

Committee: **Cabinet**
 Date of meeting: **10th January 2024**
 Report Subject: **Mynydd Bedwellte Wind Farm Development**
 Portfolio Holder: **Cllr Helen Cunningham, Deputy Leader / Cabinet Member
 Place & Environment; and
 Cllr John C. Morgan, Cabinet Member - Place,
 Regeneration and Economic Development**
 Report Submitted by: **Ellie Fry, Corporate Director Regeneration and
 Community Services**

Reporting Pathway								
Directorate Management Team	Corporate Leadership Team	Portfolio Holder / Chair	Governance Audit Committee	Democratic Services Committee	Scrutiny Committee	Cabinet	Council	Other (please state)
31.10.2023	09.11/2023	06.12.23				10.01.24		

1. Purpose of the Report

- 1.1 To seek approval to enter into an option agreement with the developers of the proposed wind farm development at Mynydd Bedwellte for access and cable laying rights across Bryn Bach Parc.

2. Scope and Background

- 2.1 EDP Renewables (EDPR) have identified a site southwest of Bryn Bach Parc (BBP) as being a suitable location for wind farm development. The site is in third party ownership and is within one of the Pre-Assessed Areas for Wind Energy identified by Welsh Government. The geographical location provides high average wind resource when compared to the national average and is close to centres of energy demand.
- 2.2 It is anticipated, subject to planning that the project will have 8-12 turbines and will be around the height of 180m to tip. Surveys are currently underway to determine the number and layout.
- 2.3 In order to facilitate the development EDPR are seeking access across BBP for the delivery of large wind farm components e.g., turbine blades and tower sections, the laying of cables along the access route and access for future ongoing maintenance. There are a few access points for the development but the access through BBP is the most direct and has less impact on existing road infrastructure.
- 2.4 The proposed access route is from the point of leaving the public highway at the entrance of BBP. From there the route follows the current roadway in a south-westerly direction. At the point the road meets the old airstrip a new track would need to be constructed up to the development area. An indicative plan of this route can be seen shown blue in Appendix A.
- 2.5 Due to the length of the delivery vehicles the potential access route will need some adaption. The access track may need to be extended to accommodate the "over-sail"

and gates and fences may need widening and realignment. Once deliveries have taken place the majority of the changes will be reversed with a pragmatic view on keeping access workable if the need arose to replace components in the future. This would be subject to further discussion and may offer further opportunities to make improvements to the park.

- 2.6 The proposal for the wind farm will go through the Developments of National Significance (DNS) planning process as the energy project is above 10MW. EDPR are currently holding consultation events on the proposals where the public have the opportunity to attend and hear more about the development. Public exhibitions are taking place in both Caerphilly and Blaenau Gwent Council areas. Following this a scoping report will be submitted to Planning and Environment Decisions Wales followed by a DNS application in Q1 2025. This period, until the application is submitted allows environmental surveys to be undertaken including the access area.
- 2.7 As part of the planning process EDPR will need to demonstrate how the site will be accessed and it is on this basis they are seeking the Councils consent to enter into an option agreement for permanent access rights over BBP in advance of planning being forthcoming.
- 2.8 There is a financial benefit to the Council in agreeing to allow access across BBP. This can take the form of an easement at an annual rental. EDPR are seeking only the council's agreement in principle at this stage demonstrating our commitment to the proposal by entering into an option agreement. Once planning is forthcoming the finer details of the financial benefit to the council will be negotiated and terms agreed. In terms of a rental for an easement, the council could realistically be receiving an annual sum in excess of £100,000 per annum.
- 2.9 In addition to any monetary value for the access rights, the community will benefit from the wider community benefit fund which is estimated at £5,000 per MW installed. On current projections this will give a total value of around £250,000 per year e.g., the number of turbines multiplied by the power of each turbine multiply by £5,000. Over the lifespan of the project this will equate to over £10 million.
- 2.10 BBP is currently operated by Aneurin Leisure Trust who are in agreement with the proposals and as a charity will be seeking to be a beneficiary of the community benefit fund.

3. **Options for Recommendation**

That cabinet consider the following options: -

3.1 **Option 1 (preferred option)**

The Council enters into an Option Agreement on terms to be agreed with EDPR for rights of access over Bryn Bach Parc to facilitate a wind farm development. This option will only be triggered if planning consent for the wind farm is granted.

3.2 **Option 2 (not preferred option)**

Not to enter into an option agreement with EDPR for access rights over Bryn Bach Parc to facilitate a wind farm development.

