

CALDERDALE METROPOLITAN BOROUGH COUNCIL

QUESTION UNDER RULE 13 OF THE COUNCIL PROCEDURE RULES

Council Meeting: Wednesday, 24 July 2024

Question from: Councillor Blagbrough

Question to: Councillor Scullion, Leader of the Council

Ahead of the Full Council Meeting scheduled for 26 November the Conservative Group submitted a Motion with five main aims. These were for:

- 1) The Council to recognise the importance of peatland in Calderdale, whether for carbon capture, biodiversity, water regulation or other concerns;
- 2) The Council to recognise the destructive potential of wind farm development on peatland, as seen in the bog slides in Derrybrien in 2003 and Shetland in 2024;
- 3) The Council to acknowledge both residents' concerns about the destruction of natural landscapes in Calderdale and also the growing expert consensus advising against wind farm development on peatland;
- 4) The Council to oppose future wind farm development on peatland in Calderdale;
- 5) And for the Leader of the Council to write to the Secretary of State for Energy Security and Net Zero to express Calderdale's opposition to wind farm developments on peatland and to call for policy reform to protect these vital ecosystems.

Unfortunately, our Motion was rejected after the deadline on the grounds that it would 'bypass' planning policy and 'predetermine' planning outcomes. Our counter proposal with amended wording and controls for wind farm size, which highlighted that Nationally Significant Infrastructure Projects (NSIPs) are signed off by Government Ministers rather than Councils, was also rejected.

However, as Councillors and officers will be aware, a Motion submitted by Cllr M. Hey was discussed in the Full Council Meeting on 24 September. That Motion aimed to 'end the threat of fracking in Calderdale' and to prevent any future fracking in the Borough. That Motion was carried – bringing clear implications for planning outcomes in the future.

We recognise and appreciate that planning applications must go through the appropriate process. However, the Conservative Group questions why Councillors were allowed in September to debate the detrimental impacts of fracking while being denied in November the ability to debate the potentially disastrous results of wind farm development on peatland and the resulting effects on local infrastructure and communities.

The Group is highly concerned that the ongoing application to build the UK's biggest onshore wind farm on Walshaw Moor, part of a Site of Special Scientific Interest, will not face adequate scrutiny and input from our Borough's elected Councillors.

Robbie Moore MP said in the House of Commons earlier this week that green energy projects built on peatland should be able to demonstrate a net benefit to the environment post-construction and we wholeheartedly agree.

RESPONSE

Thank you for your question Councillor Blagbrough.

I am advised that there is a very clear difference between the Green Party's Fracking motion and the proposed motion submitted by your Group.

The Green Party's motion "... calls on the government to update planning legislation to include all forms of hydraulic fracturing within the current moratorium" and "requests that council officers continue to take all possible steps to ensure that the environment of Calderdale and its residents are protected from fracking and its consequences in the future".

It did not resolve to oppose all fracking applications.

Your initial motion resolved "to oppose the development of wind farms and associated infrastructure on peatland within the Calderdale Council geographical area."

You were advised that "the Council cannot approve a resolution which would seek to bypass or ignore planning policy as any planning application would have to be determined on its merits and satisfy that policy or not. This motion seeks to predetermine any such application by stating that it will be opposed or not permitted."

You then replied and incorrectly stated that "wind farm projects are classed as Nationally Significant Infrastructure Projects (NSIPs) [and] it would be for the Secretary of State to sign off on those proposals instead of Calderdale's Planning Committee or officers".

That is not correct as it would entirely depend on the nature and size of the application and you were provided with that information.

You then sought to amend the motion to have it refer specifically to the Walshaw Moor proposal rather than "peatland windfarms in general" as it "would be entirely about the NSIP".

You were advised however that "In any event it would not be appropriate for this Council to prejudge the local impact statement which it needs to make in response to the proposed application ... to resolve at this stage that it would be opposed (without any knowledge of the pros and cons of [an] application would be wrong and therefore it cannot be permitted as a motion."

NOTE: Questions under Rule 13 must be in writing and submitted to the Head of Legal and Democratic Services by noon the Friday before the Council Meeting.