



PE1537/B

By Email

Public Petitions Clerks
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Dear Mr Sharratt

CONSIDERATION OF PETITION PE1537

Calling on the Scottish Parliament to urge the Scottish Government to abandon the proposal for the development of an Energy Park at Cockenzie, and ensure that any future proposals are subject to full public consultation and do not extend beyond the existing footprint of the former power station

I refer to your letter of 10 December 2014 following consideration by the Scottish Parliament Petitions Committee of Petition PE1537. Before responding to the specific questions which you have raised, I would like to provide some relevant background from the Council's perspective.

In December 2012, the Council considered a public report on the Scottish Government's National Planning Framework (NPF) 3 and approved a response to the initial consultation. In its response, amongst other matters, the Council continued to support the identification of Cockenzie Power Station as a site for non-nuclear base-load power generation.

The Scottish Government then issued the NPF3 Main Issues Report (MIR) in spring 2013; a formal consultation on specific proposals for NPF3. In July 2013, East Lothian Council responded directly to the proposals outlined in the document. The response itself set out that our natural assets and environment should be protected and that the need for new development and infrastructure should be balanced in this context. East Lothian Council noted and supported the continued national significance given to Cockenzie for base load power generation and the intention to retain national development status on Cockenzie for this purpose. The Council supported the recognition of Cockenzie's potential as a key hub for offshore renewable energy projects and agreed these should be supported in national designation. The Council indicated that it would welcome and wish to facilitate any further servicing and manufacturing activity related to the offshore renewable energy industry that might be attracted to Cockenzie as a consequence of national designation. The Council also identified what it considered to be Cockenzie's key infrastructure and location advantages, including comments in relation to water depth, proximity to sea lanes/ports, road links and rail links and reserves of land that could be developed.

The concept of a Cockenzie Energy Park is emerging as part of a proposed planning

application as it evolves through a statutory process. The Council understands drivers for the concept as it is emerging for Cockerzie to include:

- the crucial role that offshore renewable energy is expected to play in Scotland's national energy delivery in the future;
- the proximity of Cockerzie to proposed major offshore wind sites;
- the potential for deep water berthing and proximity to deep water channel;
- the proximity to a potential local workforce, creation of new jobs and wider economic benefits and;
- the established history of energy and related development in the area.

In recognition of the significance and scale of this proposal, East Lothian Council at its meeting of 26 August 2014 committed the Council to engage with all parties in relation to the emerging proposals and to ensure all potential opportunities and concerns are identified. A cross-party Member/Officer Working Group has been established to oversee option and engagement activity. Its remit includes engagement with all parties involved in emerging proposals and working in partnership to ensure all potential opportunities and benefits are explored and maximised while all risks and drawbacks are identified and mitigated. It is further remitted, importantly, to ensure the requirements of planning and other consenting processes are fully adhered to, including full, continuous and informed consultation with local communities by prospective applicants. Minutes of meetings of this group are published on the Council's website at [Frequently Asked Questions about the site - Cockerzie Power Station site - East Lothian Council](#)

At its meeting on the 28 October 2014, the Council approved a Main Issues Report (MIR) for consultation for its future Local Development Plan. The consultation period is currently ongoing and runs until the 8 February 2015.

As part of pre-MIR consultation, Scottish Power, the landowner of the site in question, sent East Lothian Council the boundaries for the Cockerzie site that they own, proposing that, in principle, future development of the site be for mixed-use that combines greenfield and brownfield space. This is not a formal planning application or a notice of intention to develop; it is simply confirmation of the land area and a potential use from the site owners and informed the footprint for the council's land allocation proposal.

