

Document 3

Relates to exchanges in connection with the proposed Hyndford Quarry development (NOD-SLS-001) and within the scope of the request.

Note: Individual communications are separated by a full line to separate discrete exchanges. Where email communications have attachments, these are appended, where appropriate, below the main text of the email, prefaced by **[attachment below]**

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 25 June 2015 12:19
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Cc: [Redacted – Fol Section 38(1)(b) – Personal data]
Subject: RE: Hyndford quarry - proposed lines

Hi will do

To be safe I will leave it till 11 am just in case we hear something from Comms.

[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 25 June 2015 12:08
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Cc: [Redacted – Fol Section 38(1)(b) – Personal data]
Subject: FW: Hyndford quarry - proposed lines

[Redacted – Fol Section 38(1)(b) – Personal data]

I have spoken to [Redacted – Fol Section 38(1)(b) – Personal data] and she said the letter can issue any time after 10am. [Redacted – Fol Section 38(1)(b) – Personal data] will need a copy of the intentions letter and the report so grateful if you can send that on to her.

[Redacted – Fol Section 38(1)(b) – Personal data] will update you if for any reason there is a change with the time for issue.

Thanks

[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 25 June 2015 11:47
To: Murray LMA (Lyndsey)
Subject: RE: Hyndford quarry - proposed lines

Thanks [Redacted – Fol Section 38(1)(b) – Personal data]
– are you able to give me a ring about this when you get a minute please?

Thanks

[Redacted – Fol Section 38(1)(b) – Personal data] | Media Manager |
Communications Social Justice | The Scottish Government
[Redacted – Fol Section 38(1)(b) – Personal data]
@scotgovfairer

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 25 June 2015 11:40
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Cc: [Redacted – Fol Section 38(1)(b) – Personal data]
Subject: RE: Hyndford quarry - proposed lines

[Redacted – Fol Section 38(1)(b) – Personal data]

I have amended the text below that you have set out. Hope that is ok?

I know the intentions letter is to issue tomorrow. Can you let me know if there is a time that we should issue or if we can issue it at any time tomorrow?

Thanks

[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 25 June 2015 11:06
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Cc: [Redacted – Fol Section 38(1)(b) – Personal data]
Subject: Hyndford quarry - proposed lines

Hi all

[Redacted – Reg 10(4)(d) – Material in the course of completion]

Thanks

[Redacted – Fol Section 38(1)(b) – Personal data] | Media Manager |
Communications Social Justice | The Scottish Government
[Redacted – Fol Section 38(1)(b) – Personal data]
@scotgovfairer

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 26 June 2015 13:52
To: [Redacted – Fol Section 38(1)(b) – Personal data] Communications
Social Justice
Cc: [Redacted – Fol Section 38(1)(b) – Personal data]

Subject: FW: NOD-SLS-001 - Hyndford Quarry Lanark - Intentions letter - 26
June 2015

Attachments: NOD-SLS-001 - Hyndford Quarry Lanark - Intentions letter - 26 June 2015.pdf;

NOD-SLS-001 - Report.pdf

Hi [Redacted – FoI Section 38(1)(b) – Personal data]

Here is a copy of the e-mail sent to Cemex UK Operations this morning at 11:20. I have also sent a similar e-mail to South Lanarkshire Council and all the main parties as per the list supplied by DPEA this morning, and have also sent copies to Aileen Campbell MSP & Claudia Beamish MSP who were particularly mentioned in the Report.

The interested parties letter will not issue till next week and will include a link to the documentation which will be held on DPEA's website (DPEA are arranging for the documents to be placed on-line today and the link will be available later today.) the following extract from the interested parties letter that will issue next week holds the relevant link which will duly hold the documents in question –

“A copy of the intentions letter and the reporter's report is now available to be viewed on the Directorate for Planning and Environmental Appeals (DPEA) website <http://www.dpea.scotland.gov.uk/CaseDetails.aspx?id=114959> . Both these documents are available under the 'decisions/outcome' tab.” – Perhaps David can confirm when the link will be operational as this may prove useful for any enquiries you may receive.

Regards

[Redacted – FoI Section 38(1)(b) – Personal data]

PS Just had Aileen Campbell on the phone asking about any embargo on this information and she is going to give you a call.

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
THE TOWN AND COUNTRY PLANNING (REFERENCE OF APPLICATIONS)
(SOUTH LANARKSHIRE COUNCIL) (PROPOSED EXTENSION TO MINERAL
EXTRACTION OPERATIONS AND ASSOCIATED RESTORATION AND
ENHANCEMENT WORKS AT HYNDFORD QUARRY, LANARK) DIRECTION 2013

Dear Mr Kelly

Please find the attached Scottish Ministers Decision letter in respect of the above mentioned Direction case. A copy of the Reporters Report on the matter considered by Scottish Ministers is also attached.

Please note that no hard copy of these documents will be issued. I would be grateful if you could acknowledge receipt of this e-mail.

Yours sincerely

[Redacted – FoI Section 38(1)(b) – Personal data]

[Redacted – FoI Section 38(1)(b) – Personal data] Planning Decisions| Planning & Architecture| Scottish Government| [Redacted – FoI Section 38(1)(b) – Personal data]

[Attachments] – Excluded from scope of request

From: [Redacted – FoI Section 38(1)(b) – Personal data] on behalf of Minister for Local Government and Housing

Sent: 15 December 2016 19:22

To: [Redacted – FoI Section 38(1)(b) – Personal data] Minister for Local Government and Housing

Cc: Cabinet Secretary for Communities, Social Security and Equalities; Cabinet Secretary for Culture, Tourism and External Affairs; Chief Planner; [Redacted – FoI Section 38(1)(b) – Personal data] Communications CSSE;

[Redacted – FoI Section 38(1)(b) – Personal data] Hogg KJ (Kenneth)

Subject: RE: Hyndford FOI - letter to former Cab Sec, Mr Neil

Hi [Redacted – FoI Section 38(1)(b) – Personal data]

Thanks – I understand Mr Neil is aware that this FOI will be made available so no need for the letter at this stage.

[Redacted – FoI Section 38(1)(b) – Personal data]

Private Secretary to Kevin Stewart, Minister for Local Government and Housing

[Redacted – FoI Section 38(1)(b) – Personal data]

From: [Redacted – FoI Section 38(1)(b) – Personal data]

Sent: 15 December 2016 12:04

To: Minister for Local Government and Housing

Cc: Cabinet Secretary for Communities, Social Security and Equalities; Cabinet Secretary for Culture, Tourism and External Affairs; Chief Planner; [Redacted – FoI Section 38(1)(b) – Personal data] Communications CSSE;; Hogg KJ (Kenneth)

Subject: Hyndford FOI - letter to former Cab Sec, Mr Neil

Hi [Redacted – FoI Section 38(1)(b) – Personal data]

I attach a draft letter for Mr Stewart's approval and for him to send to Alex Neil, MSP, as per the second bullet point below.

