wind farm as far more likely to suffer new or worsened chronic sleep deprivation than a group of people not living near an onshore wind farm. The representative from the PCBA explained that he recognised that the Navitus Bay Wind Park would be off-shore and not on-shore and that it would not be right to claim that residents of Bournemouth would definitely suffer from Wind Turbine Syndrome but again emphasised that in the opinion of the PCBA not enough research had been done into the issue by the developer.

A representative of the PCBA explained to the Panel that it was important to remember that the noise generated from offshore wind farms is reflected by

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water, which is an extremely good reflector of sound with a reflection coefficient of about 99%, whereas the sound generated by onshore wind farms was far more absorbed by porous, soft farmland.

It was explained to the Panel that it was the belief of the PCBA that NBDL had used the wrong standard to measure the predicted levels of noise that could be heard onshore explaining that they had only used a geometric divergence method called 'spherical spreading' which with every doubling of distance you only get a quarter of the original sound power whereas in the view of the PCBA they should also have used 'cylindrical spreading' which rules that for every doubling of distance you get half of the original sound power. The Panel were further told that research had been undertaken by the Kungl Tekniska Hogskolan Royal Institute of Technology in Sweden which had proven the theory of cylindrical spreading for sound travelling over water. The Panel was also told that the developers behind the proposed 'Atlantic Array' offshore wind park had taken into account cylindrical spreading when assessing noise. The representative concluded the point by informing the Panel that the standard used by the developer involved in the proposed Navitus Bay Wind Park- ISO 9613-2 for measuring noise levels was the wrong standard as in its scope it says "conditions over water are not covered".

The representative of the PCBA informed the Panel that the PCBA believe if NBDL had taken into account cylindrical spreading their noise assessment would have found that the proposed wind park did not comply with government noise regulations.

The Chairman thanked the representatives from the PCBA for their presentation so far and asked if any members of the Panel, other elected members or members of the Public had any questions on the issue of noise and off-shore wind parks but not specifically on the Navitus Bay Wind Park.

The Chairman highlighted that NBDL disputed a number of the claims made by the PCBA and that members and the public gallery had been provided with a document entitled 'NBDL - correction of factual inaccuracies and conclusions by Poole and Christchurch Bays' Association -PCBA' which had been sent to the Chairman that afternoon.

A number of questions were asked to the PCBA who, whenever possible, gave an immediate response. In particular the following issues were raised:

Wind Turbine Syndrome - The co-opted representative queried the level of consensus in the medical community regarding the existence of Wind Turbine Syndrome informing the Panel that many were not convinced. A representative of the PCBA responded by explaining that there were case histories available to read and that the book which brought the syndrome to the attention of the PCBA had been peer reviewed. Members of the Panel, other elected members and members of the public also enquired as to the level of proof of Wind Turbine Syndrome.

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Noise - Members of the Panel, other elected members and members of the public asked a number of questions about noise levels.

As a result of these questions representatives of the PCBA informed the Panel that once noise came onshore it would begin to be absorbed by the land but the cliff face would make little difference to noise levels and that noise from wind parks could not be compared to that of noise from aircraft due to the difference in amplitude.

The Chairman invited the PCBA to continue with their presentation.

Representatives of the PCBA thanked the Chairman and informed the Panel that the PCBA had significant concerns about the possible impact on birds of offshore wind farms.

The Panel was informed that the proposed site of the Navitus Bay development could affect a number of migratory species and that the survey undertaken by the developer could only give a snapshot picture of the effect on birds and that a number of variables in such a short-time frame -2 years - could have affected the results.

The representative of the PCBA told the Panel that a group called Christchurch Harbour Ornithological Group -CHOG- had not been consulted in an appropriate manner by the developer despite recording on a daily basis despite its active surveying and tagging of birds which had been undertaken for 50 years. The Panel was told that NBDL had consulted with the Royal Society for the Protection of Birds and Natural England although the PCBA had concerns that neither of these organisations had officers on the ground permanently in the area. The representative of the PCBA also raised concerns that there had been no nocturnal survey undertaken, which left the PCBA feeling the survey was inadequate.

The Panel was further informed that the PCBA had a number of reservations about the validity of the mathematical model upon which estimates for the risk of bird collision are done in relation to off shore wind parks.

The Chairman again thanked the representatives from the PCBA for their presentation asked if any members of the Panel, other elected members or members of the Public had any questions again emphasising that the questions be on the issue of wildlife and off-shore wind farms in general and not on the proposed Navitus Bay wind park in particular.

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A number of questions were asked to the PCBA who, whenever possible, gave an immediate response. In particular the following issues were raised:

Atlantic Array - The Panel asked whether the proposed Atlantic Array Offshore wind park had not gone ahead due to the effect on birds. A representative of the PCBA informed the Panel that there was a particular species that would have been affected by the proposed wind park and that this had led to the abandonment of the project.

Migratory Animals - The Panel asked whether climate change was driving changes in the migratory patterns of birds. A representative of the PCBA confirmed that the heating up of the planet was indeed driving changes to the migration habits of a number of birds. A member of the Panel also enquired as to whether the PCBA had looked into the possibility of bat migration being affected by wind turbines. A representative of the PCBA informed the Panel that due to limited resources they had not yet been able to look into the potential impact on birds but were keen to do so.

Bird Mortality - A member of the Panel enquired if the PCBA were aware that according to the RSPB wind farms are responsible for only 0.01% of bird deaths, with fossil fuels production counting for a far higher number of bird deaths. A representative of the PCBA accepted the numbers given but informed the Panel that whilst, as a percentage, wind farms were not as damaging to bird populations as other methods of energy production there was no need to add to the total numbers of birds killed.

Decision Made:

The panel decided that the following recommendations be forwarded to the relevant Cabinet member for Planning and Environment:

1. The Panel recommends that further investigations into the potential noise effects of off-shore wind farms be carried out by the Council.
2. The Panel recommends that further investigations into the potential effects on wildlife of off-shore wind farms be carried out by the Council.

The meeting closed at 8:05pm

Contact: Tom Hancock, Democratic and Member Support Officer
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Please note that the next quarterly meeting of the Environment & Transport
Overview and Scrutiny Panel is scheduled for 18 June 2014