

<b>Planning Authority</b>	<b>Response to Scotland Against Spin Survey</b>
Aberdeen City	Did not respond to HoPS Consultation given the limited suitable areas, instance of and pressure for wind turbines within Aberdeen City. No financial guarantees in place at present but would reconsider if there are any further proposals and such an approach is recommended by HoPS or the Scottish Government.
Aberdeenshire	Responded to Consultation. Financial guarantees required for all windfarms and single turbine developments, secured through a legal agreement.
Angus	Did not respond to the Consultation. In respect to individual planning applications for wind turbines the Council makes use of either a planning condition and/or Section 75 Agreement requiring removal and reinstatement on decommissioning of the project. The wording of the condition and the need or otherwise for a financial bond is dependent upon the circumstances of the case.
Argyll & Bute	Did not respond to the Consultation. The Council do not seek financial guarantees either through Conditions or Section 75 obligations. They do not seek restoration for single turbines given their low on-site land impact.
Comhairle Nan Eilean Siar	<p>Could not say if they responded to Consultation. This Planning Authority has in some cases required a Section 75 legal agreements requiring a bond for the decommissioning, restoration and aftercare of windfarms or larger scale wind turbines.</p> <p>Each case is decided on its merits, and conditions requiring site reinstatement on cessation of use or expiry of the permission are standard.</p>
Clackmannanshire	Did not respond to the Consultation. Planning Condition requiring indexed link bond or other financial instrument to ensure funds are sufficient to cover the completion of the decommissioning and site restoration costs for single turbines and windfarms are standard. Confirmation of cost required by a suitably qualified and experienced Chartered Surveyor .
Dumfries and Galloway	Planning Authority was involved in and responded to the Consultation. Financial guarantees required for all windfarms secured through a legal agreement.. Restoration conditions applied to single or small groups of turbines.
Dundee	Did not respond to Consultation. Do not seek financial guarantees and are unlikely to do so in the future.
East Ayrshire	Responded to Consultation. Financial guarantees required for all single turbines and windfarms secured through legal agreement. Cost of decommissioning, restoration and aftercare to be determined by Council's own environmental consultant.
East Dunbartonshire	Did not respond to the Consultation. No financial guarantees required at present but would be considered in future. Being sited under the approach to Glasgow Airport and the Campsie Fells, very few applications are approved in East Dunbartonshire.
Edinburgh	Do not have any wind farms or single turbines other than small domestic ones. So far, this is not a significant issue for them.
East Lothian	Could not say if they responded to Consultation. Financial bond required for windfarms (more than 4 turbines). Decommission/Restoration condition for 1-4 turbines. New local development plan will require financial bond

	secured by legal agreement for more than 4 turbines over 42m.
East Renfrewshire	Did not respond to the Consultation but in the light and context of this document (HoPS) will further consider the need for financial guarantees when issuing consents for wind farms in the future. Only Whitelee has a financial guarantee.
Falkirk	Did not respond to consultation. The Council's supplementary planning guidance, 'Spatial Framework and Guidance for Wind Energy Development', states the Council will ensure via conditions and/or legal agreement that site restoration takes place either on the expiry of planning permission or in the event of a project ceasing to operate for a specified period. The supplementary guidance also advises that the Council considers it appropriate in specific circumstances to require a decommissioning bond but that this will be assessed on a case by case basis.
Fife	<p>Responded to Consultation. Fife Council have not generally attached such conditions to single turbines/small scale wind developments. A handful (single figures) of cases approved by committee against officer recommendation have had such conditions attached. They have also found appeals upheld by Reporters also have not consistently attached such conditions.</p> <p>As part of work with local interest groups through a special working group established by Fife Council comprising local elected members and community representatives, the working group has endorsed the attachment of such conditions to applications for small scale wind proposals. The use of such conditions are discussed frequently at both HoPS development management sub committee and the HoPS Energy and Resources sub committee.</p>
Glasgow	Did not respond to Consultation. A lack of recent experience in this field meant that there was little they could contribute. The Cathkin Braes turbine was conditioned to ensure restoration, but no financial guarantees were required. The need for Financial Guarantees is a matter that will be considered during the preparation of Supplementary Guidance to support City Development Plan policy CDP5. It is anticipated that Supplementary Guidance will be produced, in draft, sometime in early 2016. It should be noted that, due to the tightly drawn local authority boundary, there is little in the way of green belt land in Glasgow, and little pressure for the development of wind turbines in the City.
Highland	Responded to Consultation. It is the Council's practice to require bonds to be put in place to cover the cost of restoration. These bonds are normally secured through legal agreement – either under S75 of the Planning Acts or S69 of the Local Govt. Acts. No matter whether conditions or agreements are used, the bond needs to reflect the contractual obligation and the means of drawing down the monies in the event that restoration does not take place as set out within the permission. The bond itself is therefore a contract which is enforceable in the courts. This is probably the most important point to note – and perhaps the greatest weakness of relying on conditions only and not scrutinising the terms of the bond. For single turbines it is not the Council's policy to require restoration guarantees.
Inverclyde	Did not respond to Consultation. They have had no wind farm approvals but would intend to secure a restoration bond if the opportunity arises.
Midlothian	Did not respond to Consultation. There are no wind farms within Midlothian. There is currently no requirement for financial guarantees to be put in place for the decommissioning or restoration of wind turbine developments,

