

Project
for an offshore wind farm off
the coast of Saint-Brieuc



PUBLIC HEARINGS
▶ **Useful Guide**



Dear Reader,

As provided for under law, the National Commission for Public Hearings (CNDP) was approached, in July 2012, by the consortium Ailes Marines SAS, which is planning to set up an offshore wind farm off the coast of the Bay of Saint-Brieuc, in response to a government invitation to tender as a result of which it has been awarded the Saint-Brieuc site.

A project of this dimension requires lengthy studies and must follow a precise administrative procedure. The first stage is the public hearing, as provided for under the laws of 27 February 2002 and 10 July 2010. This relatively recent process has enabled the organisation of 68 public hearings in France over the last 10 years. This, however, will be the first such gathering to take place in Brittany.

The CNDP has given me the honour of asking me to chair the hearing; I will be assisted by six members appointed at my suggestion.

The sole purpose of this particular procedure is to allow everyone to become acquainted with the project under debate, in a full, transparent and comprehensible fashion, and to participate in the discussions. As such, any private individual and/or body corporate may, during the four months of the hearing, ask questions and contribute and express their opinions so that the Project Owner has all the necessary details available to decide on how the project should move forward and on how to make it acceptable to as many of you as possible. This is a unique opportunity for each of you; an opportunity for you, public, to express your expectations, fears and suggestions and for the Project Owner to finalise the project in full awareness of your concerns. This is an excellent example of the use of collective intelligence and participatory democracy.

To give you a better idea of what a public hearing involves and help you understand the rules, the CPDP has put together this information booklet for you. By reading it, you will find out how to take advantage of the opportunity and to play an active role in this project, which is to be implemented off the coast of the Bay of Saint-Brieuc, as it develops.

The Private Commission for Public Hearings is, of course, entirely at your disposal to answer any further questions you may have, so please feel free to contact us.

I wish you, as of now, an excellent public hearing.

Antoine DUBOUT
Chairman



► Public Hearings

The introduction of public hearings into the **French legal system** was the result of Article 2 of the law of 2 February 1995 regarding the reinforcement of environmental protection, the so-called Barnier Law, and implementing decree 96-388 of 10 May 1996. Its importance has been reinforced by Article 134 of the law of 27 February 2002 regarding democracy in proximity and by implementing decree 2002-1275 of 22 October 2002, regarding the organisation of public hearings and the National Commission for Public Hearings, amended by law 2010-788 of 12 July 2010, setting out the nation's commitment to the environment.

A public hearing is therefore a **procedure provided for by law**, which allows **the public to have a say in the decision-making process**.

The rules for a public hearing are: **direct expression by the public, a reply to every question**, regardless of who asked it, and **coherent replies**.

Whatever the subject of the hearing, it must be clearly defined and the following fields must be left open:

- **discussion on the timeliness of the project,**
- **examination of the variants,**
- **discussion on every aspect.**

► The CNDP

The law of 27 February 2002 regarding democracy in proximity grants the National Commission for Public Hearings (CNDP) the status of **Independent Administrative Authority (AAI)**. The purpose of this status is to establish the legitimacy and independence of the body, providing the public with guarantees as to **the impartiality, transparency and sincerity of the public hearing**.

Said independence is guaranteed simultaneously by the composition of the CNDP, the way in which it is organised and its procedural rules, as well as by the autonomy of its operating means. The law does not grant the CNDP any legal powers to regulate or sanction, but it makes decisions which the Project Owners should take into serious consideration, issues opinions and puts forward recommendations; the mission entrusted to it is similar to that of issuing legal opinions in the matter of public participation.

► The CNDP's missions

The CNDP's primary mission is to decide whether a public hearing should be held regarding projects referred to it by the Project Owners.

Under the environmental code, it has several additional roles and missions:

- to promote public participation in the process of preparing development and infrastructure projects that are of national interest to the Government, local authorities, public establishments and private individuals;
- to determine the methods of public participation in the projects referred to it;
- to ensure that good conditions are maintained in order that the public be kept informed while the projects are underway;
- to advise the competent authorities and Project Owners, at their request, on any matter relating to the consultation with the public throughout the preparation and execution of a project;
- to issue any opinion or recommendation of a general or specific nature with a view to encouraging and cultivating consultation with the public.