It would be good to know by 2pm on Monday if this has been cleared and issued. That will then enable PAD to issue the letter to Burness Paull on Tuesday.

Happy to discuss.

Many thanks,

[Redacted – FoI Section 38(1)(b) – Personal data]

From: [Redacted – FoI Section 38(1)(b) – Personal data]

[Redacted – Fol Section 38(1)(b) – Personal data]

On Behalf Of Minister for Local Government and Housing

Sent: 06 December 2016 15:45

To: Murray LMA (Lyndsey); Minister for Local Government and Housing

Cc: Cabinet Secretary for Communities, Social Security and Equalities; Cabinet Secretary for Culture, Tourism and External Affairs; DG Communities; Solicitor to the Scottish Government and PS; Chief Planner; [Redacted – Fol Section 38(1)(b) – Personal data] Communications CSSE; Hogg KJ (Kenneth)

Subject: RE: Submission to Mr Stewart on Hyndford - 1 Dec

[Redacted – Fol Section 38(1)(b) – Personal data]

Mr Stewart has noted your submission and is content with the recommendation at para 11 –

thank you.

[Redacted – Fol Section 38(1)(b) – Personal data]

Private Secretary to Kevin Stewart, Minister for Local Government and Housing

From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 01 December 2016 14:09

To: Minister for Local Government and Housing

Cc: Cabinet Secretary for Communities, Social Security and Equalities; Cabinet Secretary for Culture, Tourism and External Affairs; DG Communities; Solicitor to the Scottish Government and PS; Chief Planner; [Redacted – Fol Section 38(1)(b) – Personal data] Communications CSSE; Hogg KJ (Kenneth)

Subject: Submission to Mr Stewart on Hyndford - 1 Dec

[Redacted – Fol Section 38(1)(b) – Personal data]

TO SEEK APPROVAL TO GRANT CONSENT FOR SOUTHERN EXTENSION WORKS AT HYNDFORD QUARRY, LANARK AND TO RELEASE INFORMATION RELATING TO THE COMMISSIONER'S DECISION ON THE RELATED FOI-EIR CASE

Please see attached submission in relation to the above.

I would be grateful for a response by Monday 5th December, if possible, to allow for decision to be issued shortly thereafter.

The submission has been cleared in advance through SpAds. [Redacted – Fol Section 38(1)(b) – Personal data] has mentioned that as:

* a courtesy Mr Stewart should inform the Culture Cab Sec due to sensitivities of WHS area shortly before issue and;

* a courtesy Mr Stewart should inform the former Cab Sec that this FOI will be made available.

I trust this is satisfactory but I am happy to provide additional information or discuss in further detail.

Kind regards

[Redacted – FoI Section 38(1)(b) – Personal data]

[Attachment] – Not included in this exchange

From: McNairney J (John)
Sent: 26 January 2017 10:12
To: Chief Planner; [Redacted – FoI Section 38(1)(b) – Personal data]
Subject: Fw: hyndford
Attachments: doc00187520170125172838.pdf; doc00187420170125172731.pdf; doc00187320170125172641.pdf

[Redacted – FoI Section 38(1)(b) – Personal data], For information, appeal seems to be in progress.

John

Sent from my BlackBerry 10 smartphone.
From [Redacted – FoI Section 38(1)(b) – Personal data]
Sent: Wednesday, 25 January 2017 16:48
To: McNairney J (John)
Subject: FW:

John, good to speak earlier. As promised, from today's local paper. I checked FOI on line, they only go up to 2015! I will look for Ministers letters, I think they are in a file at my home office.

Kind regards

[Redacted – FoI Section 38(1)(b) – Personal data]

[Attachments below]

QUARRY

peeling against Scottish Government's decision to refuse extension of Hyndford

had adverse effects on the New Lanark World Heritage Site and the Falls of Clyde National Park.

big to use the planning system opposition to damaging developments by repeatedly appealing and re-applying for planning permission. We have already seen this in

is using the same tactics over the Hyndford Quarry extension. It is high time that the planning system was rebalanced to make the rights of commu-

favours developers who better funding and applications through.

ouch

communities having to live through years of uncertainty brought about by ill-considered planning applications.

Dr James MacGregor
General Secretary of the Scottish Planning Council

ions

BATTLED

make a legal challenge to Scottish Ministers' decision to extend Hyndford Quarry buffer

Hyndford Quarry and the Falls of Clyde Designated Landscape is as baffling as it is disappointing. Scottish Ministers first is

In the light of which Cemex issued the following statement: 'Cemex unequivocally



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groups

cally recognizes that World Heritage Site is a global asset for everyone and not just for those living in the area. Nothing in either the sites or their buffer zones must in-

impinge in any way on their rights. The company went on to state in relation to the Hyndford applications: 'Cemex acknowledges the recent decision of Scottish Ministers and is committed to working with the local authority, relevant

parties to ensure the ongoing best interests of the World Heritage Site, its CUV and setting.

We had been looking forward to the decision on the protection but for the extension of the buffer zone and in particular to improve access to and appreciation of the Falls of Clyde Designated Landscape - the very reason we set up the group.

We organised the successful 'Celebration of the Falls of Clyde' weekend event in August which gained the support of a range of community

With the help of the Clyde and Avon Valley Landscape Partnership, we have been working towards more lasting opportunities to appreciate

setting to the history of the Royal Burgh of Lanark, understanding the processes of the line of the River Forth and the landscape, the values of the Enlightenment, the devel-

and visual arts and to literary references which have all been local landmarks far beyond our

We had hoped that Cemex would be good to its word and would work with us to achieve commitment both to corporate social responsibility and the community in Lanark and the

instead, Cemex's decision to do the exact opposite of what it promised, means that yet more time and money will be expended on a court battle. We are disappointed that them the permission they want but at most, only send the case back to another hearing. And to what

and gravel reserves in excess of 500 million tonnes in South Lanarkshire.

Why pursue with an application for planning permission? Why pursue with an application for planning permission? Why pursue with an application for planning permission?

Why pursue with an application for planning permission? Why pursue with an application for planning permission? Why pursue with an application for planning permission?

Clyde Working Group

McLodges

Debt help is just a click away

Sir - Christmas is over for most people but for many people this month find themselves in

that gives really good advice on money matters like debt.

The name of the website is Money Advice Scotland, tel: 0141 574 0377, email: info@moneyadvice.scot.nhs.uk

I was in severe debt up to a few years ago and the most important lesson I learned was not to ignore it but to take action as soon as possible.

There are three national debt that offer good advice provided all be found on the internet: Citizens Advice Scotland, Payday Loans Advice Scotland - Yours etc.

GOVERNMENT

reaction correspondence.

indicating support views are certainly



PLUS: Your what's on w

Sch

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NEWS

Opposition to appeal by mining

Battle Bonnington back

beauty spot between

mining firms to get decisions

to scenic approaches to the world heritage site village of New Lanark, Cemex has declared itself unwilling to accept defeat and has launched what could be a lengthy and expensive appeal.

