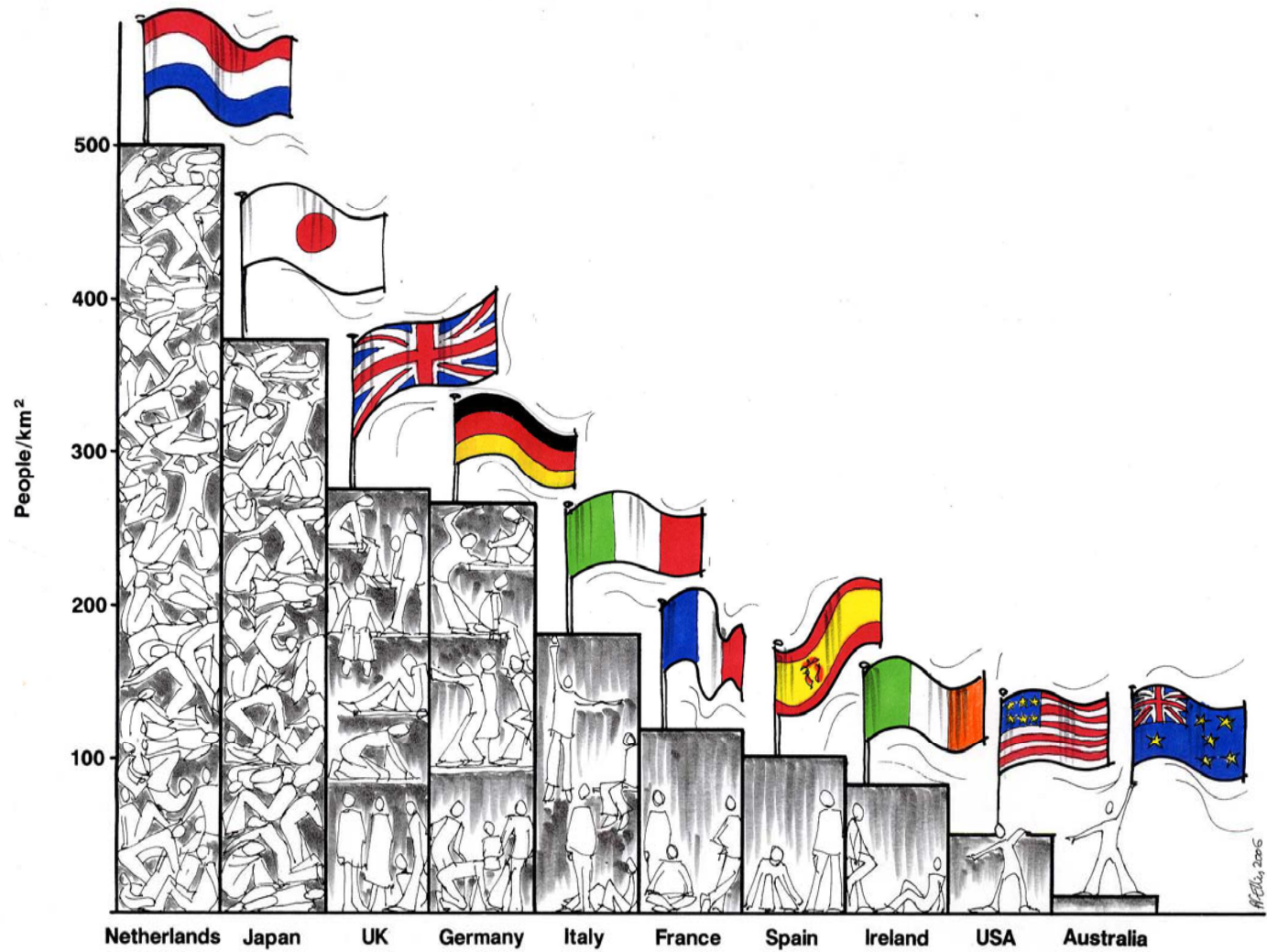




RPS Group Plc

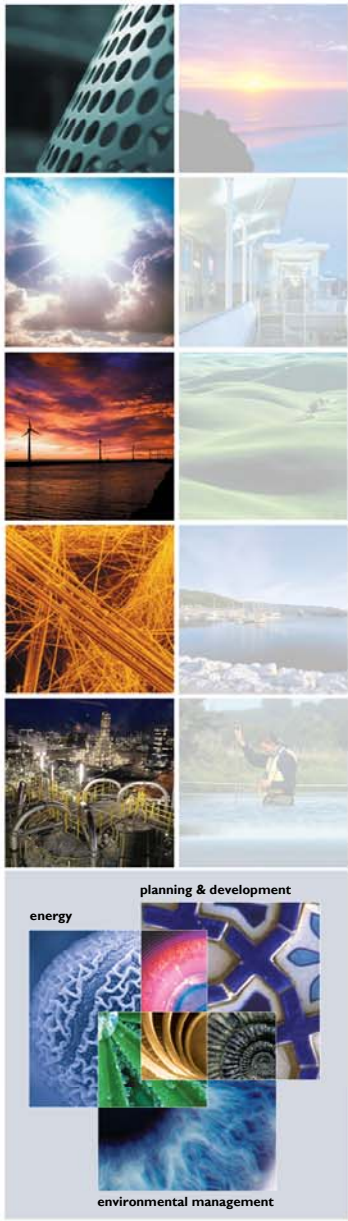
Consenting issues for energy infrastructure





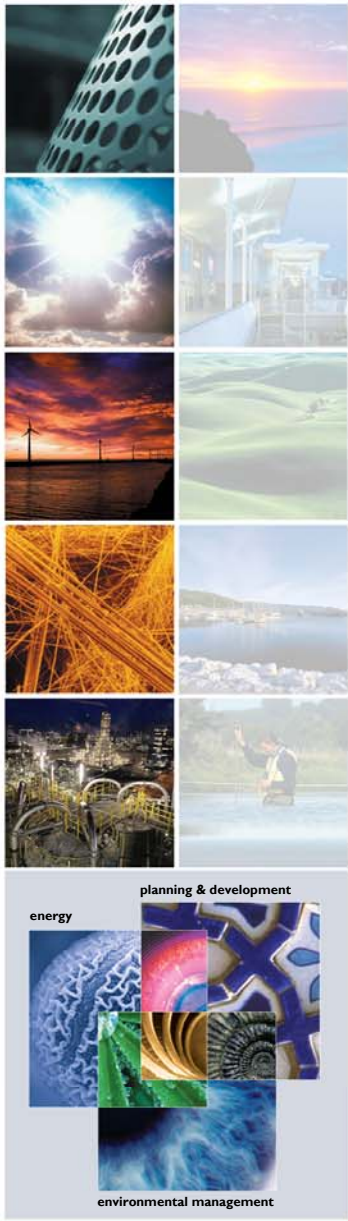
Englishman's Castle





European Courts Strasbourg

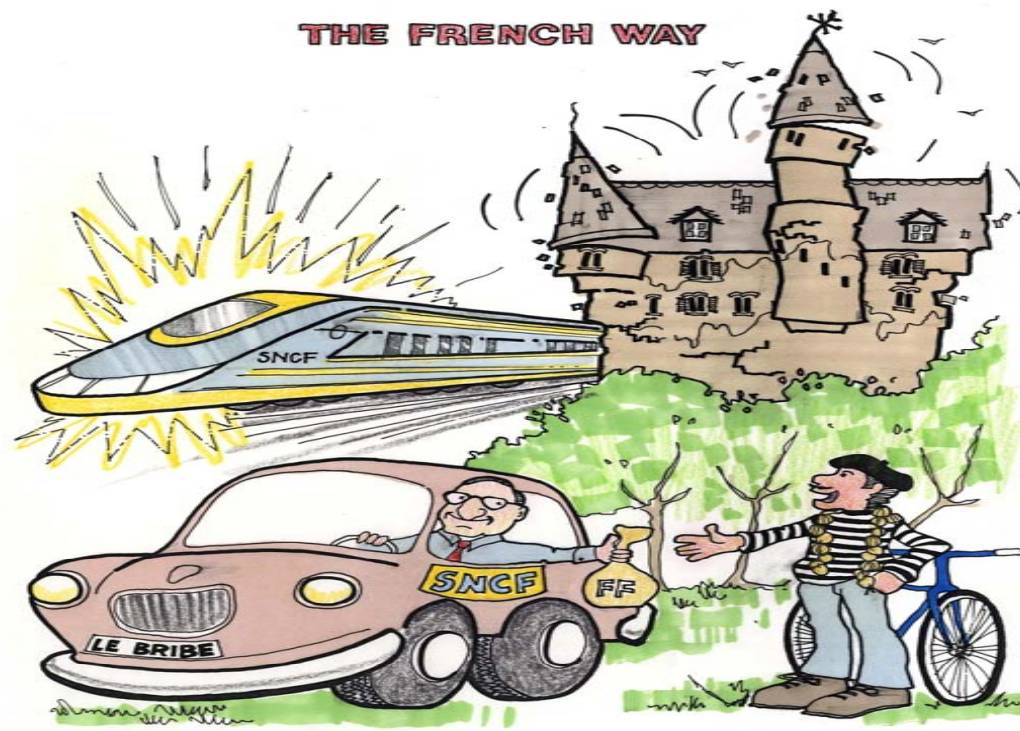






Aarhus Convention

The government believes that improved access to information and wider participation of the public in decision-making processes are essential for building trust within communities, increasing public authority accountability and making better environmental policy. Backed by access to justice, this will create greater transparency and openness in environmental matters, and will contribute towards society's goals of more sustainable and environmentally sound development.