Further information is available at: www.debatpublic.fr

► The Private Commission for Public Hearings (CPDP)

For each public hearing that the CNDP decides is required, a Private Commission for the Public Hearing is created, which will take charge of the public hearing from its initial preparation through to the final findings. The chairperson is appointed by the CNDP, as are the members at the chairperson's suggestion. They are totally independent from the Project Owner, in this particular case Ailes Marines SAS, and all the parties involved. They are responsible for conducting the hearing, maintaining equality, integrity, impartiality, transparency and confidentiality. They are signatories of a Code of Ethics.

If the CPDP does not take a stance on the basis of the project under debate and does not express any opinion of its own, it acts in such a way as to ensure that as much information as possible be put forward by all the participants.



The CPDP ensures that the principles enabling the hearing to be conducted calmly are respected:

- **Fairness**

The fact that all participants are treated equally enables everyone to feel encouraged to contribute to the hearing. The same means of information, expression and contribution are made available to all. The same disciplinary rules apply to all, regardless of status or position.

- **Transparency**

The information about the project is available to and understandable by all, allowing considerably diverse points of view to be expressed by all the participants. All the contributions are made public as and when they are gathered by the CPDP, throughout the entire length of the hearing.

- **Analysis of the arguments**

The CPDP ensures that everyone's positions and arguments are expressed and debated, and are then followed up by a response from the Project Owner or by further studies. The public hearing should bring to light all the necessary factors to evaluate the project.

► A public hearing is not a public inquiry

PUBLIC HEARING	PUBLIC INQUIRY
1/ Takes place prior to the project	1/ Takes place at the end of the project examination process
2/ An information procedure	2/ A consultation process prior to decision-making
3/ Concerns all projects meeting certain criteria (nature, cost, size, etc.) and must be referred to the CNDP	3/ Concerns projects impacting on private property and/or the environment
4/ Enables the Project Owner to obtain elements for the assessment and improvement of the project	4/ Enables the administrative authority to become aware of the public's views and to obtain the opinion of an independent person, the inquiry commissioner, before coming to a decision
5/ Does not lead to any opinion, decision or legal obligation	5/ The inquiry commissioner issues a reasoned opinion, which may be favourable or unfavourable but is merely advisory
6/ Enables the fine-tuning of the project (goals, variants) prior to its analysis by the administration	6/ Enables administrative authorisations (declaration of public utility, building licences, etc.)
7 / Maximum length: four months (may be extended by two months by the CNDP)	7/ Lasts between 15 days (minimum) and two months maximum, with an option to extend

This hearing is

The CPDP gives you the opportunity to obtain information and

► **The website: www.debatpublic-eoliennesenmer22.org**

The website features all the documents related to the hearing, the meeting schedule, the answers to questions asked, the studies, etc. While the public hearing is officially ongoing, interactive pages will allow you to ask questions, express your opinions and contribute.

► **The Project Owner's file**

Drafted by Ailes Marines SAS, the file sets out the goals and broad outlines of the project under debate. You can ask for a copy simply by sending a request to the CPDP by post, e-mail, or in person at the CPDP headquarters. A copy can also be downloaded from the Commission's website. The Project Owner's File will be made public as soon as it has been validated by the CNDP.

► **The file summary**

Attached to the "useful guide" to the public hearing, available at the CPDP headquarters, exhibition and meeting venues, and other distribution points (town halls, associations, etc), the file summary setting out the project is available to all residents of the territory affected by the project. Alternatively, you can request a copy directly from the CPDP by post or e-mail, or download it from the website.

► **Stakeholders' comment forms and how they work**

The CPDP offers every private individual and body corporate (associations, local authorities, businesses, employers' or workers' organisations, consular chambers, etc.) the opportunity to express their written opinions, positions or suggestions regarding the project in a detailed, illustrated manner. Consisting of a four-page, four-colour template distributed by the CPDP, stakeholder's comment forms are available to the public on request at the Commission's head office, during the meetings and on the website.

The rules for filling out the template and the template itself can be obtained on the website or upon request from the CPDP.

Contributions may be freely made and are voluntary; The views expressed – which must obey the rules established by the CPDP – are those of the authors only.



yours. Get involved!

express your opinions thanks to the various tools put at your disposal.

► The Useful Guide to the public hearing and the public hearing Journal

These are the Commission's publications; they present the public hearing, the CNDP and the CPDP, explaining how they work, their missions and their principles. The Useful Guide will be distributed in the territory which is the focus of the hearing along with the project summary. The Journal provides an interim review half-way through the hearing and a further review at the end. These documents can be obtained from the Commission's headquarters, at the exhibition and public meeting venues and on the CPDP's website.

► Written questions

Addressed to the CPDP during the public meetings, by post, e-mail, or through the interactive pages of the hearing website (www.debatpublic-eoliennesenmer22.org), questions will be answered in full in writing (in French) and will be published on the website. Questions and answers will be taken into account in the hearing records.

