

PE1537/C

Scottish Enterprise Submission to the Public Petitions Committee

PE01537: Proposed Energy Park at Cockenzie

Background

The proposal to develop land at Cockenzie is at an early feasibility stage. Scottish Enterprise (SE) is considering options for development of land at the former Cockenzie Power Station as a “Marine Energy Park.” The Marine Energy Park would comprise serviced land for development primarily by manufacturers supplying the offshore wind sector with components such as foundations, blades, towers and nacelles.

This development would require a number of consents:

- Planning Permission in principle in respect of onshore works - application to East Lothian Council (ELC)
- A Harbour Empowerment Order to enable creation of a new harbour and quayside – application to Transport Scotland
- Marine Licences in respect of offshore works including dredging and other marine works – application to Marine Scotland.

A decision on when or whether to proceed with applications for consent will be influenced by the outcome of the initial round of consultation being undertaken, market interest, the outcome of ongoing technical feasibility work and the intentions of Scottish Power as landowners.

Each of these consent processes has a requirement for formal public consultation before consent can be granted.

Environmental Impact Assessment

In view of the scale and nature of the proposals a statutory Environmental Impact Assessment (EIA) is required before consents can be submitted and other regulatory requirements for environmental assessment may also apply. In line with the EIA regulations and in order to initiate progress with the project, a request for a “Scoping Opinion” was submitted to the regulatory bodies on 1 May 2014. The purpose of that document is to describe the possible environmental impacts of the proposal, the methodology for assessment and to seek advice and guidance from the regulatory bodies on the proposed approach to the EIA.

This Scoping report adopted a “Maximum Development Parameters” approach which described the broadest possible extent of development. This approach is common practice when the detail of a scheme is not yet known and flexibility is required. This ensures that all possible environmental impacts are captured and assessed and provides an “envelope” within which more detailed (and expensive) detailed design

work can be progressed. It does not necessarily represent the extent of development to be taken forward. The response to the scoping request was provided by Transport Scotland on 25 November 2014.

Consultation Approach

Scottish planning regulations place a requirement on developers to carry out public consultation in advance of submission of a planning application. SE fully endorses this approach to early engagement with communities and has adopted this approach to the proposed Energy Park at Cockenzie.

The proposed development would be classified as a “major” development as defined in the Planning etc (Scotland) Act 2006 and would require Pre Application Consultation (PAC) to be carried out. Where PAC is required the prospective applicant must provide the local authority with a “proposal of application” (PAN) notice at least 12 weeks prior to submission of a planning application. In line with the regulations a PAN was submitted to East Lothian Council on 2 June 2014. This allows scope for very extensive community consultation to be carried out in advance of any proposed application. The content of the PAN was informed by discussions with representatives of East Lothian Council and fully met the relevant legislative and regulatory requirements. The PAN was also issued to relevant Community Councils including Prestonpans, Cockenzie and Port Seton and Tranent.

In line with best practice, SE has sought to engage with the community at the earliest opportunity, to create inclusive and accessible participation and to provide the community and key stakeholders with the opportunity to provide feedback. SE’s approach to consultation is guided by a comprehensive plan.

The Consultation Plan includes 3 phases of consultation with communities and stakeholders in a structured process;

- Phase 1 – to inform stakeholders of the vision for the Energy Park, gauge initial opinions and inform EIA Scoping
- Phase 2 – to illustrate draft finalised proposals, respond to detailed queries and gauge opinion to inform pre submission amendments
- Phase 3 – would comprise public exhibitions shortly after the submission of applications and during the statutory consultation process. The purpose of these exhibitions would be to identify residual issues generating objection and to respond formally.

The outcome of these rounds of consultation would be a formal Consultation Statement which would document all consultation undertaken, issues raised and SE’s response to these issues.

Phase 1 of the Consultation Plan has now been completed and SE is considering the responses in detail.

Community Consultation

This Section summarises the (Phase 1) community consultations undertaken to date.

Two pre-application community consultation events were held as follows: Monday 16 June 2014 (10am-6pm) at Prestonpans Library and Wednesday 18 June 2014 (12 noon-8pm) at the Port Seton Centre. These events attracted 236 attendees in total.