TPR 154

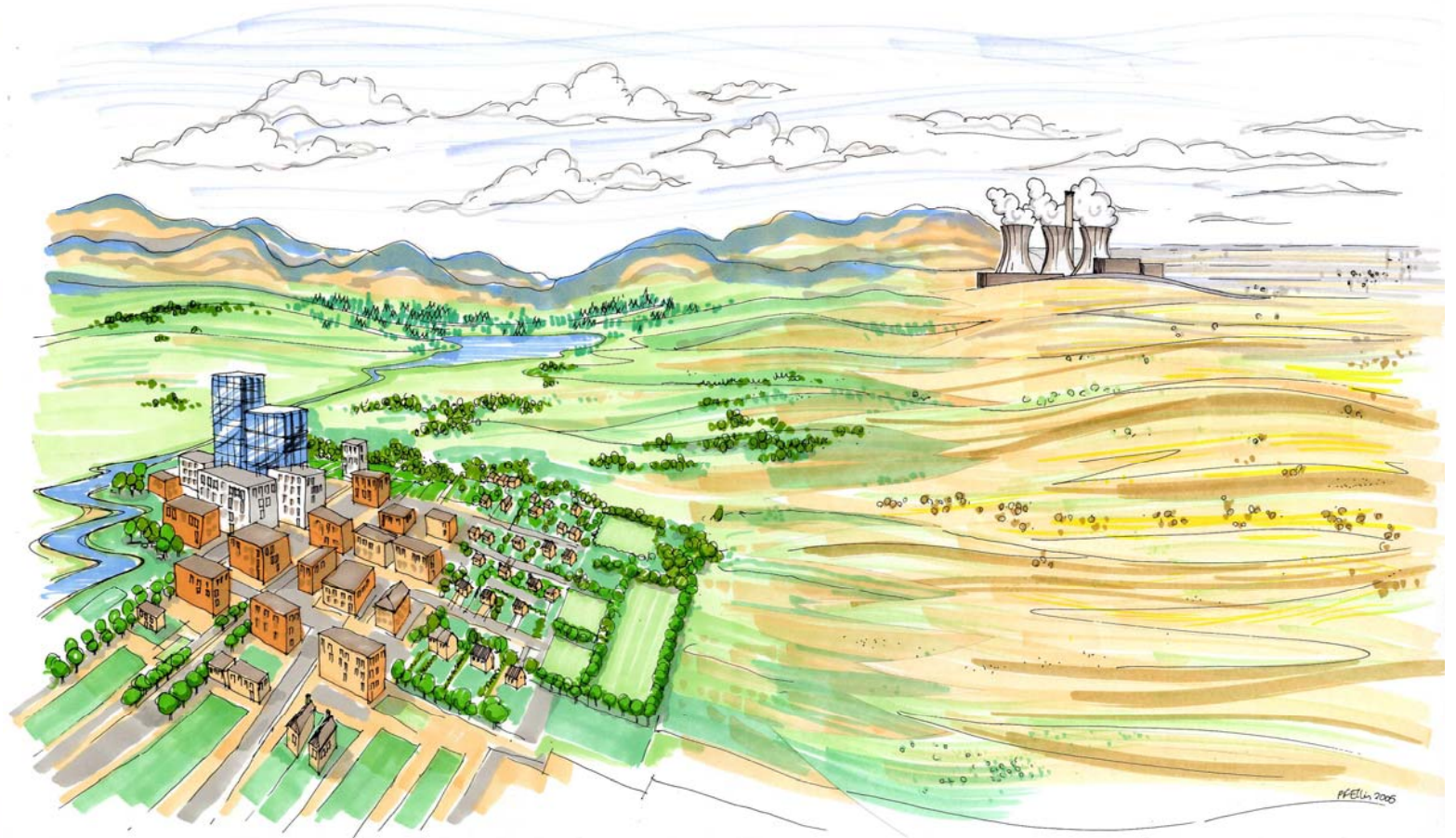


planning & development

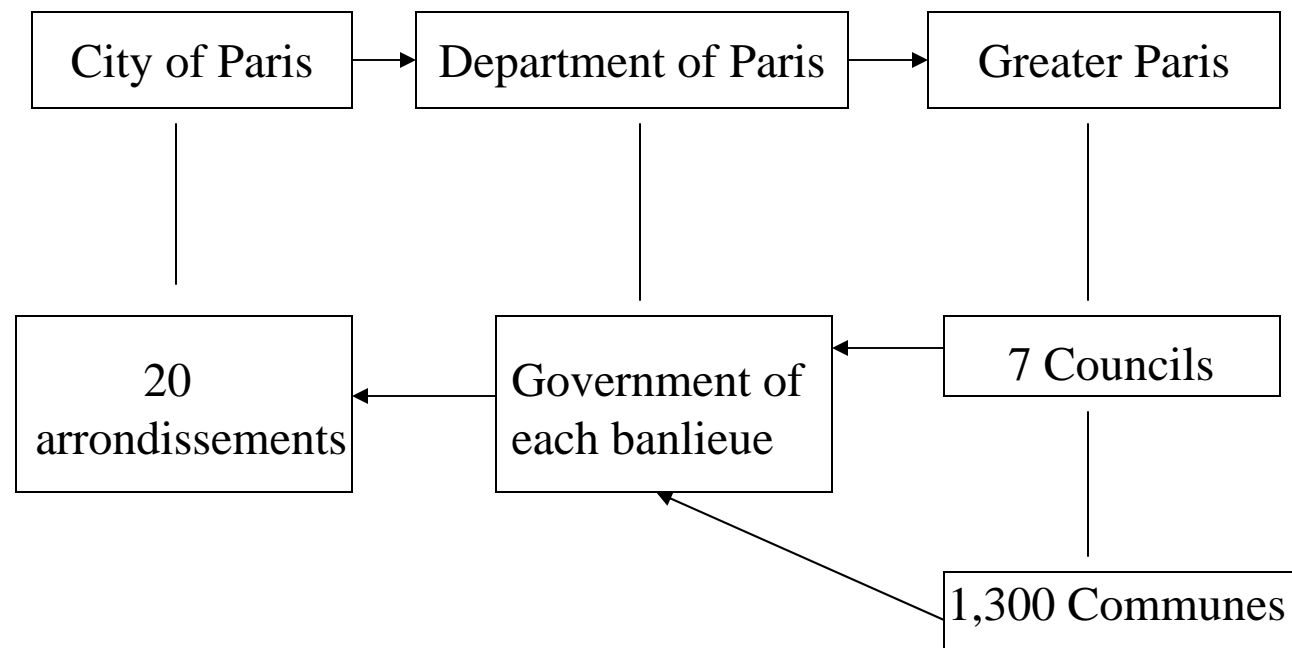
energy

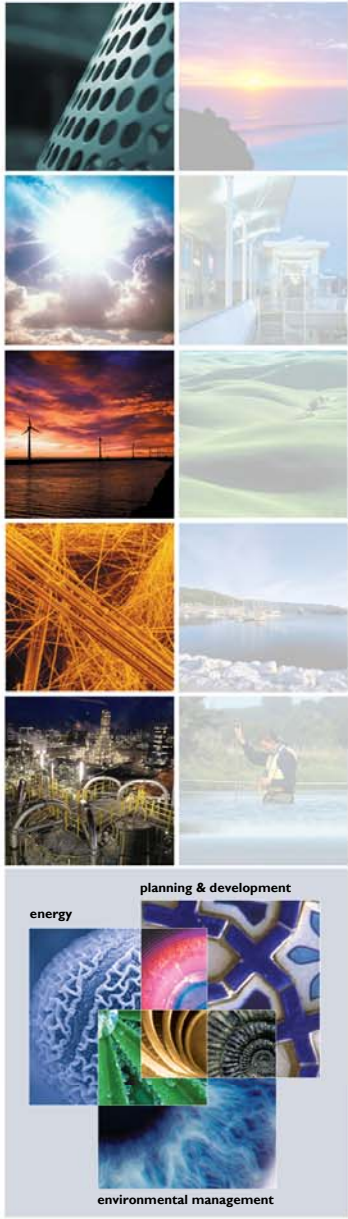


environmental management



Planning in Paris





Very Strong need area constrained

Strategic roads
Housing
Offices
Industrial
Leisure
Retail

Strong need less area constrained

Waste
Reservoirs
Airports

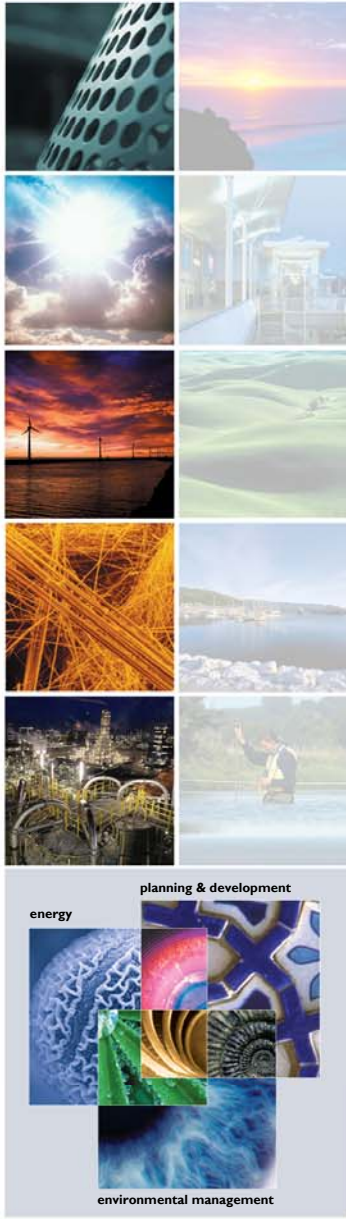
Need relatively unconstrained

Power

Waste

72 MW Energy from Waste Plant at Belvedere, Bexley, London.

1. First Public Inquiry in 1992.
2. S.36 application submitted 29th September 1999.
3. Deemed consent granted 16th December 2005 (15 years after first application).
4. Policy changes since 2003 Inquiry – a new PPS10.
