

ECONOMIC AND COMMUNITY REGENERATION CABINET BOARD

2nd APRIL 2015

JOINT REPORT OF THE HEAD OF TRANSFORMATION A. THOMAS AND HEAD OF PLANNING – N. PEARCE

SECTION A– MATTER FOR DECISION

WARD(S) AFFECTED: MARGAM

NEWLANDS COMMUNITY BENEFIT FUND

Purpose of Report

To obtain authorisation to establish a Grant Scheme for the purposes of distributing the Community Benefit Fund associated with the Newlands Farm Wind Turbine. The Grant scheme is to be administered by officers within ELLL that have proven expertise in these matters. Also delegated powers for decisions on funding and disbursement are sought for the Head of Service for Transformation within ELLL.

Background

Planning permission was granted (10 December 2013) for the above Wind Farm development subject to a Section 106 Agreement in respect of an extra voluntary or Community Benefit payment totalling £25,000 upon Commissioning Date and a further payment of £10,000 on each the 5th , 10th , 15th and 20th anniversary of the Commissioning Date, together with a Final Payment to be paid no later than 3 months after the 25th anniversary.

The Community Benefit is for allocation within the Ward of Margam and is to reflect the Unilateral Undertaking (UU) which specifies the use of the Fund ‘to support local cultural and /or educational initiatives’.

The Council is obligated to ensure that the Community Fund is governed and managed appropriately for the benefit of those community groups and organisations that may wish to seek financial support from it. To this end a Grant scheme that is both robust and able to withstand scrutiny should be established.

Given the expertise that currently exist within ELLL the Planning Service considers that matters relating to the ratification process and payment of the Newlands Wind Farm Fund are best dealt with by the Head of Transformation within ELLL.

This will require Officers within ELLL to develop:-

- A Steering Panel
- Guiding Principles that underpin the Fund
- Guidance Notes for applicants
- Application Forms and supporting documentation
- Payment profiles and spreadsheets for budgetary control purposes, etc.

(A sample of the aforementioned documentation features within the Appendices).

The responsibility for ensuring the Developer ('SE10 PEP Limited ') honours the covenants and payment under Schedule 1 of the Unilateral Undertaking will remain with the Head of Planning Services.

It has been agreed that the Head of Planning will prepare a Community Fund Policy Paper which will identify the role of the administrator (or Grant Management Organisation), the role and membership of a Steering Panel, eligibility criteria and governance arrangements for Renewable Energy Funds. This Policy will be reported to a future Board meeting for decision.

Appendices

- Guiding Principles
- Guidance Notes for Applicants
- Application Form

Recommendations

1. The Newlands Community Benefit Fund can be disbursed and governed by officers within ELLL who will be charged with establishing a robust mechanism for the distribution of the Community Benefit.
2. The Head of Transformation within ELLL to be bestowed with delegated powers to ratify and endorse the funding decisions made by the Steering Panel in consideration of the Newlands Community Benefit Fund.

Reasons for Proposed Decision

The decision to award the management of the funding to the Council will ensure correct governance of the Newlands Community Benefit Fund whilst ensuring that the community benefits of the Fund are maximised and in accord with the Unilateral Undertaking.

List of Background Papers

Community Fund Policy Paper (Head of Planning Services)
Unilateral Undertaking

Officer Contact

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COMPLIANCE STATEMENT

NEWLANDS WIND FARM COMMUNITY BENEFIT FUND

(a) Implementation of Decision

This decision is proposed for implementation after the three day call in period.

(b) Sustainability Appraisal

Community Plan Impacts

Economic Prosperity	..	No impact
Education & Lifelong Learning	..	Positive
Better Health & Wellbeing	..	No impact
Environment & Transport	..	No impact
Crime & Disorder	..	No impact

Other Impacts

Welsh Language	..	No Impact
Sustainable Development	..	No Impact
Equalities	..	No Impact
Social Inclusion	..	No Impact

(c) Consultation

There has been no requirement under the Constitution for external consultation on this item.