

**Transcript of the discussion concerning the potential for a levy on
peatland developers to fund research to inform the management of
peatland development.**

(CLAD second AGM Thurs. 13th Jan 2011)

This discussion followed a presentation by Prof. Susan Waldron of Glasgow University outlining the basis for a levy. A powerpoint of this presentation can be found on the CLAD website:
http://www.clad.ac.uk/clad_diary/clad_second_agm/clad_agm_2011_talks/clad_agm_levyintor_susan.ppt). A video of this discussion can be found on our TV channel, CLAD TV (<http://www.youtube.com/user/n2242880#p/u/3/hX2qNjOuU5k>)

Susan Waldron (Glasgow University). So who would like to comment first or ask a question?

Maggie Keegan (Scottish Wildlife Trusts) I've got a comment about the disadvantages of such a levy. Knowing how the planning system works, if you had a levy depending on the size of the windfarm that would be manipulated by the developers to have a small wind farm then to have additional bits added further down the line so from a practical point of view there may be ways and means that they may want to get round that. The other thing is, if you have a levy does that then preclude doing post-construction monitoring for say, collision risk analysis of birds? Would their get out clause be 'Well, we've got to contribute to this levy so were not going to do any site specific work'.

Dave Gilvear (Stirling University). OK, just in relation to the second point, I think Susan was trying to make the point that research should be seen to be different from monitoring. I know that sometimes they overlap so.....

Maggie Keegan (Scottish Wildlife Trusts) But would it be seen to be different in terms of a developer? Would they want to contribute to both because quite often they are doing habitat management plans to increase the bird population specifically for different birds that are there so they are going to think 'Well we are going to have to contribute to this levy so we are not going to actually do anything on our site'. I am just thinking about how it might work.

Dave Gilvear (Stirling University). Well it's a valid point we had a meeting about this last Thursday to formulate some of our ideas and that same idea arose.

Maggie Keegan (Scottish Wildlife Trust). We've got people from the wind industry here so what would you think?

Jane Macdonald (Scottish & Southern Energy Renewables) What I would say is the planning system is there to reduce...well EIAs are carried out to reduce your impacts and then you do your mitigation and monitoring requirements as a result of your EIA result. This I see as being completely separate so I don't see that process.....

Maggie Keegan (Scottish Wildlife Trust). So there wouldn't be a conflict you wouldn't think?

Jane Macdonald (Scottish & Southern Energy Renewables). I think there would be conflict in that I don't think a lot of developers would be open to something like this as it would add costs. However, if you look at it from the Community Benefit Fund at the moment there is no strict rules and regulations about how that is applied. That is done on a site by site basis and it depends on how this will go through planning. So this is probably more akin to community benefit rather than what is required by the planning process and EIA monitoring requirements and mitigation requirements. I like the idea of this in terms of equality and spreading the research because there are so many gaps in knowledge and I do think that we can't all be scrabbling around in the background trying to get funding from external bodies and then occasionally the odd wind farm developer putting in money or using results from the habitat management plans that are a requirement for planning to then further research. So it is a good idea from that perspective but I can't imagine that it will be that well received across the board.

Francis Brewis (Scottish Government). I think a fundamental question that anybody is going to ask is 'is it fair' and I think the question then 'Is the person developing on peatland using a resource which is otherwise not charged for namely the peatlands?'. So I think there is a state-able case that it is fair to have a levy. There is a legal-technical question as to whether it will count as a tax and landfill tax is a tax. Under the Scotland Act, tax is not a devolved matter so it could still be done but it might have to have UK government agreement. It's a fine line between what is a levy or a rate, and what is a tax so there might be ways in which it could be constructed so it could be done on a devolved basis but that is a starting point and there's a lot of practical questions.

Rosie Vetter (Scottish Renewables Forum) I'm Rosie Vetter from Scottish Renewables. I just wanted to say that obviously I agree with what Jane says. She obviously works more closely with projects on the environmental side of things. From my perspective we, at the moment, are having a lot of things thrown at us like this from different areas whether it be peatland restoration and paying for research and peatland birds, forestry. We have spoken about things like this with the industry with regards to the bird monitoring as obviously there is a of data out there which has not been collated and it's not really helping that everyone is collecting all this data but nobody is analysing the data as a whole. I think one thing that came out of that meeting we had about funding for any further bird analysis would be that firstly they would ask why renewables why wind why not everybody who is building? Which I think would probably be fair. The second would be as long as it is presented

in the right way and the benefits for the industry could be shown I don't think that the industry would necessarily think it is a bad idea straight away. The industry would probably think it is a good idea and it is needed but the first question they would ask would be 'Why wind?' and they would definitely want to see the benefits of it. But I don't think it is something we can automatically assume the development industry is going to say 'No no no' but just to bear in mind that we are getting requests like this from many different areas so whether or not is going to be just a levy on carbon or whether it is going to be a levy that includes all different types of research.