► The public meetings

Whether general or addressing a particular topic, the public meetings provide a unique opportunity to express your ideas on the project constructively and calmly, and to put your questions directly to the Project Owner's representatives. A large part of these meetings is devoted to interaction with the public. Everyone has the opportunity to take the floor to express their point of view or ask questions, while abiding by the rules established by the Commission and respecting the time allowed for each participant.

► Summaries and verbatim reports of the public meetings

Records will be available on the website from the day after each public meeting. During the week following the meetings, a full record and the verbatim report (a comprehensive transcription of what was said) will be available on the CPDP website.

► The composition of the CPDP

On 5 September 2012, the National Commission for Public Hearings (CNDP) appointed Antoine Dubout as chairman of the Private Commission for the Public Hearing on the project to build an offshore wind farm off the coast of the Bay of Saint-Brieuc, with responsibility for preparing and leading the public hearing. At his suggestion, the Commission appointed the other six members of the CPDP on 3 October 2012.



Antoine DUBOUT, Chairman

A graduate of the Ecole Polytechnique and chief engineer of roads and bridges, Mr Dubout has worked in various Departmental Public Works Departments and was director of the ports of Boulogne-sur-Mer and Calais. He has occupied a number of positions at estate agencies, notably as CEO of the SICP, PEREXIA and the SAGI. He has also served as Chairman of the Board at GESTRIM and the UESL (1%). Antoine Dubout is chairman of the FEHAP. He has chaired two public hearings on methane terminal projects at the port of Fos sur Mer.



Sophie CHEGARAY

Having taught French at a girls' secondary school in Morocco for four years, Sophie Chegaray began her career as a journalist in Nouméa (New Caledonia) where she was in charge of the weekly publication *Le Caillou*. She then worked for 10 years for the daily publication *Fraternité-Matin* in Abidjan (Ivory Coast), where she was the lead journalist for *Public Works-Environment* and *Maritime Life*. Back in France, and based at Boulogne-sur-mer, she has worked for over 20 years as the correspondent for a number of maritime publications belonging to the *Ouest-France* group (*Le Marin*, *Produits de la Mer*, *France-Eco-pêche*), the *Journal de la Marine marchande et de la Pêche maritime* and the women's magazine *Marie Claire*).



Claire de LOYNES

Ms de Loynes has variously worked as a journalist (Agence France Presse in France and at their Beijing office), a lecturer in the Arts in France and abroad, general director of France-Quebec (a federation of associations) and deputy director of external communications at the auditing and advisory company Ernst & Young, where she was in charge of the foreign editions and surveys into the attractiveness of territories (France and Europe in the World) and the competitiveness of cities.



Frédéric AUCHER,

General Secretary of the CNDP since 2005, Mr Aucher has, in this role, taken on the administration of several Private Commissions for Public Hearings: VHV Cotentin – Maine; HSR Bordeaux – Spain; expansion of the port infrastructure and extension of the Grand Canal at the port of Le Havre; Fos Tonkin methane terminal; Fos Faster



Joseph MOYSAN

Mr Moysan's entire professional career has been exclusively in the maritime sector, firstly serving 16 years in the French Navy as a Quartermaster (or Navigator), which concluded with the command of a small unit in Brest. After taking a competitive exam, he joined the Corps of Assistant Harbourmasters in 1981 and spent seven years at the Autonomous Port of Bordeaux. In 1988, he was transferred to the Autonomous Port of Marseilles (now called the Grand Maritime Port of Marseilles) as Harbourmaster where, for the last 13 years, he took on the functions and missions of Harbourmaster and sector director in charge of the Harbourmaster's Office, Security and Safety. He retired in 2011.



Alain RADUREAU

A research engineer at the French National Institute for Agricultural Research, for the last 20 years Mr Radureau has been part of a university team conducting research on the biological functioning of coastal systems. He is also heavily involved in the processes of reflection and consultation undertaken with regard to the future of the Mont Saint Michel Bay. He was a member of the CPDP for the project to expand the port infrastructure and extend the Le Havre Grand Canal.



Michel STEINER

Having studied economics, Mr Steiner worked as a journalist for 35 years, occupying a variety of positions in the French press, notably at L'Usine Nouvelle, Les Echos and Santé et Travail, in the fields of macro and microeconomics, land planning, local authorities and social economy. He was also a lecturer on the journalism course at the University of Tours. Inquiry Commissioner since 2011, he was a member of the CPDPs for the projects to expand the port infrastructure and extend the Le Havre Grand Canal and for a methane terminal at the Port of Marseilles.



