



ARBORY & RUSHEN PARISH COMMISSIONERS

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To: All Members of the House of Keys and Legislative Council

Re: Cair Vie Wind Farm Proposal

Arbory & Rushen Parish Commissioners write to raise serious concerns regarding transparency, process, and the availability of critical information in relation to the proposed Cair Vie wind farm at Earystane.

We are not expressing a view on the planning merits at this stage. However, recent experience with the offshore wind proposal Mooir Vannin, has demonstrated the risk that Members may be insufficiently informed before formal processes begin, and subsequently (for protocol reasons) constrained in their ability to engage with their constituents.

This letter is therefore intended to ensure that critical issues for Earystane are identified and scrutinised now, before any Electricity Act/Planning application is submitted.

Evidence Provided

For clarity, we attach:

- Appendix 1: Energy generation licence application submitted by Manx Utilities Authority
- Appendix 2: Correspondence indicating that a planning application is considered "imminent"

We also note that residents were previously assured that they would be informed in advance of any application - before the general public. No meaningful update has been provided; the MUA website has not had any news updates on the project for over a year. They have not engaged with the public at all.

Members are therefore now in a position where evidence exists, but key questions remain unanswered.

Key Issues Requiring Immediate Scrutiny

1. Project Sequencing and Commitments

The application for a generation licence prior to any planning submission raises fundamental questions:

- What commitments — financial, contractual or policy — have already been made?
- Does this create pressure for approval irrespective of planning considerations?
- What is Government's position if consent is ultimately refused?

2. Lack of a Clear, Single Project Description

There is currently no consolidated description of the full scheme, including:

- turbine locations;
- cable routes;
- substation; and
- the full transportation route from Douglas onwards to Earystane.

Members should establish whether this will be treated and assessed as one integrated development, rather than in separate parts.

3. Consultation and Public Engagement

Engagement to date appears partial, rather than covering the full affected area.

- Entire communities, landowners, tenants and businesses may not have been consulted;
- public information remains limited and fragmented.

This raises concerns as to whether consultation is meaningful and complete, rather than simply procedural.

3A. Transparency and Availability of Information

Concerns have also been raised regarding the availability and accessibility of up-to-date information.

In particular:

- the Manx Utilities Authority website does not appear to have been substantively updated for a considerable period, the 'Latest News' was last updated 9 October 2024; and the 'Cair Vie project' was last updated 11 March 2025;
- details of the community "consultation exercise" in October 2024 are not published; and
- it is understood that legal professionals acting on behalf of members of the community have attempted to contact the project consultants, only to be informed that they have been redeployed and have been redirected back to the MUA.

This situation creates uncertainty as to:

- who is responsible for providing information;
- where accurate and current information can be obtained; and
- how affected parties are expected to engage meaningfully with the process.

Members should therefore establish:

- what arrangements are in place to ensure clear, consistent and up-to-date public information;
- why project information, including consultation activity, is not being regularly published; and
- how Government intends to ensure that all affected parties have fair and effective access to information.

4. Treatment of Landowners, Tenants and Wayleaves

Serious concerns have been raised locally regarding engagement practices:

- landowners approached with reference to compulsory wayleave powers before clear terms are provided;
- lack of clarity on compensation frameworks;
- uncertainty as to whether land owners and occupiers have been identified; and
- reports of perceived pressure in early engagement.

These matters require urgent clarification to ensure that engagement is fair, transparent and lawful.

5. Legal Status of Land and Rights (Earystane)

There is no clear public explanation of the legal basis for the use of land at Earystane.

Key unresolved issues include:

- the root of title;
- the status of covenants, customary rights and restrictions;
- the interaction with plantation management plans;
- the relationship with Government's "One Government Estate" approach;
- the potential compensation liabilities arising if existing rights are overridden; and
- whether over sail, access or ancillary rights are required or have been secured both at the site and along the transportation route.

6. Environmental Sensitivity

The area is widely recognised as environmentally sensitive, particularly for important bird populations.

Members should establish:

- what ecological baseline surveys have been completed;
- whether they are comprehensive and independently verified; and
- whether the full extent of environmental impact has been properly identified.

7. Economic Reality and System Impact

Headline installed capacity figures do not reflect actual generation.

Members should seek clarity on:

- expected average output (capacity factor);
- the impact of intermittent generation on grid stability, the efficiency and cost of operating Pulrose power station; and
- the net effect on electricity costs to consumers.

8. Impact on Existing Infrastructure

Concerns extend beyond the proposed development itself and now appear to be affecting existing infrastructure, utilities and land arrangements.

In particular, it is understood locally that:

- important telecommunication site leases may not be renewed;
- notice has been given in relation to existing electricity infrastructure, resulting in consideration of compulsory wayleave powers; and
- issues arising in relation to water infrastructure.