The MIR proposes around 80 hectares of land should be allocated at Cockerzie for employment, energy and potential port-related development consistent with NPF 3. However a comprehensive masterplan for the area would be needed. East Lothian Council will have to consider and debate consultation responses to this document in relation to many matters and anticipates these will include a significant contribution in relation to the Cockerzie site. The Prestonpans MIR public drop-in and workshop sessions included individual discussions and workshops specifically on the Cockerzie site, which were well attended. Whilst in both individual and workshop sessions there were clear concerns from many, other views were also expressed. It proved to be a useful opportunity to discuss issues and clarify to residents the due process that needs to be followed for any redevelopment of the site other than for the gas power station. It was clear that many of the residents we listened to were not aware of these processes and what Scottish Enterprise would need to address in

any planning application. Further MIR consultation will take place at the local Area Partnership on the 21st January 2015.

Turning to the specific questions which you have asked, I have detailed these separately below and my response to each:

VIEWS ON PETITION AND DISCUSSIONS WHICH TOOK PLACE DURING THE MEETING ON THE 9TH DECEMBER

East Lothian Council is aware of the views of the Coastal Regeneration Alliance as outlined at the meeting of Petitions Committee on 9 December 2014 as there has been and continues to be ongoing dialogue between officials and members of the Coastal Regeneration Alliance as well as other interested parties in the area.

The location of plans submitted as part of the Proposal of Application Notice (PAN), identify the maximum potential application site that would then be subject to environmental appraisal. This does not necessarily translate to an area of development, as this cannot be known, or indeed considered, until an application for planning permission in principle comes forward. As things currently stand, no such planning application has been submitted and so the proposed area for development and its nature is not yet known. The proposals therefore remain at a very early stage. An Environmental Impact Assessment (EIA) Scoping Opinion has recently been released which will guide the applicant in respect of the environmental aspects which will need to be taken into account in respect of any future application. The EIA will assess many of the issues raised in the petition and shape any application for development which may come forward.

East Lothian Council has recognised the potential economic benefits which a proposed development of this nature could bring and has stated this publicly. It would have been improper for the Council not to have taken a public position with respect to the potential redevelopment of the site. The redevelopment proposals, should they materialise, have the potential to create jobs and contribute to the East Lothian Economic Development Strategy and our ambitious job-creating targets. This does not mean, however, that the consideration of a future planning application has been compromised. I would reassure you that there are clear and established processes in place to ensure fair, transparent and democratic decision-making in respect of planning applications.

DETAILS OF THE CONSULTATION FOR THE PROPOSED ENERGY PARK AT COCKENZIE AND HOW LOCAL COMMUNITIES HAVE BEEN INVOLVED

Please note previous comments regarding consultation in respect of the Council's Main Issues Report.

East Lothian Council in this instance is neither the landowner, nor applicant and as Planning Authority, we hold applicants to account in terms of their requirement to consult and to give the local community the chance to submit their views and shape what comes forward. I am aware that Scottish Enterprise as applicant has held a number of consultation meetings in Prestonpans and Cockenzie and they will be

able to provide you with the detail you require regarding the nature of their consultation and involvement of local communities.

If, and when, a planning application is submitted, a neighbour notification process will be carried out in line with statutory requirements. It is at this point that members of the public will have the opportunity to submit representations on the application to the Council and have their say on the specific development proposals. Any planning application will be considered within the policy framework set by the current Local Plan and any material planning considerations raised by members of the public in their representations will be taken into account as part of the planning process. I would be clear that East Lothian Council is not responsible for regulating development in the Firth of Forth, which is covered by the emerging proposals. Consents such as Marine Licences and Harbour Empowerment Orders are the responsibility of Marine Scotland and Transport Scotland respectively.

CAN THE CONCERNS OF THE COMMUNITY BE ACCOMMODATED INTO THE PLANS FOR THE COCKENZIE SITE

Without a detailed planning application with clear proposals, it is not possible to comment on this aspect at this time. Were such an application to be forthcoming, however, views of the community would very much form part of the consenting process and meaningful consultation would ultimately shape any development, were it to happen.

I trust this response clarifies the role of the Council and recognises our response to this proposal in line with our statutory duty and community role.

Yours sincerely

Angela Leitch
Chief Executive