That move follows hard on the heels of the prolonging of the already-lengthy saga of Patersons of Greenockhill's

at various times, that they had won their cases only to then face appeals by the companies against rulings not in their fa-



vent such repeat appeals.

Now the Save Our Landscapes group, a long-standing opponent of Cemex's Bonnington scheme, faces having to take up the cudgels again.

A leading figure in its campaign is Lanark independent

see in last week's Gazette that Cemex is appealing against the Scottish Government's decision not to allow the extrac-

buffer zone of the world

stood the appeal months ago.

"However, for several months, Cemex had agreed with the Scottish Government's view that no sand or gravel should be allowed within the buffer zone of Bonnington.

"It further agreed with the United Nations Educational, Scientific and Cultural Organisation's view that the integrity of the buffer zone should be

ised to work together with local groups and organisations to preserve and maintain the integrity of the buffer zone.

"Like many people, therefore, I am at a loss to understand Cemex's appeal.

if the Government permits another appeal, I will be determined to continue with my opposition."

Claudia Beamish, a list MSP for south Scotland, said: "I am extremely disappointed that Cemex is unable to accept the Scottish Government's decision to reject its proposals to extend its quarry into the New Lanark heritage site buffer zone.

cal community agree buffer zone should

"Pursuing this not only costs the taxpayer money but continues the uncertainty for the community."

Heritage

histro

The Lanark Tolbooth, in High Street, has been a significant feature of the town centre for centuries, with uses ranging from jail to council room to shop.

For the last 23 years, it has been in community hands, having been bought by Lanark's common good fund, leased to a charitable trust, and run by volunteers.

The original building dated from around 1400, with upgrades carried out in 1571 and 1714, possibly due to the number of jailbreaks there.

The building even saw a band of Jacobites, swords in hand, force their way into the council room in 1745.

Another reconstruction in 1779 saw the upstairs hall built, but that did little to stop jailbreaks.

and jail moved to Hope Street, and Hilston took over part of the tolbooth for a chemist's lasted well into the 20th



redeveloped again, this time as a heritage centre and community hub in line with the vision for the town produced by Lanark Community Development Trust.

"We are looking forward to having the revitalised tolbooth open from 10am to 4pm Monday to Saturday as a her-

itage information centre and hub for Lanark's arts and community groups, manned by a rota of volunteers," said general manager Ian Wilson Leitch.

The exhibition will, in the tolbooth, on Friday, February 3, and Saturday, February 4, from 10am until 4pm both days.

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From: [Redacted – FoI Section 38(1)(b) – Personal data]

Sent: 15 December 2016 12:04

To: Minister for Local Government and Housing

Cc: Cabinet Secretary for Communities, Social Security and Equalities; Cabinet Secretary for Culture, Tourism and External Affairs; Chief Planner; [Redacted – FoI Section 38(1)(b) – Personal data] Communications CSSE; Hogg KJ (Kenneth)S

Subject: Hyndford FOI - letter to former Cab Sec, Mr Neil

Attachments: Letter from Mr Stewart to Mr Neil re SIC decision.doc

Hi [Redacted – FoI Section 38(1)(b) – Personal data]

I attach a draft letter for Mr Stewart's approval and for him to send to Alex Neil, MSP, as per the second bullet point below.

It would be good to know by 2pm on Monday if this has been cleared and issued. That will then enable PAD to issue the letter to Burness Paull on Tuesday.

Happy to discuss.

Many thanks,

[Redacted – FoI Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data] On Behalf Of Minister for Local Government and Housing Sent: 06 December 2016 15:45
To: Murray LMA (Lyndsey); Minister for Local Government and Housing
Cc: Cabinet Secretary for Communities, Social Security and Equalities; Cabinet Secretary for Culture, Tourism and External Affairs; DG Communities; Solicitor to the Scottish Government and PS; Chief Planner; [Redacted – Fol Section 38(1)(b) – Personal data] Communications CSSE; Hogg KJ (Kenneth)

Subject: RE: Submission to Mr Stewart on Hyndford - 1 Dec

[Redacted – Fol Section 38(1)(b) – Personal data]

Mr Stewart has noted your submission and is content with the recommendation at para 11 –
thank you.

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Private Secretary to Kevin Stewart, Minister for Local Government and Housing
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Sent: 01 December 2016 14:09

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Cc: Cabinet Secretary for Communities, Social Security and Equalities; Cabinet Secretary for Culture, Tourism and External Affairs; DG Communities; Solicitor to the Scottish Government and PS; Chief Planner; [Redacted – Fol Section 38(1)(b) – Personal data] Communications CSSE; Hogg KJ (Kenneth)

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TO SEEK APPROVAL TO GRANT CONSENT FOR SOUTHERN EXTENSION
WORKS AT HYNDFORD QUARRY, LANARK AND TO RELEASE INFORMATION
RELATING TO THE COMMISSIONER'S DECISION ON THE RELATED FOI-EIR
CASE

Please see attached submission in relation to the above.

I would be grateful for a response by Monday 5th December, if possible, to allow for decision to be issued shortly thereafter.

The submission has been cleared in advance through SpAds. Jeanette Campbell has mentioned that as:

- * a courtesy Mr Stewart should inform the Culture Cab Sec due to sensitivities of
WHS area shortly before issue and;

- * a courtesy Mr Stewart should inform the former Cab Sec that this FOI will be

made available.

I trust this is satisfactory but I am happy to provide additional information or discuss in further detail.

Kind regards

[Redacted – Fol Section 38(1)(b) – Personal data]

[Attached letter – Out of scope – dated outwith EIR request period]

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 25 March 2015 11:17
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Cc: [Redacted – Fol Section 38(1)(b) – Personal data]
Subject: RE: Line - The Times - Hyndford / New Lanark buffer zone

Definitely. Prior to me signing off any submission, I have a quick read through the erdm file for the case and would pick up on things like this for presentational issues.

Thanks

[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 25 March 2015 10:59
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Subject: RE: Line - The Times - Hyndford / New Lanark buffer zone

Just doing a bit of inbox clearance and before I delete it, I had a general question about how we save things like the lines on Hyndford below? Would the decisions team save this in the Hyndford case folder on Objective? We also have a hot issues folder for each Council, but I think it would make more sense I think to save into the case folder.

[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 24 March 2015 16:40
To: Cabinet Secretary for Social Justice, Communities and Pensioners' Rights
Cc: Chief Planner; [Redacted – Fol Section 38(1)(b) – Personal data]

(Planning); Communications Social Justice; [Redacted – Fol Section 38(1)(b) – Personal data] Subject: Line - The Times - Hyndford / New Lanark buffer zone

[Redacted – Fol Section 38(b)(ii) – Free and frank exchange for the purposes of deliberation]

Thanks

[Redacted – FoI Section 38(1)(b) – Personal data]

From: [Redacted – FoI Section 38(1)(b) – Personal data]

Sent: 24 March 2015 15:00

To: [Redacted – FoI Section 38(1)(b) – Personal data]

Cc: [Redacted – FoI Section 38(1)(b) – Personal data]

Subject: RE: Line - the Times - South Lanarkshire Council buffer / Hyndford

Hi [Redacted – FoI Section 38(1)(b) – Personal data]

Cemex UK Operations propose to extend its sand and gravel quarry at Hyndford, New Lanark. Part of the extension falls within the New Lanark World Heritage Site (WHS).