Dave Gilvear. I don't think the intention that it was ever going to be just renewables but there is a question of what constitutes a development. A hill farmer with some sheep, is that seen as a development?

Katharine Blythe (RPS). I definitely agree with what Rosie has been saying. It is important that it is not just on renewables. We were mentioned open casting and obviously that has potentially a much greater impact at least in the short term and possibly in the long term as well, than renewables. I don't think wind energy should just be singled out.

I was also wondering, following on from Francis's comment whether having it as a specific Scottish thing would discourage development in Scotland and have European implications, potentially. It would obviously depend on the level of the levy and/or tax. Wind farms already have some kind of community benefit thing so they give a certain amount of money to a fund as do coal miners for example for each tonne of coal they give a certain amount to a community fund so if it was on a level with that relating to the extent you would have to make sure that the overall burden on the developers wasn't too much that they would just think forget this well go down to England and do it so we don't have this additional burden.

Philip Graves (Graves Consultancy). For those people who were bored to death by my presentation a couple of days ago, one of my recommendations was that one of the things that is missing from the present system of the environmental impact assessment system is constant monitoring. If you are doing something as I'm involved with the carbon calculator for the Scottish Government if you introduce that as a mandatory....I mean if it is not mandatory, if you do it, you really want to be checking two or three years down the road how effective its been, and ok you are not very keen to have monitoring as a form of research but we are lacking a lot of information on say the impact of drains or the impact of floating roads on peatland and you'd get that from the developers if that was made public it could be used as research material. So I'm just saying you could introduce this, without a levy, as a compulsory thing as part of the monitoring and your commitment to the planning application you put through your EIA.

Roger Cummins (Macaulay Land Use Research Institute). Very much on the same lines, we've got all this stuff going into reports...there is a wealth of material there if we have good baseline stuff. If the baseline stuff is solid then that is it, but going

back to Peters talk this morning....he has got a huge site that he is playing with at Whitelee that some of us would give our eye teeth to get into. Just as a matter of good relations. It's not a levy it'd be a combined thing.

Dave Gilvear (Stirling University). It's probably a combined thing but it's probably also a different thing. I agree with you.

Aedan Smith (Head of Planning (RSPB)). I think as a couple of other people have mentioned it'd be critically important not to be seen to be picking on the wind industry specifically and it was good to see that you suggested a few other industries where there are potentially negative carbon implications and I don't think that the coal industry would be coming out too well as soon as you start tallying up the carbon emissions from development. Another thing I want to make you aware of is there is actually a current Scottish Government consultation called 'Securing the Benefits' which is I think is due to close on the 18th of Feb. This has come about on the back of offshore renewables but it is much broader than that and it is a consultation which provides an opportunity to feed into the Scottish Govt how they feel community benefits in general might be readjusted because the system at the moment is a bit ad hoc and a bit inconsistent across the county.

Clifton Bain (IUCN). As the founding author of the windfarm peat principles Rosie and I have discussed these for about two years I think it has taken to get to the wording that you now see. What would be sad is if this levy became the killing point for that discussion. The fact is that the industry have had good experience of collectively pooling its research its data on other issue like birds. We're used to this discussion. I think that the idea of having coordinated research and working together pooling resources to get complimentary research and long term research is the key and that can be done without it having to be a levy and it is that that is needed as the principles say it is that collaboration and coordination of the research that's the real prize. You can achieve that through a voluntary method as has been done through wind farms and birds, or you can do it though a levy. Don't make (and I know you didn't intend that), don't make the levy be the all an end all of the suggestion 'cos there is a bigger prize. It's getting the information gathered and it helps the industry. That's why they signed up to the principles, it reduces conflict, it reduces public enquiry battles, so to focus back to the research benefits to both sides of NGOS government industry.

Dave Gilvear (Stirling University). I think that is a very good point. I think the levy idea is about fairness that the cost is not born by the willing

Clifton Bain (IUCN). I am not arguing against it if it comes forward yes there are huge advantages it is just that it is not the only focus the focus is about getting shared information

Marc Stutter (Macaulay Land-Use Institute). It is a similar kind of point I've got both a practical issue and an academic benefit. Firstly a practical issue would a levy be based on the size of a development or its potential carbon disturbance. Now the

latter could be a very difficult thing to work out but if you did it on the former you could have a developer that was making all the efforts to not disturb the site to do the best management practice versus one which was behaving really badly and a levy which was based on size and not disturbance the guy doing the good stuff would say well I've got to pay this levy anyway so I'll do it as cheaply as possible. So that might be an issue. My second point on an academic benefit a commonly funded research program like a levy would be quite good at breaking some academic boundaries. We're held back in furthering this kind of work by both the amount of information and its availability so maybe if a commonly funded research program we could get data sited as common resource as soon as it is available. Something like a virtual observatory ethos so it had a common platform for model testing or whatever and it was just immediately made available for the community rather than being stored away until people have got their papers out.