Bruno de TREMIOLLES

Having trained as an engineer and occupied a position as an executive officer at the Pechiney Group, Mr de Tremiolles is chairman of a heritage association. He was a member of the CPDP on the project to extend the E-line of the RER transport system to the west and for the HSR Paris – Orléans – Clermont-Ferrand - Lyons.

General Secretary

methane terminal and more recently the HSR Paris – Orléans – Clermont-Ferrand – Lyons. Having trained in public and penal law, he was an officer in the Judicial Police, a senior official in local authorities, chief of staff and member of a ministerial cabinet.

► The different stages of the public hearing

Public Hearings

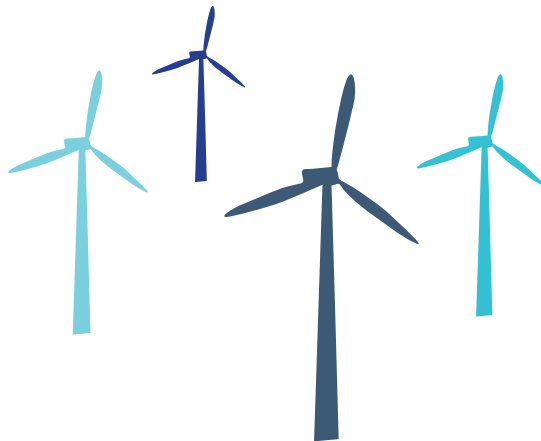
Opening and staging of the public hearing (from March to July 2013 unless the CNDP decides exceptionally to prolong it).

The CPDP will put at the public's disposal the tools they need to express their opinions and take an active part in the proceedings: public meetings, a journal of the proceedings, stakeholders' comment forms, an interactive website, etc. All the opinions, written and verbal contributions and questions will be taken into account to be entered into the record of the public hearing.

What happens next?

When the hearing finishes, the chairman of the CPDP prepares a record of it. The hearing's findings are drawn up by the chairman of the CNDP. The findings and the record will be published no more than two months after the hearing finishes.

In the three months following the publication of the record and the CNDP's findings, the Project Owner, Ailes Marines SAS, must take a decision as to the project's future (to continue with it or not) by means of a written document addressed to the CNDP and made public, setting out, as appropriate, the substantiated reasons for any changes to the project in the event that it is to proceed. As required by the Grenelle 2 Law of 10/7/10, the Project Owner must indicate what methods will be used to keep the public informed in the event that the project is to proceed. The CNDP shall be responsible for monitoring until the opening of the public inquiry. At that time a guarantor can be appointed.





► Hearing Schedule

• Thursday 28 March 2013 • 7pm	Opening session Presentation of the project	<i>Saint-Brieuc</i>	Robien Room
• Wednesday 10 April 2013 • 7pm	General Meeting Presentation of the project	<i>Matignon</i>	Rainier III Multipurpose Sports Hall
• Thursday 25 April 2013 • 7pm	General Meeting Presentation of the project	<i>Saint-Quay-Portrieux</i>	Conference Centre
• Wednesday 15 May 2013 • 7pm	Thematic meeting: Energy and landing of Electricity Transmission Network cables	<i>Saint-Brieuc</i>	Brézillet Exhibition Centre Le grand Léjon Room
• Wednesday 29 May 2013 • 7pm	Thematic meeting: Industry sector and economic impact	<i>Erquy</i>	L'Ancre des Mots
• Thursday 20 June 2013 • 7pm	Thematic meeting: The worksite: safety and impact on the surroundings	<i>Paimpol</i>	Community Centre Pierre Loti
• Thursday 27 June 2013 • 7pm	Thematic meeting: Impact on sea users	<i>Binic</i>	L'Estran Cultural Centre
• Thursday 11 July 2013 • 7pm	Thematic meeting: Operation - maintenance - safety	<i>Langueux</i>	Cultural Space "Le Grand Pré" Prévert Room
• Wednesday 17 July 2013 • 7pm	Thematic meeting: Environment and landscape	<i>Pléneuf Val-André</i>	Guémadeuc Room
• Tuesday 23 July 2013 • 7pm	Closure meeting	<i>Saint-Brieuc</i>	Brézillet Exhibition Centre Hermione Room

Addresses and access maps for the meeting venues at www.debatpublic-eoliennesenmer22.org

**Commission Particulière du Débat Public
pour le projet de parc éolien en mer, au large de la baie de Saint-Brieuc**

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