5. Critical changes: ‘communities should take more responsibility for their own waste’ – self sufficiency ‘waste should be disposed of in one of the nearest appropriate installations’ – proximity principle

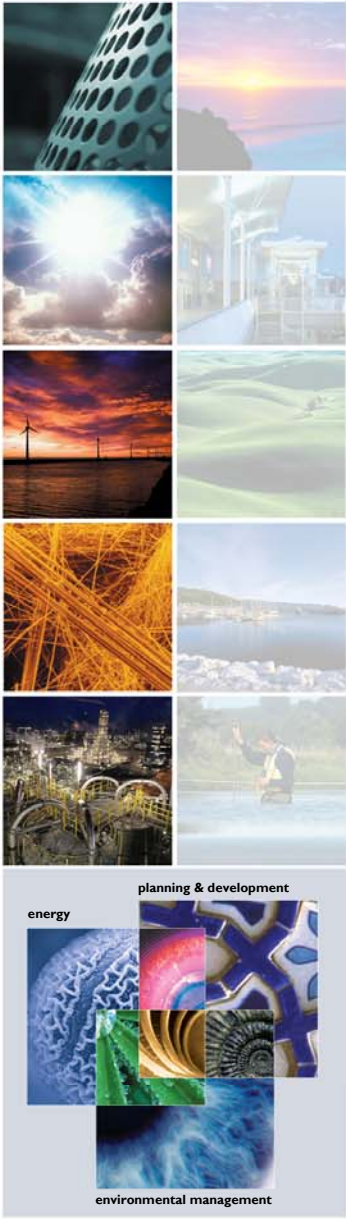




Take the log jam with windfarms and gas storage.

Windfarms – whether TCP or S.36 Electricity Act routes are taken the net effect seems to be the same.

Gas Storage – whether TCP or 1965 Gas Act routes are taken the net effect seems to be the same.



Electricity Act 1989

S36 (>50mw)

Application to DTI or Scottish Minister

Local Authority objection (w/i 4 months)

Yes

No

Public Inquiry

Consenting Unit - discussion with Consultees
Westminster / Glasgow

Inspector's Report

Minister

Minister

Decision

Decision

No right of appeal + Consent cannot be varied

S.37 application for overhead lines + Generation Licence



Solution

- Set up politically independent body (like Bank of England) that dictates generation capacity and forms of generation renewable or otherwise.
- Determine optimum areas for different types of facility.
- Consult authorities on willingness to participate against a predetermined package or formula of financial measures in these areas (principle of deal making).
- Select areas for different types of facility with willing authorities.
- Private sector promote specific locations in these areas. If objections Public Inquiry can debate whether this is the optimum location and mitigation measures but cannot challenge need. Inspector/Reporter will either: -
 - reject site and on strength of evidence directs proposal to other locations or
 - if satisfied approves scheme.
 - if more than one proposal competing for capacity – choose the best proposal.