While these are matters between individual parties, taken together they suggest a wider pattern in which the progression of the project may be contributing to uncertainty and disruption affecting established utility infrastructure and land management arrangements.

Further concerns include:

- lack of clarity on impacts to local businesses and rural enterprises; and
- disruption to farming operations, including reports of development activity being delayed.

Members should therefore establish:

- whether the project is contributing to changes in landowner behaviour affecting telecommunications, electricity and water infrastructure;
- what contingency planning is in place should any of these services be disrupted;
- whether the use of compulsory powers is being actively considered at an early stage; and
- what assessment has been made of the wider economic and operational impacts.
- what impact the proposal is having on other planning matters.

These issues have the potential to affect essential services and the functioning of the rural economy, raising concern as to whether the project is progressing in a manner that is creating instability in existing infrastructure arrangements.

9. Scale of Impact

It has been identified locally that approximately 128 properties lie within 2km of the proposed site.

However:

- only a fraction are referenced in available material; and
- there is little or no reference to business impacts.

Members should establish the true scale of impact on those affected.

10. Consistency of Legislative and Regulatory Safeguards

A further area of concern is the apparent inconsistency between offshore and onshore regulatory frameworks.

While offshore developments are subject to structured, evidence-based examination processes and defined regulatory regimes, it is not clear that equivalent safeguards exist for onshore developments of this scale.

In particular:

- What specific regulatory framework governs noise, amplitude modulation, infrasound, shadow flicker and public health impacts from onshore turbines?
- Is reliance being placed on outdated or non-specific guidance?
- Why does a structured examination process exist for offshore but not clearly for onshore proposals?
- Are residents affected by onshore development afforded the same level of protection as offshore interests?

This raises a fundamental issue of consistency, fairness, and adequacy of protection for affected communities.

11. Democratic Engagement and Equality of Scrutiny

Recent commentary in relation to the Ørsted offshore wind proposal has highlighted concern that elected Members did not fully engage with the level of detail available during earlier stages of that process.

It has been publicly noted by Northern local authority representatives that there was frustration and astonishment that Members had not fully appraised themselves of the detail prior to the formal Public Examination stage, and that attendance at the inquiry by elected representatives was limited.

We raise this not as criticism of individuals, but as a matter of democratic process and accountability.

Where large-scale infrastructure proposals are being advanced:

- the applicant is represented by a well-resourced, multi-disciplinary professional team;
- local authorities, residents and landowners are required to engage with complex technical material and engage professional help at their expense when they consider it is needed; and
- elected Members are ultimately responsible for decision-making on behalf of the public.

In those circumstances, it is essential that Members are able to demonstrate that they have engaged with proposals at an appropriate level of detail and scrutiny by asking questions and informing themselves.

Failure to do so risks creating a perception of:

- imbalance of resources and influence;
- inequality in the level of scrutiny applied; and
- a process in which affected communities feel they are not being represented on an equal footing.

We emphasise that the matters set out in this letter are being raised at this stage to ensure that:

- Members are fully informed early;
- scrutiny is undertaken at the appropriate level; and
- public confidence in the fairness and integrity of the process is maintained.

Conclusion

Members are now in possession of evidence indicating that:

- key regulatory steps have already been taken; and
- a planning application is considered imminent.

In those circumstances, it is essential that full scrutiny takes place now, before formal processes limit Members' ability to engage.

Failure to do so risks repeating a situation where:

- elected representatives are insufficiently informed at the critical stage; and
- meaningful scrutiny is displaced from Members to the general public.

This is not a question of supporting or opposing the proposal, it is a question of ensuring that decisions are taken transparently, lawfully, and with full understanding of their implications.

As a local Authority we have a responsibility to consider the potential impact of the proposal on rates, local income and sustainability of services.

At present, there is no clear information available as to what, if any, direct financial benefit will accrue to the local authority. Whether, for example, there will be any form of rates income, compensation or community benefit associated with the development or how any such benefits compare to the potential risks.

At the same time, concerns have been raised regarding potential negative economic impacts including the risk of property devaluation, impact on local businesses, particularly tourism and rural enterprises, and the wider effect on the rate base should properties or businesses be adversely affected.

Members should therefore establish:

- What assessment has been undertaken of the proposals' impact on property values and the local rates base?
- Whether any financial modelling has been carried out in relation to local authority income?

- What level of community benefit or compensation, if any, is proposed for affected areas?; and
- Whether there is a risk that the development could result in a net financial loss to the local community?

We therefore urge all Members to raise these matters with Ministers and the Manx Utility Authority as a matter of urgency.

Yours sincerely,

G Barry Kennedy

G Barry Kennedy
Clerk to the Commissioners

For and on behalf of

The Board of Arbory & Rushen Parish Commissioners