Ministers called in the application in 2014 in view of the proposed development's potential impact on the WHS, which is internationally recognised for its Outstanding Universal Value and wider setting.

SG planning officials are currently considering the Reporter's report and a decision will be issued in the near future.

Our first handling target is 19 April.

I will call you to discuss further.

[Redacted – FoI Section 38(1)(b) – Personal data]

From: [Redacted – FoI Section 38(1)(b) – Personal data]

Sent: 24 March 2015 13:52

To: [Redacted – FoI Section 38(1)(b) – Personal data]

Cc: [Redacted – FoI Section 38(1)(b) – Personal data]

Subject: Line - the Times - South Lanarkshire Council buffer / Hyndford

[Redacted – FoI Section 38(1)(b) – Personal data]

According to the Times, South Lanarkshire CI have today voted to extend a buffer zone relating to Hyndfrod quarry. Do we know what it is and if it affects consideration of the application? The Times have also asked for clarity on where the application is (i.e with us) and when the 28 day deadline is up.

Grateful for advice.

Thanks

[Redacted – FoI Section 38(1)(b) – Personal data]

Document 4

Relates to exchanges in connection with the proposed Hyndford Quarry development (NOD-SLS-001) and within the scope of the request.

Note: Individual communications are separated by a full line to separate discrete exchanges. Where email communications have attachments, these are appended, where appropriate, below the main text of the email, prefaced by **[attachment below]**

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 26 June 2015 14:46
To: [Redacted – Fol Section 38(1)(b) – Personal data] Communications Social Justice
Cc: [Redacted – Fol Section 38(1)(b) – Personal data]

Subject: RE: NOD-SLS-001 - Hyndford Quarry Lanark - Intentions letter - 26 June 2015

As [Redacted – Fol Section 38(1)(b) – Personal data] e-mail below, the link to the documents is

<http://www.dpea.scotland.gov.uk/CaseDetails.aspx?id=114959>

Report and intentions notice are on the decision/outcome tab.

Regards

[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 26 June 2015 13:52
To: [Redacted – Fol Section 38(1)(b) – Personal data] Communications Social Justice
Cc: [Redacted – Fol Section 38(1)(b) – Personal data]

Subject: FW: NOD-SLS-001 - Hyndford Quarry Lanark - Intentions letter - 26 June 2015

Hi [Redacted – Fol Section 38(1)(b) – Personal data]

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The interested parties letter will not issue till next week and will include a link to the documentation which will be held on DPEA's website (DPEA are arranging for the documents to be placed on-line today and the link will be available later today.) the

following extract from the interested parties letter that will issue next week holds the relevant link which will duly hold the documents in question –

“A copy of the intentions letter and the reporter’s report is now available to be viewed on the Directorate for Planning and Environmental Appeals (DPEA) website <http://www.dpea.scotland.gov.uk/CaseDetails.aspx?id=114959>. Both these documents are available under the ‘decisions/outcome’ tab.” – Perhaps David can confirm when the link will be operational as this may prove useful for any enquiries you may receive.

Regards

[Redacted – Fol Section 38(1)(b) – Personal data]

PS Just had Aileen Campbell on the phone asking about any embargo on this information and she is going to give you a call.

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
THE TOWN AND COUNTRY PLANNING (REFERENCE OF APPLICATIONS)
(SOUTH LANARKSHIRE COUNCIL) (PROPOSED EXTENSION TO MINERAL
EXTRACTION OPERATIONS AND ASSOCIATED RESTORATION AND
ENHANCEMENT WORKS AT HYNDFORD QUARRY, LANARK) DIRECTION 2013

Dear Mr Kelly

Please find the attached Scottish Ministers Decision letter in respect of the above mentioned Direction case. A copy of the Reporters Report on the matter considered by Scottish Ministers is also attached.

Please note that no hard copy of these documents will be issued. I would be grateful if you could acknowledge receipt of this e-mail.

Yours sincerely

[Redacted – Fol Section 38(1)(b) – Personal data]

| Planning Decisions| Planning & Architecture| Scottish Government| [Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 26 June 2015 16:45

To: Murray LMA (Lyndsey); McLeod I (Iain) (Planning)

Subject: FW: Hyndford

To note that [Redacted – Fol Section 38(1)(b) – Personal data] has confirmed that they have treated [Redacted – Fol Section 38(1)(b) – Personal data] pro-forma documentation as a petition as well.

Please note there are 3 other batches on [Redacted – Fol Section 38(1)(b) – Personal data] in tray which have not been acknowledged yet – interestingly the last batch sent does not have a covering letter but came in the same fashion as his

earlier batches in a padded envelope to [Redacted – Fol Section 38(1)(b) – Personal data], they came as a batch and not as individual letters.

[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 26 June 2015 12:10

To: [Redacted – Fol Section 38(1)(b) – Personal data]

Subject: RE: Hyndford

Thanks [Redacted – Fol Section 38(1)(b) – Personal data]

That is helpful and at least that confirms that we have treated the same as DPEA have – we have a MACCS case from him via Aileen Campbell disagreeing with that interpretation.

I had spoken to [Redacted – Fol Section 38(1)(b) – Personal data] about this case this morning so will let [Redacted – Fol Section 38(1)(b) – Personal data] have that information as they are going to deal with the case as I am on holiday from this evening.

[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 26 June 2015 11:56

To: [Redacted – Fol Section 38(1)(b) – Personal data]

Subject: Hyndford

Hi [Redacted – Fol Section 38(1)(b) – Personal data]

Just to confirm that we did treat [Redacted – Fol Section 38(1)(b) – Personal data] as a petition organiser.

Hope this helps.

Regards

[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 15 July 2015 12:04

To: [Redacted – Fol Section 38(1)(b) – Personal data]

Cc: [Redacted – Fol Section 38(1)(b) – Personal data]

Subject: RE: NOD-SLS-001 - Hyndford Quarry Lanark - Intentions letter - 26 June 2015

[Redacted – Fol Section 38(1)(b) – Personal data]

No problem. Will respond to [Redacted – Fol Section 38(1)(b) – Personal data]

directly about timescales.

Many thanks

[Redacted – Fol Section 38(1)(b) – Personal data]

Section Manager| Directorate for Planning and Environmental Appeals | 4 The Courtyard | Callendar Business Park | Falkirk | FK1 1XR |T: [Redacted – Fol Section 38(1)(b) – Personal data]: [Redacted – Fol Section 38(1)(b) – Personal data]
Website:WWW.dpea.scotland.gov.uk

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From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 15 July 2015 11:56

To: [Redacted – Fol Section 38(1)(b) – Personal data]

Cc: [Redacted – Fol Section 38(1)(b) – Personal data]

Subject: FW: NOD-SLS-001 - Hyndford Quarry Lanark - Intentions letter - 26 June 2015

[Redacted – Fol Section 38(1)(b) – Personal data]

Can you please arrange for this to be handled by DPEA?