4 **Evidence of how this topic supports the achievement of the Corporate Plan / Statutory Responsibilities / Blaenau Gwent Well-being Plan**

This proposal supports the Outcome Statements within the Corporate Plan. In particular to respond to the nature and climate crisis and to enable connected communities by tackling climate change and energy provision.

5. **Implications Against Each Option**

5.1 *Impact on Budget (short and long term impact)*

Option 1 – If EDPR are successful in obtaining planning permission, by entering into an Option Agreement the Council can derive financial benefit from the scheme. In the short term there is no upfront cost for the Council other than Officer time. In the long term the Council will benefit from a financial return for the life span of the project which is likely to be in excess of 30 years.

Option 2 – There are no short- or long-term impacts in adopting option 2 as the Council will have no further interest in the project.

5.2 **Risk including Mitigating Actions**

Option 1 If the Council decides to enter into an option agreement it will be necessary for terms to be agreed with EDRP for inclusion within an Option Agreement. On receipt of successful planning, terms on how the Option will be enacted will need to follow. A further report will be presented to Cabinet regarding the financial implications of the proposal in due course. Any financial return will not be realised until at least 2025/2026 financial year.

If option 1 is agreed and the development proceeds, there may be disruption to BBP for a short period of time to allow components of the wind farm to be delivered. It would be a condition of the approval for EDRP to fully liaise with BBP to ensure the delivery schedule minimises disruption to the Park's operation or access. If the Park is unable to operate during the delivery periods there would be a provision for compensation and loss of trade. Any damage to the Park would need to be reinstated to its former condition.

Option 2 If the Council decides not to enter into an Option Agreement, the development will still proceed subject to planning consent, but the access to the development site will be through 3rd party land and not BBP. The risk is that the Council will not capture any financial benefit deriving from the project and this could be seen as not supporting investment in renewables.

5.3 **Legal**

Property solicitors would be required to agree and draw up the documentation.

There is no legal implication for Option 2 as the Council would not be involved in the project.

5.4 **Human Resources**

There will be staff time involved in negotiating and documenting an Option Agreement. This will need to be considered in the context of other priority work.

5.5 **Health and Safety**

N/A

6. **Supporting Evidence**

N/A

6.1 **Performance Information and Data**

N/A

6.2 **Expected outcome for the public**

Option 1 – Welsh Government are committed to generate renewable energy to tackle nature and climate emergencies by improving access to the public estate for the energy sector. They are committed to generating 70% of Wales's electricity from renewable sources by 2030. The project has the potential for wider ranging benefits both locally and the wide environment.

EDRP plans to undertake community engagement with residents and stakeholders with regards to its community benefit fund. By entering into an Option Agreement and subsequently agreeing terms of the agreement the Council becomes a key stakeholder and will have influence over the fund.

Option 2 – The development can still proceed without the Option Agreement, but the Council has less influence over the community benefit fund and how it is distributed.

6.3 **Involvement (consultation, engagement, participation)**

Involvement of Aneurin Leisure Trust as operators of the site is fundamental in bringing this opportunity forward.

Highways will be key in ensuring that access and transportation of the components is undertaken in a safe manner assuming the development proceeds.

6.4 **Thinking for the Long term (forward planning)**

Option 1 The opportunity to pursue and agree the Option will help facilitate the development of the site and will align to the objectives of the Council to encourage investment in renewables.

Option 2 – Not agreeing to permit EDRP access over BBP will require the Operator to find alternative means of access.

6.5 **Preventative focus**

The opportunity to pursue and agree the Option will help facilitate the development of the site and will align to the objectives of the Council to encourage investment in renewables.

6.6 Collaboration / partnership working.

Collaboration with key departments is vital and we will continue to work with internal and external stakeholders including Aneurin Leisure Trust, planning and highways.

6.7 Integration (across service areas)

An Integrated Impact Assessment has not been undertaken at this stage of the report.

6.8 Decarbonisation and Reducing Carbon Emissions

To facilitate a wind farm development will help achieve this secure zero carbon energy position.

The Council's decarbonisation priorities are acknowledged, and ambition to the Council's Net Zero ambitions to address climate change are being addressed.

6.9 Integrated Impact Assessment (IIA)

N/A

7. Monitoring Arrangements

7.1 A further report on the agreed terms will be presented to cabinet once planning permission for the development is forthcoming and terms have been agreed.

Background Documents /Electronic Links

Appendix A