Prior to the exhibitions taking place, invitation leaflets were distributed to residents and businesses of Prestonpans and Cockenzie & Port Seton. This distribution totalled more than 6,000 addresses. In order to advertise the events as widely as possible within East Lothian press adverts were placed in the East Lothian Courier and East Lothian News, in accordance with relevant regulatory requirements. Posters advertising each of the community consultation events were distributed to public venues and shops within Cockenzie and Port Seton and Prestonpans.

These consultation events were designed to provide an opportunity for engagement with local stakeholders as early as possible and to coincide with initial feasibility work and EIA scoping. The purpose of this initial consultation was to introduce the concept of Cockenzie Energy Park and the associated Maximum Development Parameters, to inform the local communities of work being undertaken, and to hear initial views with the intention that feedback would inform subsequent design and environmental assessment work. No detailed proposal was displayed as the project had not advanced to a stage where SE was in a position to consult upon detailed proposals.

The presentations emphasised the Maximum Development Parameter approach which provides a framework within which more detailed design can take place but which does not necessarily reflect the footprint of a development proposal. SE highlighted the further rounds of consultation which would follow and committed to responding to more detailed queries during the aforementioned Round 2 consultation, once the necessary survey and assessment work had progressed.

The exhibition boards were designed to reflect these purposes in the context of information available at the time. At each exhibition, the stands were displayed allowing people to view the information before asking questions or making comments on feedback cards. The boards were themed on a simple approach, which was designed around the National Standards prescribed by the Scottish Government's Planning Advice Note AN 3/2010 and best practice advocated by Planning Aid Scotland. The exhibition venues were chosen for their capacity to accommodate visitors on the scale anticipated, as well as their proximity to the application site. It was recognised that the communities of both Prestonpans and Cockenzie & Port Seton were key consultees on the development.

At each community consultation event, members of the public were encouraged to complete a comment card after viewing the exhibition boards to note any comments and opinions on the proposals. The feedback form also included a section whereby members of the public could provide contact details, either postal or electronic, to be kept informed as the project developed. Once completed, comment cards could be submitted to the project team at the exhibition or by post. Feedback could also be provided via the dedicated project email address. Completed comments cards were requested by a certain date, however, the project team stressed that queries and comments could be submitted at any time via the community consultation website (www.cockenzieenergypark.com). Feedback obtained during Round 1 consultation is informing the scope of the project and associated engineering, design and environmental surveys and assessments required to move the project forward.

In parallel with the public exhibitions SE contacted Prestonpans Community Council and Cockenzie & Port Seton Community Council with the intention of arranging introductory meetings. These meetings were held on 5 and 12 August 2014 respectively and provided an introduction to the opportunity generated by the emerging offshore renewables sector, illustrated the extent of the site and the Maximum Development Parameters approach, outlined the consenting processes, provided an outline of potential timescales and fed back initial findings from Round 1 exhibitions.

A meeting with the Coastal Regeneration Alliance took place on 10 September 2014 at which the approach to EIA and the consultation plan was reiterated together with discussion on a broad range of topics concerning the development proposals. SE has also sought to engage positively with the Coastal Regeneration Alliance by appearing alongside them on BBC Good Morning Scotland and through an email dialogue. A further meeting is also planned with them in January. Scottish Enterprise has also maintained open dialogue with the local press which covers stories about the project on a regular basis.

Next Steps

As noted above, SE is now in the process of deciding on next steps based on its assessment of market interest, the outcome of ongoing technical feasibility work and the intentions of Scottish Power as landowners. As noted above, full community consultation will form a key part of the next steps.

SE has also welcomed the recent publication of the East Lothian Council Local Development Plan Main Issues Report (MIR) and associated period of public consultation. Consistent with a plan led system of land use planning in Scotland, this provides the opportunity for the local community to present its view of the future use and development of the Cockenzie site and for the Marine Energy Park concept to be considered as part of this and a decision to be taken by East Lothian Council as the planning authority. SE intends to engage positively in this process and will submit its response to the MIR consultation in due course.