	however it is something which may be considered for future developments.
Moray	Could not say if they responded to the Consultation. The Council makes use of a planning condition requiring removal and reinstatement on decommissioning of the project. No financial guarantee required.
North Ayrshire	<p>Have now placed restrictions on their new windfarm developments which require bonds or financial assurances for decommissioning, restoration and aftercare. They use Section 75 obligations for these restrictions. They will generally place on all windfarm developments, restoration conditions to ensure that any turbines that fall out of use are removed and the land returned to its previous condition. This is a standard condition.</p> <p>They generally do not apply such restrictions on single turbines as they believe the relative risk and impact as a result of their scale is limited.</p>
North Lanarkshire	Did not respond to Consultation. It is the Council's practice to require the removal of all wind turbines (for subsequent restoration) via planning condition. In addition, for windfarms of three turbines and above, it is the Council practice to require restoration bonds (via Section 75 Legal Agreements). The Council is in the early stages of preparing its first Local Development Plan. As part of that process the Council is reviewing its current suite of Supplementary Planning Guidance which includes SPG12 – Wind Turbine Developments. Any change to the requirements for restoration bonds for wind turbines could be considered as part of that review.
Orkney	<p>Orkney Islands Council did not respond directly to the HoPS Position Statement on the Operation of Financial Mechanisms to Secure Decommissioning, Restoration and Aftercare of Development Sites. The council are however represented on the HoPS Energy and Resources Sub-Committee, who took a lead on the paper, and in general support the conclusions of the statement.</p> <p>The need for planning conditions, Section 75 legal agreements or other financial bond mechanisms are assessed on a case by case basis. All three of these mechanisms have previously been employed by the council, ranging from windfarm developments to large scale single turbine developments. It is currently council practice to control the decommissioning of larger on-shore turbine developments through Section 75 or other legal mechanisms. Orkney Islands Council does not currently have standard conditions or legal agreement templates, but welcomes the Position Statement and other recent work by HoPS on model planning conditions.</p>
Perth & Kinross	Did not respond to Consultation. Conditions are attached to windfarm consents (but not for single turbines) to require a financial guarantee to be put in place before the development commences. The condition also requires the value of the guarantee to be reviewed on a regular, specified basis. They are not currently considering extending the use of financial guarantees to cover single turbines, but may review their position in the future.
Renfrewshire	Did not respond to Consultation. The Planning Authority has not granted consent for any windfarm or wind turbine developments and consequently has not attached any s75 planning obligations or planning conditions. The LDP does not have a policy for developer contributions for windfarm developments. The process for the new LDP is about to commence where this and all other planning and community matters will be considered in the formulation of the new plan and associated policies and guidance.

Scottish Borders	Responded to and co-authored the Consultation. Bonds are sought for windfarms (generally 5MW and above although not exclusively) and not for individual turbine applications.
Shetland Islands	Could not say if they responded to the Consultation. Financial bond required for windfarms (more than two turbines of any size). Confirmation of cost required by a suitably qualified and experienced Chartered Surveyor .
South Ayrshire	Responded to Consultation. Financial guarantees are required to be put in place for the decommissioning, restoration and aftercare of wind farms and larger single turbine developments. For small single turbines a planning condition is placed on the developer to restore the site. New supplementary guidance will request restoration details and a bond (or financial provision) to cover restoration costs of <b>all</b> single turbines.
South Lanarkshire	South Lanarkshire Council was represented on the Working Group that considered the consultation document. The Council uses both planning conditions and/or Section 75 Legal Agreements to control decommissioning, restoration and aftercare. In terms of wind farms (4 turbines or more) all operational or under construction developments have legal agreements and/or conditions to secure restoration and aftercare financial guarantees/ bonds. For single, pairs or three turbine developments, conditions are attached to these consents to secure the restoration of the site and the majority have a financial guarantee to secure the restoration works. Requirement for a financial guarantee for single, pairs or three turbine proposals is considered on a case by case basis, taking account of the height and scale of the works required.
Stirling	<p>Did not respond to consultation. Prior to commencement of development, the developer shall provide to the planning authority a suitable financial guarantee to cover all decommissioning and site restoration costs. No work shall commence on site until the applicant has provided documentary evidence that the guarantee is in place and the planning authority has provided its written confirmation that the guarantee is acceptable.</p> <p>(ii) The wind turbine operator shall ensure that the approved bond or other financial provision is maintained throughout the duration of this consent. (iii) The adequacy of the approved bond or other financial provision will be subject to five yearly reviews, from the commencement of development, to be paid for by the applicant and conducted by a competent independent professional with relevant experience. The findings of such reviews will be provided to the wind turbine operator and the planning authority. Any revisions to the bond or other financial provision recommended by the review shall be made by the developer or wind turbine operator as necessary within 28 days of that review and documentary evidence provided to the planning authority by the developer/ wind turbine operator to that effect.</p> <p>For smaller developments of single or pairs of turbines, a standard non-financial restoration condition is applied.</p>
West Dunbartonshire	Did not respond to Consultation. This is primarily due to the make-up of the Authority which is predominantly urban in nature and in close proximity to Glasgow Airport. Consequently, there are limited opportunities for wind energy development. At present they do not have any consented windfarms or wind turbines. However a single wind turbine has been recommended for approval subject to a S.75 and bond agreement being put in place. Work is currently ongoing concerning the preparation of the S.75/bond. The purpose of the bond will be to ensure that the site is suitably restored. It is likely that a S.75/bond would be required (in future) for wind energy development within West Dunbartonshire Council.
West Lothian	Responded to and co-authored the Consultation. Bonds in place for all windfarms. In respect of single turbines, the remedy on the abandonment of a turbine would be enforcement action on the landowner and any other party with an interest in the land..