Many thanks

[Redacted – Fol Section 38(1)(b) – Personal data]Planning Decisions Manager |
Planning & Architecture | Scottish Government |

Please help us understand how our stakeholders would like to hear about the work we do by completing our digital communication survey:
<https://www.surveymonkey.com/r/planningdigitalsurvey>

From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 14 July 2015 12:35

To: [Redacted – Fol Section 38(1)(b) – Personal data]

Subject: RE: NOD-SLS-001 - Hyndford Quarry Lanark - Intentions letter - 26 June 2015

[Redacted – Fol Section 38(1)(b) – Personal data]

Apologies I only just realised you had asked for confirmation of receipt of this email. Email received with thanks.

I was also wondering if DPEA was in a position as yet to advise re. timescales in relation to next steps for this application? The Ministers Notice of Intention's letter refers this case back to DPEA however my client department advise they have heard nothing further from the Reporters as yet re. the proposed conditions/ legal agreement or any further procedure required in relation to these matters. Can you

provide any further information at this time?

Thanks

[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 26 June 2015 11:23

To: [Redacted – Fol Section 38(1)(b) – Personal data]

Subject: FW: NOD-SLS-001 - Hyndford Quarry Lanark - Intentions letter - 26 June 2015

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
THE TOWN AND COUNTRY PLANNING (REFERENCE OF APPLICATIONS)
(SOUTH LANARKSHIRE COUNCIL) (PROPOSED EXTENSION TO MINERAL
EXTRACTION OPERATIONS AND ASSOCIATED RESTORATION AND
ENHANCEMENT WORKS AT HYNDFORD QUARRY, LANARK) DIRECTION 2013

Dear [Redacted – Fol Section 38(1)(b) – Personal data]

Please find the attached Scottish Ministers Decision letter in respect of the above mentioned Direction case. A copy of the Reporters Report on the matter considered by Scottish Ministers is also attached.

Please note that no hard copy of these documents will be issued. I would be grateful if you could acknowledge receipt of this e-mail.

Yours sincerely

[Redacted – Fol Section 38(1)(b) – Personal data] | Planning Decisions| Planning & Architecture| Scottish Government [Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 25 June 2015 10:33

To: [Redacted – Fol Section 38(1)(b) – Personal data]

Subject: FW: NOD-SLS-001 - HYNDFORD QUARRY LANARK

Attachments: Removing Official-Sensitive Marking.pdf; NOD-SLS-001 - Report.pdf; NOD-SLS-001- Report.docx

From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 23 February 2015 08:49

To: [Redacted – Fol Section 38(1)(b) – Personal data]

Cc: [Redacted – Fol Section 38(1)(b) – Personal data]

Chief Planner;

Subject: FW: NOD-SLS-001 - HYNDFORD QUARRY LANARK

[Redacted – Fol Section 38(1)(b) – Personal data]

This should have come to you.

Thanks

[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 20 February 2015 12:34

To: [Redacted – Fol Section 38(1)(b) – Personal data]

Subject: NOD-SLS-001 - HYNDFORD QUARRY LANARK

Our ref: NOD-SLS-001

20 February 2015

Dear [Redacted – Fol Section 38(1)(b) – Personal data]

NOTIFICATION OF DIRECTION: HYNDFORD QUARRY LANARK ML11 9TA

Following the reporters' consideration of the above case, I now send you the finalised report. I attach a MS Word version of the report and a complete PDF version. I have also saved all documentation into your file in eRDM, including a PDF version of the reporters' report.

The new official-sensitive marking has been added to the footer of pages throughout the document. Please be aware that the marking may have been added separately to various sections therefore a thorough check of the report is required when removing the marking. I have attached instructions below on how to remove the official-sensitive marking from the pdf report, we have tested these instructions and they work for us so they should hopefully be helpful to you. It would be helpful to have your feedback on the instructions and the process and if you have any problems, please let me know. To remove the marking you will need Adobe Pro (Adobe Reader won't work), you may have this on some machines already if not you will need to submit an ERFC form <http://intranet/InExec/SEAndMe/IT/Services/IntrotoeRFC>.

Please let me have a copy of Scottish Ministers decision in due course.

Yours sincerely

[Redacted – Fol Section 38(1)(b) – Personal data] I CASE OFFICER

DPEA | 4 The Courtyard | Callendar Business Park | FALKIRK | FK1 1XR | phone:

[Redacted – Fol Section 38(1)(b) – Personal data]

I fax: 01324 696444 | [Redacted – Fol Section 38(1)(b) – Personal data]

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[Attachments] – excluded from scope of the request

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 25 June 2015 10:33
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Subject: FW: NOD-SLS-001 - HYNDFORD QUARRY LANARK
Attachments: Removing Official-Sensitive Marking.pdf; NOD-SLS-001 - Report.pdf;
NOD-SLS-001- Report.docx

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 23 February 2015 08:49
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Cc: [Redacted – Fol Section 38(1)(b) – Personal data] Chief Planner
Subject: FW: NOD-SLS-001 - HYNDFORD QUARRY LANARK

[Redacted – Fol Section 38(1)(b) – Personal data]

This should have come to you.

Thanks

[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 20 February 2015 12:34
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Subject: NOD-SLS-001 - HYNDFORD QUARRY LANARK

Our ref: NOD-SLS-001

20 February 2015

Dear [Redacted – Fol Section 38(1)(b) – Personal data]

NOTIFICATION OF DIRECTION: HYNDFORD QUARRY LANARK ML11 9TA

Following the reporters' consideration of the above case, I now send you the finalised report. I attach a MS Word version of the report and a complete PDF version. I have also saved all documentation into your file in eRDM, including a PDF version of the reporters' report.

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<http://intranet/InExec/SEAndMe/IT/Services/IntrotoeRFC>.

Please let me have a copy of Scottish Ministers decision in due course.

Yours sincerely

[Redacted – Fol Section 38(1)(b) – Personal data] I CASE OFFICER
DPEA I 4 The Courtyard I Callendar Business Park I FALKIRK I FK1 1XR I phone:
[Redacted – Fol Section 38(1)(b) – Personal data] I fax:
01324 696444 I [Redacted – Fol Section 38(1)(b) – Personal data]

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From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 09 June 2015 15:19

To: [Redacted – Fol Section 38(1)(b) – Personal data]

Subject: RE: NOD-SLS-001 - HYNDFORD QUARRY

[Redacted – Fol Section 38(1)(b) – Personal data]

This has been a very tricky case and I understand that there has been much discussion involving various people. Case is now with Lyndsey for consideration of all the discussions and their outcomes and the Report itself. She cannot say when we will be in a position to issue the Decision but hopes it will be soon. We will keep DPEA advised but at the moment case is still under consideration.