Dave Gilvear (Stirling University). Good points obviously some of the nitty-gritty of it would have to be thought through

Peter Robson (Scottish Power Renewables). From my point of view I like the list that you put up with to start with Susan of some of the things that we don't know. They were very relevant and that is the key thing for integrating the academic community into finding solutions to this that it is solution driven so the research is there to try and find solutions. I think the industry would be resistant to just generating a lot of data and a lot of academic interest but if it doesn't actually help them find a better way of doing something then they won't want to do that and I think that is probably the reason why say the company I work for we do research in house if you like because then we are able to choose where our focus is because then we have solutions for when we for the next project. I think the potential benefit of something that was a levy would be that if everybody has to do it then everyone benefits where as at the minute we all decide that we got something that we want to get a solution for and we'll pay for it and we'll fund it but then we don't really want to share it and its not that we don't want to share it with the academic community its that there is commercial capital in that because we now know how to do something better than a competitor and it is an extremely competitive industry to work in. And just a final point, I know someone has mentioned birds. That's been mentioned a few times. I think an enormous amount of money has been wasted monitoring birds. I think if you were to accumulate all of the money spent monitoring birds on windfarms in the UK and compare that with what we actually know about the impacts on birds I think it is extremely poor value for money. I don't know what it would be but it would be tens of millions have been spent on birds. I honestly think that if there had been some well set up , very, very thorough, good experimental design studies on birds and wind farms at the very start we wouldn't even be bothering to monitor any more because we'd know what the effects are and it would be a design and a habitat management solution. I think that is a problem as well with a piecemeal approach of getting different developers to do little bits and it is all a little bit disaggregated because that is what you end up with.

Dave Gilvear (Stirling University) I agree with everything you say there and I was going to wind it up but I think its only right that the RSPB comment.

Aedan Smith (RSPB). I kind of actually agree with what Peter's saying. I wouldn't say that the money had been wasted. The real lesson that would have to be learned here is getting the data and information from the monitoring available and that has been a real challenge for us as well because individual developers have been going off, doing their monitoring work and quite understandably feel quite precious about it because they've paid for it, collected it and want to keep hold of it and use it for themselves. There has been a difficulty about making that more widely available which we're were trying to address at the moment with the industry and the Scottish Government so if something like this was to be set up trying to get the information disseminated properly would be key. I do think that there maybe is an opportunity with this current consultation though to suggest to the Scottish Government that trying to move forward the system of community benefits to try and deliver this might be really worth while and I am sure if there was a well thought through response they would be quite receptive to that.

Clifton Bain (IUCN). The point there is that community benefits should not just be seen as village roofs. It could include improving you water, biodiversity and peatland condition around you and if we can convey some of that, that this is a community benefit and restoring for a peatland, we are on a winner.

Rosie Vetter (Scottish Renewables Forum). I totally agree. I might be naive but I see renewables as a community benefit for the wider community obviously. If we can somehow feed that into community benefit, We are actually holding a member day on the 28th of January at Pinsent Masons in Glasgow if anyone wants to come along to that then you are welcome to put in your tuppence worth because we'll be pulling together a response on that. What we've been trying to say for such along time now is that community benefit isn't just giving a pile of cash to the local community it is about everything that the windfarm developer does for the community.

Dave Gilvear (Stirling University). Ok that's good I think we are all talking about a common goal and we all want to move things in the same direction It may be that this levy is the way forward. There didn't seem to be anyone arguing against it but there may be alternative ways of fulfilling the same objective which is what I think Clifton was saying. I think we might have a thought about how this might be moved forward by talking to some of you as individuals.

Susan Waldron (Glasgow University). So if we write up what we understood people have said and distribute it to people to have a look up first of all would that be acceptable. A quick question Clifton, is this kind of discussion likely to come up at your Stirling meeting in the summer? Because it was about financing peatlands and I am not sure what that.....

Clifton Bain (IUCN). Yes it's a good thing. Whether we'll have a speaking slot or whether we can bring it into the discussion, but is very much about funding the ongoing.....

Susan Waldron (Glasgow University). Ok so discussions about funding aspects in peatlands are not likely to be going away soon.