

Code of Practice for Wind Energy Development in Ireland Guidelines for Community Engagement¹

Building strong and effective relationships with communities and individuals that will live with all infrastructure projects, including wind turbines, is an integral part of any infrastructure project, from large-scale resource projects and major transport infrastructure, to the development of local community facilities.

Ignoring or poorly managing community concerns can have long-term negative impacts on a community's economic, environmental or social situation. In addition, not involving communities in the project development process has the potential to impose costly time and financial delays for project promoters, or prevent the realisation of much needed infrastructure and facilities.

Establishing dialogue and building trust within a community can be challenging, but is vitally important for infrastructure providers who should have a long-term interest in the communities in which they operate.

This Code of Good Practice is intended to ensure that wind energy development in Ireland is undertaken in observance with the best industry practices, and with the full engagement of communities around the country.

Delivering any significant project will require community engagement through the different stages of a project, from the initial scoping, feasibility and concept stages, right through construction to the operational phase. The approach and level of engagement should reflect the nature of the project and the potential level of impact that it could have on a community.

The long standing focus of project promoters on technical and financial considerations has expanded to address environmental and spatial planning considerations. Successful engagement requires a full, open, honest and practical engagement with communities. The guidance below sets out a number of practical steps that wind farm promoters must comply with in engaging with communities.

¹ This document sets out a Code of Practice to enhance engagement and transparency between wind farm promoters and communities and does not purport to be of a legal form. It is not a substitute for planning obligations or other legal requirements imposed on wind energy developers.

1. Contact and visibility

A nominated Community Liaison Officer (CLO) should be appointed by the project promoter, with readily accessible contact details, who should be available to neighbouring residents and community groups from the initial project development phases, through to the operational phase of the wind farm. As necessary, regular meetings should be scheduled with the local community and there should be ongoing community liaison at all stages of a project from the development of an initial proposal and throughout its operation to decommissioning. The Community Liaison Officer should:

- Make publically available full, clear and comprehensive information about the project during key milestone stages of development (e.g. pre-planning, planning, construction);
- Have the authority and resources to receive, record, investigate, respond to and address queries and complaints during the different stages of the project development and operation.

The promoter shall submit an annual report to the local authority of all communications and information provided, queries received, responses to same and recording if these are ongoing or resolved, which will be published on a dedicated register available online.

A local Authority will take into consideration their performance of these obligations when deciding on new applications by the promoter elsewhere in the county or on repowering applications.

The promoter shall submit reports to the elected members and/or relevant officials of the competent local authority, as appropriate and may be required, during different phases of the development.

For the duration of the project, from scoping right through to decommissioning, a copy of all relevant information must be made available for inspection online through the project website and for viewing publically accessible locations such as local authority offices and public libraries or similar.

2. Arrangements for making contact

The objective of project promoters should be to ensure the widest possible consultation with individuals and communities from the commencement of the project. Project promoters should make every effort to identify those to engage with and should be flexible and facilitative in the way they approach this engagement including, for example, in relation to the timing and venues for engagement.

Local authorities maintain a database of registered community and voluntary organisations including recommended points of contact and information packs should be provided to these by the project promoters for dissemination (examples include the Local Community Development Committees and Public Participation Networks in each local authority area). At a minimum a contact telephone number (including out of hours during operation), email, website and social media address should be made available with a commitment that all requests will be acknowledged within a reasonable period, and not later than 48 hours.

Each individual and community organisation engaged with should receive the same information.

Where public exhibitions are used to provide information, project promoters should work with the local community to ensure that the time and venue has regard to:

- Prominence in the local community;
- Accessibility to individuals and community groups;
- The availability of appropriate media technology for the display of maps, plans and full illustrations and/or information leaflets in an understandable format;
- The need for exhibitions to be adequately staffed from the promoter's organisation or project team;
- The availability of environmental or other expertise being relied upon by the promoter;
- The need to provide the fullest possible range of information including EIA, Planning application;
- Potential conflict with other events or periods in a given year where the potential attendance at an event may be compromised.

3. Engagement

The project promoter should engage with the local community throughout each stage of the project, e.g., feasibility, design, EIA and planning, tender, construction, and operation. These elements should all form part of a Community Liaison Strategy (CLS) which must set out an engagement timeline at key project milestones (following the sample template at Appendix 1) and include at a minimum a dedicated website, the distribution of regular newsletters, education and outreach programmes. The actual approach in each project/stage will vary, but there must be open and transparent sharing of information and outreach, e.g. site and project information, advising individuals and communities of lodgement of consent applications, updating on progress. As well as providing information, promoters should work to understand the views of local communities at an early stage to enable these to be considered in the final design of the project to the greatest extent possible.