[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 09 June 2015 14:01

To: [Redacted – Fol Section 38(1)(b) – Personal data]

Subject: NOD-SLS-001 - HYNDFORD QUARRY

Afternoon [Redacted – Fol Section 38(1)(b) – Personal data]

Can you advise if there's any update on above as the report was submitted on 20 February 2015?

Best Regards

[Redacted – Fol Section 38(1)(b) – Personal data] I CASE OFFICER
DPEA I 4 The Courtyard I Callendar Business Park I FALKIRK I FK1 1XR I phone:
[Redacted – Fol Section 38(1)(b) – Personal data]
I fax: [Redacted] I [Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 15 June 2015 09:58
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Subject: RE: MACCS: New case 2015/0018862 allocated.

Perfect, thanks.

[Redacted – Fol Section 38(1)(b) – Personal data]

-----Original Message-----

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 15 June 2015 09:58
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Subject: RE: MACCS: New case 2015/0018862 allocated.

[Redacted – Fol Section 38(1)(b) – Personal data]

Yes [Redacted – Fol Section 38(1)(b) – Personal data] and I were just speaking about the case I am going to issue a holding reply indicating case is still under consideration. She is already on the List of parties to get a copy of the Decision letter when it issues and I will mention that in the reply.

[Redacted – Fol Section 38(1)(b) – Personal data]

-----Original Message-----

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 15 June 2015 09:56
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Subject: RE: MACCS: New case 2015/0018862 allocated.

Morning [Redacted – Fol Section 38(1)(b) – Personal data] just checking if [Redacted – Fol Section 38(1)(b) – Personal data] passed this over to you?

[Redacted – Fol Section 38(1)(b) – Personal data]

-----Original Message-----

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 12 June 2015 10:16
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Cc: [Redacted – Fol Section 38(1)(b) – Personal data]
Subject: RE: MACCS: New case 2015/0018862 allocated.

[Redacted – Fol Section 38(1)(b) – Personal data]

I'm hardly getting through emails just now. I'm sorry I've not forwarded this on before.

Given the submission has just gone, I'm guessing we'll wait to reply on this when the decision is issued.

Apologies again! I'm making a lot of apologies for delays at the moment!

[Redacted – Fol Section 38(1)(b) – Personal data]

Please note that I do not work on Thursdays

-----Original Message-----

From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 01 June 2015 15:28

To: [Redacted – Fol Section 38(1)(b) – Personal data]

Subject: RE: MACCS: New case 2015/0018862 allocated.

I think Marion would be best.

Thanks

[Redacted – Fol Section 38(1)(b) – Personal data]

-----Original Message-----

From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 01 June 2015 12:50

To: [Redacted – Fol Section 38(1)(b) – Personal data]

Subject: FW: MACCS: New case 2015/0018862 allocated.

[Redacted – Fol Section 38(1)(b) – Personal data]

This MACCS related to the decision on Hyndford. Who would be the appropriate person to re-allocate it to?

Thanks

[Redacted – Fol Section 38(1)(b) – Personal data]

-----Original Message-----

From: MACCS [mailto:maccs@scotland.gsi.gov.uk]

Sent: 01 June 2015 11:54

To: [Redacted – Fol Section 38(1)(b) – Personal data]

Subject: MACCS: New case 2015/0018862 allocated.

Ministerial and Corporate Correspondence System:

Case 20150018862 has been allocated to [Redacted – Fol Section 38(1)(b) – Personal data] The current target date for this case is 15/06/2015. Original correspondence attached.

From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 17 November 2015 10:48

To: [Redacted – Fol Section 38(1)(b) – Personal data]

Cc: [Redacted – Fol Section 38(1)(b) – Personal data]

Subject: NOD-SLS-001 - Hyndford Quarry Lanark - Report - Follow-up report etc. from DPEA reflecting parties' views on conditions

Attachments: ObjRef.obr

Hi [Redacted – Fol Section 38(1)(b) – Personal data]

See link to updated report received from DPEA in relation to the Hyndford Quarry application.

[Attachment] – excluded from scope of the request

From: [Redacted – Fol Section 38(1)(b) – Personal data] on behalf of Cabinet Secretary for Social Justice, Communities and Pensioners' Rights
Sent: 26 June 2015 14:43
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Subject: RE: NOD-SLS-001 - Hyndford Quarry Lanark - Intentions letter - 26 June 2015

Thanks [Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 26 June 2015 14:41
To: Cabinet Secretary for Social Justice, Communities and Pensioners' Rights
Subject: FW: NOD-SLS-001 - Hyndford Quarry Lanark - Intentions letter - 26 June 2015

[Redacted – Fol Section 38(1)(b) – Personal data]

Just to confirm that the Hyndford Decision/Intentions & Report was issued to the main parties this morning and that Comms have also been copied the documents issued as well.

Regards

[Redacted – Fol Section 38(1)(b) – Personal data] Planning Decisions| Planning & Architecture| Scottish Government| [Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 26 June 2015 11:20
To: [REDACTED]@cemex.com'
Subject: NOD-SLS-001 - Hyndford Quarry Lanark - Intentions letter - 26 June 2015

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
THE TOWN AND COUNTRY PLANNING (REFERENCE OF APPLICATIONS)
(SOUTH LANARKSHIRE COUNCIL) (PROPOSED EXTENSION TO MINERAL
EXTRACTION OPERATIONS AND ASSOCIATED RESTORATION AND
ENHANCEMENT WORKS AT HYNDFORD QUARRY, LANARK) DIRECTION 2013

Dear Mr Kelly

Please find the attached Scottish Ministers Decision letter in respect of the above mentioned Direction case. A copy of the Reporters Report on the matter considered by Scottish Ministers is also attached.

Please note that no hard copy of these documents will be issued. I would be grateful if you could acknowledge receipt of this e-mail.

Yours sincerely

[Redacted – Fol Section 38(1)(b) – Personal data] Planning Decisions| Planning & Architecture| Scottish Government| [Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 22 November 2016 10:47

To: [Redacted – Fol Section 38(1)(b) – Personal data]

Subject: FW: representations for Hyndford

It will have reduced because every time we issued an intentions letter I would get a call or an e-mail intimating that that person no longer wished to know the outcome of the case and wished their name removed from the mailing list. I would revert that message to DPEA for the next mailing list.

You may wish to consider using the number quoted on the original submission

From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 22 November 2016 10:37

To: [Redacted – Fol Section 38(1)(b) – Personal data]

Cc: [Redacted – Fol Section 38(1)(b) – Personal data]

Subject: RE: representations for Hyndford

That seems to have reduced then from what we first reported to Ministers.

Ta

From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 22 November 2016 10:35

To: [Redacted – Fol Section 38(1)(b) – Personal data]

Cc: [Redacted – Fol Section 38(1)(b) – Personal data]

Subject: representations for Hyndford

Hi [Redacted – Fol Section 38(1)(b) – Personal data]

[Redacted – Fol Section 38(1)(b) – Personal data] has done the detective work.