4. Compliance with Statutory/Regulatory Obligations

Statutory and Regulatory Systems (e.g. Planning Consent, Environmental Impact Assessment, Natura Impact Assessment) generally impose obligations on project promoters in relation to providing information and consulting individuals and communities (and certain designated bodies) in relation to project proposals. These requirements must be fully complied with, and effective community engagement requires that project promoters are open and transparent in their engagement under these codes. Failure to do so may be a breach of obligation, but also has serious risk of undermining trust and willing engagement between communities and the project promoters.

It is note that applications under certain consent procedures (e.g. Strategic Infrastructure Act 2006) may also have particular prescribed obligations imposed for the duration of the planning process, such as the provision of documents for download on a project specific website. However, adopting best-in-class levels of engagement beyond statutory requirements may increase the likelihood of project success. Conversely poor engagement increases the likelihood of negative reactions, increased opposition and greater planning risk.

5. Community benefit

Community benefit encompasses a range of measures that a project can bring to those living in its hinterland. For the majority of projects, this is associated with the level of economic benefit, widely defined, that a project brings to a community. This can range from employment and service supply to a project, participation as a stakeholder, economic transfers, or benefit in kind (e.g. discounted energy). The precise benefit will likely be a function of the scale and financial benefit of the project to the project promoters, the impact of the project on the local communities and their expectations regarding the nature of the community benefit. It is important that promoters recognise the potential of such benefits to become a source of division at local level and to, therefore, be open and transparent in providing information on how the benefit was calculated and allocated.

Due consideration should be given to measures regarding a planned project, which will benefit the economic sustainability of the local community beyond the lifetime of the project itself. The overall community benefit programme will be notified to the local authority following consultation on best practice, when available, with the Sustainable Energy Authority of Ireland (SEAI). A well-designed and well executed community benefit scheme can provide material and lasting value to communities that host wind farms.

Robust planning is required to identify what the project can deliver to the community and at what cost. Options for consideration should include enhancement of local amenity value; for example, by improving visual amenity or infrastructure upgrades.

6. Impact mitigation

Wind energy delivers a range of national and local benefits in terms of supporting regional and local economic development, decarbonising the energy system, enabling Ireland to meet its renewable energy ambitions on a least cost basis, addressing the health impacts of fossil fuels, etc. Large infrastructure projects also have the potential, however, to impact negatively on local communities. Project promoters should clearly identify and consult with local communities, on these impacts and set out the reasonable measures and steps they will take to ameliorate, mitigate or compensate for these impacts. The approach taken to mitigation must also align with relevant planning and environmental assessment guidelines and processes.

7. Independent Advisory and information bodies

There can be a sense in any community faced with a major new development of an imbalance in the information and advice available to project promoters on the one hand and individuals and communities on the other hand. It is important, therefore, that project promoters actively identify and encourage people to contact and seek advice and information from independent public bodies with an expertise in relation to wind energy projects. Contact details for the SEAI should also be provided for independent information on renewable energy, as well as contact details of the relevant planning authority, the Environmental Protection Agency, the Geological Survey of Ireland, Inland Fisheries Ireland, the National Parks and Wildlife Service, etc.

8. Expert Professional advice

While public bodies can provide a great deal of relevant information, individuals and communities engaging with project promoters should be encouraged to seek independent professional advice before entering into agreements or signing any legal documents, whether relating to agreements, benefit schemes, leases, wayleaves, or rights-of-way.

9. Ancillary Development

In addition to the wind farm itself, ancillary and related projects should be clearly disclosed and full information provided. There should be full and early information, once known, on elements such as road access, grid connection proposals, traffic management, sub-station or control buildings, maintenance facilities, at the outset of engaging with local communities.

10. Reports

Project promoters should openly and transparently demonstrate their compliance with this Code of Practice, publishing every twelve months a report (following the template at Appendix 2) of the actions that they have taken in accordance with its principles, any issues that have arisen, complaints received and response undertaken, and benefit measures implemented with local individuals and communities.

Appendix 1

Community Liaison Strategy – Engagement Timeline Sample Template

Pre-planning submission

Early consultation with certain statutory stakeholders and other relevant bodies is a fundamental requirement within the environmental assessment and planning process. No later than at this consultation stage (e.g. EIA Scoping), and preferably earlier during project feasibility and site wind assessment, a Community Liaison Officer should be appointed and their contact details provided to the community. A timeline for response to queries should be highlighted to the community also. Promoters should seek to anticipate host community issues early on with a view to achieving solutions.

Promoters should advertise public consultation locally with letter drops and house contact in the community. Further options for consideration in public awareness are schools presentations and public consultation events. These options need to be reflective of the public availability with regards to location and timing.

During Planning

During the planning stage the promoter should be available to residents in relation to any local issues and requirements that arise. Understanding issues as they arise through the planning cycle and liaising with parties accordingly can increase understanding of the project and may reduce the likelihood of planning objections.

Pre-Construction

Prior to starting construction, concentrated communication with all relevant stakeholders should take place to confirm any aspects of the project which have evolved and any potential impacts resulting to the community as a result of construction. Independent sources of information with appropriate expertise should be identified through SEAI in order to address matters of concern such as health impacts. Updates on project progress should be regularly provided and feedback from key community figures should be actively sought and “Meet the Buyer” evenings should be organised to introduce the main contractor of the project to the community. This will offer the contractor the opportunity to interact with local suppliers and trades in order to facilitate greater local economic benefits.

Complaints arising as a consequence of the development should be registered and actively managed by the promoter along with the full scope for the community benefit which should be finalised prior to the energisation of the project.

During Construction

It is essential that complaints be registered and actively managed by the promoter in a timely manner. Promoters should demonstrate an eagerness to prioritise community issues particularly during construction. Good examples of issues include the management of traffic flow and dust suppression during construction, in addition to execution of all mitigation measures proposed and adherence to any planning conditions imposed.

Likewise, it is essential to record the local employment and net economic benefit of the project. The highlights of this should be provided amongst other detail in quarterly newsletters to the community and periodic updates ahead of major events. A full economic assessment of the project should be conducted and maintained during the development.

Post-Construction and Operation

As any community fund will remain in place for the full lifecycle of the development, it is important the promoter maintains a record of it. Where possible, local maintenance technicians should be trained and employed to further local net economic benefit.

Appendix 2

**Annual Report of Compliance with Code of Practice
Sample Template**

Requirement	Implementation	Compliance
<p><u>Contact and Visibility</u></p> <p>Early and ongoing consultation is required on a regular basis to deal with queries, complaints, community engagement activities etc. from feasibility/site assessment through to operation and decommissioning.</p> <p>The continued maintenance of contact platforms is therefore required and the obligation to acknowledge/respond to communications remains for the duration of the project.</p>	Confirm maintenance of contact platforms and Community Liaison Officer (CLO) details.	
	Confirm acknowledgment of all communications within 48 hours has been made.	
	Confirm all queries and complaints have been followed up, published on project website and resolved as appropriate.	
	Where issues cannot be resolved or remain outstanding, confirm they are appropriately identified thus and published on the project website.	
	Confirm the number of queries and complaints has been published on the project website.	
	Confirm all reported incidents on site have been followed up, published on project website and resolved as appropriate.	
	Confirm all instances of planned disruption through maintenance, traffic restrictions etc. have been highlighted and clearly communicated to the community in advance.	
	Confirm a standard approach has been adopted when highlighting instances of planned disruption to the community.	
<p><u>Community Engagement and Benefit</u></p> <p>A standard approach is helpful in ensuring fair and equitable community engagement. Scale of benefit, activities and beneficiaries of any community benefit scheme should also be reported annually</p>	Confirm Community Liaison Strategy and project website have been maintained detailing engagement timelines and key milestones.	
	Confirm progress on community engagement projects and benefit schemes undertaken has been published on project website.	

<p>along with the future proposals for beneficiary schemes.</p>	<p>Confirm a standard approach has been adopted in highlighting the progress on benefit schemes and when accepting requests for new schemes.</p>	
<p>Where engagement of the community requires entering into legal agreements, professional advice should be sought. It is essential the promoter recommends seeking professional advice in any legal agreements entered into with host communities.</p>	<p>Confirm professional advice has been recommended to host communities where legal agreements are being entered into.</p>	
<p><u>Compliance with Regulation</u></p> <p>Continuing fulfilment of obligations regarding statutory and regulatory systems (environmental standards and sound level limits) must be publicised on project website.</p>	<p>Confirm fulfilment of statutory and regulatory obligations and publication of fulfilment on project website.</p>	
<p><u>Mitigation of Development Impacts</u></p> <p>Where project promoters working with local communities have identified potential impacts resulting from the project, steps to mitigate for these impacts are required. Such steps may involve annual input and compliance of continued effort to address them is necessary.</p>	<p>Confirm scheduled input from project promoter has taken place to mitigate impacts arising as a result of the project which have been identified with local communities.</p>	
<p></p>	<p>Confirm that where additional impacts have been identified by project promoters and local communities, steps to mitigate these have been addressed.</p>	
<p>To openly demonstrate compliance with the code of practice, detail on action taken in accordance with its principles which is not covered by the above checklist and/or for which further material is considered appropriate, should be attached to the checklist and submitted.</p>		