[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 22 November 2016 10:14

To: [Redacted – Fol Section 38(1)(b) – Personal data]

Subject: FW: representations for Hyndford

I do not have a list and none on objective but [Redacted – Fol Section 38(1)(b) – Personal data] at DPEA advised there were 10,194 live representations on their list.

From [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 22 November 2016 09:55
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Subject: representations for Hyndford
Importance: High

Have you got time to have a look at this for me [Redacted – Fol Section 38(1)(b) – Personal data]

[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 22 November 2016 09:52
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Subject: representations for Hyndford
Importance: High

How many in total based on mailing list?

Document 5

Relates to exchanges in connection with the proposed Hyndford Quarry development (NOD-SLS-001) and within the scope of the request.

Note: Individual communications are separated by a full line to separate discrete exchanges. Where email communications have attachments, these are appended, where appropriate, below the main text of the email, prefaced by **[attachment below]**

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 01 December 2015 17:51
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Cc: [Redacted – Fol Section 38(1)(b) – Personal data]
Subject: RE: NOD-SLS-001 - Hyndford Quarry Lanark - Report - Follow-up report etc. from DPEA reflecting parties' views on conditions

[Redacted – Fol Section 38(1)(b) – Personal data]

I have read the report and have made suggested changes to the submission.

I have also spoken to [Redacted – Fol Section 38(1)(b) – Personal data] and do not think we need to mention the update that CHED provide UNESCO on the state of conservation report. What was in that, which related to Hyndford, was all factual process and I have since found out that [Redacted – Fol Section 38(1)(b) – Personal data] is hoping that paper will be put on hold pending a non Hyndford issue.

Hope this helps.

[Redacted – Fol Section 38(1)(b) – Personal data]

-----Original Message-----

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 20 November 2015 16:43
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Cc: [Redacted – Fol Section 38(1)(b) – Personal data]
Subject: RE: NOD-SLS-001 - Hyndford Quarry Lanark - Report - Follow-up report etc. from DPEA reflecting parties' views on conditions

[Redacted – Fol Section 38(1)(b) – Personal data]

Draft submission on reporters' supplementary report on Hyndford attached.

[Redacted – Fol Section 38(1)(b) – Personal data]

-----Original Message-----

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 17 November 2015 10:48
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Cc: [Redacted – Fol Section 38(1)(b) – Personal data]

)

Subject: NOD-SLS-001 - Hyndford Quarry Lanark - Report - Follow-up report etc.
from DPEA reflecting parties' views on conditions

Hi [Redacted – Fol Section 38(1)(b) – Personal data]

See link to updated report received from DPEA in relation to the Hyndford Quarry application.

[Redacted – Fol Section 38(1)(b) – Personal data]

[Attachment – not part of exchange]

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 03 February 2016 14:43
To: Cabinet Secretary for Social Justice, Communities and Pensioners' Rights
Cc: Minister for Local Government and Community Empowerment; Cabinet Secretary for Culture, Europe and External Affairs; Permanent Secretary; DG Communities; DG Enterprise, Environment & Innovation; DG Strategy and External Affairs; Hogg KJ (Kenneth); Solicitor to the Scottish Government and PS; McNairney J (John); [Redacted – Fol Section 38(1)(b) – Personal data]
Communications Social Justice
Subject: NOTICE OF INTENTION TO GRANT PROPOSED SOUTHERN EXTENSION TO HYNDFORD SAND AND GRAVEL QUARRY, LANARK

[Redacted – Fol Section 38(1)(b) – Personal data]

NOTICE OF INTENTION TO GRANT PROPOSED SOUTHERN EXTENSION TO HYNDFORD SAND AND GRAVEL QUARRY, LANARK

Please find attached a submission for Mr Neil's attention seeking agreement to the issuing of a Notice of Intention to grant planning consent for the southern extension to Hyndford Quarry, New Lanark, subject to conditions and the conclusion of a planning obligation.

Many thanks

[Redacted – Fol Section 38(1)(b) – Personal data]

Senior Planner

Planning Decisions

T: [Redacted – Fol Section 38(1)(b) – Personal data]

www.scotland.gov.uk/Topics/Planning

[Attachment below] [Other attachments redacted - Excluded from scope of request – Report and intentions letter]

Cabinet Secretary for Social Justice, Communities and Pensioners' Rights

PROPOSED EXTENSION TO HYNDFORD SAND AND GRAVEL QUARRY, LANARK

Purpose

1. To invite you to agree to grant planning permission for the proposed southern extension only of Hyndford Quarry, subject to conditions and the satisfactory conclusion of a planning obligation.

Priority

2. Routine. A response by 8 February would be helpful.

Procedures

3. On 23 November 2012, the applicant submitted a planning application to South Lanarkshire Council to extend the existing quarry. Ministers subsequently called in the application and, on 26 June 2015, issued their notice of intention to grant planning permission for the southern extension only. Consequently, the appointed reporters were instructed to prepare a supplementary report with their advice regarding what legal agreements/planning obligations and conditions would be appropriate in order for the southern extension to be granted. I have attached (Annex A) the reporters' supplementary report for your information.

Consideration by the Reporters

4. Based on their notes of the discussion held at the hearings sessions, reporters prepared a set of proposed heads of terms for a legal agreement and a set of planning conditions. On 17 July 2015, reporters issued a procedure notice to the applicant, the council and the New Lanark and Falls of Clyde Working Group. The procedure notice requested comments on the reporters' draft and comments on the comments of the other parties. Separately, Sir William Lithgow, an objector to the southern extension, due to the detrimental impact on the remains of his historic ancestral property at Boathough, wrote to Scottish Ministers on 6 August 2015 with comments on conditions. This letter was forwarded to the reporters on 7 September 2015. Comments on this letter were invited from the main parties who had no comments to make.

Conditions

5. It is noted that there is general agreement over most of the conditions. However, we agree with the reporters that it is not necessary to specify a 50m buffer strip between the area of mineral extraction and the drove road, estate wall and adjoining land that is included within the WHS buffer zone and designed landscape designations. Reporters consider that rather than specifying any particular dimension this is best determined by a detailed assessment of the appropriate information, and have suggested a condition which requires the submission of further plans and for South Lanarkshire Council to agree such details.

6. We, like reporters, are not persuaded that the changes proposed by the applicant to relax a number of conditions are necessary. The applicant proposes extending the operational lifetime of the quarry from 2030 to 2040; extending the daily operating times; and extending the limit on imported materials from 50,000 tonnes to 100,000 tonnes; and increasing the period for which extraction operations could cease before the site was deemed to have ceased permanently from 12 months to 24 months. The applicant also proposes that enhancement works aren't necessary in the southern extension. Reporters dismiss all these proposals and consider such significant changes would require separate applications to be submitted to amend these conditions. Reporters consider and we agree that the general improvements to the proposal as suggested by Sir William Lithgow are unrelated to the proposal or the conditions.

7. Some parties are seeking a Heritage Impact Assessment (HIA) of the proposal. Reporters considered this and didn't think it necessary even for the whole development, but given that Ministers intend to approve just the southern part of the development scheme, we think this strengthens the case for not requiring an HIA.

Planning Obligation

8. Reporters have taken account of the fact that there is an existing planning permission which this decision is intended to consolidate. Consent for the quarry was first granted in 1964 (P/M/64/1065). The extraction of sand and gravel is currently being undertaken at the application site under planning permission CL/11/0285, which requires extraction operations to cease by 31st December 2027. The reporters conclude in Para 3.4 that it is necessary to revoke the existing planning permission and consolidate the planning conditions into a single planning permission. An undertaking to cease, and not restart, operations under planning permission CL/11/0285, following commencement of operations under this permission is recommended to be included in the heads of terms of the S75. We questioned whether this would achieve the result envisaged in paragraph 3.4 but have been assured that this has been fully examined, essentially has the agreement of interested parties, and CEMEX has stated that they are willing to enter into such an agreement.

9. In order for the local authority to be able to recover from the developer expenses in repairing roads damaged by heavy vehicles, reporters advise Scottish Ministers in Para 3.5 of their report that an agreement for recovery of such expenses should be included in the heads of terms of a planning obligation. This requires agreements with the hauliers over road wear and tear. We did wonder if this could be achieved by a suspensive condition rather than by obligation. Seemingly South Lanarkshire Council was very keen to avoid having multiple agreements with multiple companies, and wanted one person i.e. CEMEX to be responsible and to have the agreements with whichever companies they are using. The Council have experienced practical difficulties with enforcing agreements under Section 96 and wanted a separate obligation with the developers. Reporters accept that in the particular circumstances of the proposal, a heads of term requiring the developer to enter into an agreement for the duration of the consent is appropriate. CEMEX in their hearing statement stated that they are prepared to enter into such an agreement to cover extraordinary damage to the public road network.

Conclusion and recommendation

10. We are satisfied with the reporters' recommended conditions. The requirement for a S75 has essentially been agreed by the interested parties and the operator is willing to enter into this. We therefore seek your agreement to proceed on the basis of the reporters' recommendations.

11. Should you agree with the recommendation, the granting of formal planning consent for the southern extension will be deferred until such time as the appropriate agreement has been concluded to the satisfaction of Ministers. As is standard practice, we propose to issue a letter conveying Ministers' intention and allowing an initial 3 month period, to enable South Lanarkshire Council and Cemex UK Operations Ltd to agree the detailed wording of the legal agreement. Once Ministers are satisfied with the wording, on confirmation of the agreement being legally registered, planning permission would be granted for the proposed southern extension of Hyndford Quarry. However if, by the end of the 3 months period, a copy of the relevant obligation with evidence of registration or recording has not been submitted to this office, Ministers will consider whether planning permission should be refused or granted without a planning obligation. A draft intentions letter is included in Annex B.

Presentation

12. There is likely to be interest in Ministers' intention to grant consent for the proposed southern extension. We will assist Communications colleagues, by providing suitable lines to take, as necessary. Interested parties will be advised of Ministers' intention.

[Redacted – Fol Section 38(1)(b) – Personal data]

Planning & Architecture Division

Planning Decisions

[Redacted – Fol Section 38(1)(b) – Personal data]

Copy List:	For Action	For Comments	For Information		
			Portfolio Interest	Constit Interest	General Awareness
Minister for Local Government & Community Empowerment			X		
Cabinet Secretary for Culture, Europe & External Affairs			X		

Perm Sec

DG Communities

DG Enterprise, Environment and Digital

DG Strategy and External Affairs

Kenneth Hogg, Director for LG and Communities

Solicitor to the Scottish Government and PS

John McNairney, Chief Planner

Communications Social Justice

[Redacted – Fol Section 38(1)(b) – Personal data]

Copy recipients should note that planning decisions are for the Planning Minister alone; or where relevant for planning officials acting under delegated authority. It is copied to others for information only and should not be copied any further.

From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 09 December 2015 08:21

To: [Redacted – Fol Section 38(1)(b) – Personal data]

Subject: RE: New Lanark WHS Buffer Zone - Section 42 Application at The Pleasance Kirkfieldbank

Morning!

[Redacted – Regulation 10(4)(e) – Free and frank exchange in relation to general decision making/ Regulation 10(4)(d) – Material in the course of completion]

[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 08 December 2015 17:05

To: [Redacted – FoI Section 38(1)(b) – Personal data]
Subject: FW: New Lanark WHS Buffer Zone – [Redacted – Out of scope]

The following is contained in the main report.

Reporter's reasoning and conclusions

9.146 We are aware that the World Heritage Committee of UNESCO has expressed concern about this application and others potentially affecting New Lanark World Heritage Site. However, expressions of concern do not automatically mean that the site is placed on the 'in danger' list. UNESCO has various duties and obligations to make sure World Heritage Sites are properly managed. Ultimately, it is a matter for UNESCO to decide how best these are carried out but it should be assumed that UNESCO would act reasonably. Following our considered assessment in this report we see little practical benefit in carrying out a further Heritage Impact Assessment. We consider that there is sufficient information regarding the potential impacts of the proposal on the New Lanark World Heritage Site, and we are satisfied that the impacts would be acceptable.

I also attach previous correspondence from Andrew which we had on file.

I thought I would let you see this first before I go to [Redacted – FoI Section 38(1)(b) – Personal data]

Do you have any further comments/observations?

Thanks

[Redacted – FoI Section 38(1)(b) – Personal data]

From [Redacted – FoI Section 38(1)(b) – Personal data]
Sent: 07 December 2015 13:05
To: [Redacted – FoI Section 38(1)(b) – Personal data]
Subject: RE: New Lanark WHS Buffer Zone - [Redacted – Not in scope of request]

Ok, will do

From: [Redacted – FoI Section 38(1)(b) – Personal data]
Sent: 07 December 2015 13:04
To: [Redacted – FoI Section 38(1)(b) – Personal data]
Cc: [Redacted – FoI Section 38(1)(b) – Personal data]
Subject: RE: New Lanark WHS Buffer Zone - [Redacted – Not in scope of request]

[Redacted – FoI Section 38(1)(b) – Personal data]
- having looked at this further now, the main question from [Redacted – FoI Section 38(1)(b) – Personal data] is around whether SG will provide further advice on S42s and time periods for applications. This is your lead.

[Redacted – Regulation 10(4)(e) – Free and frank exchange in relation to general decision making/ Regulation 10(4)(d) – Material in the course of completion]

Thanks

[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 07 December 2015 10:45
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Cc: [Redacted – Fol Section 38(1)(b) – Personal data]
Subject: RE: New Lanark WHS Buffer Zone – [Redacted – Out of scope]

Thanks. I'm aware of this. It is for me and [Redacted – Fol Section 38(1)(b) – Personal data] in relation to work [Redacted – Fol Section 38(1)(b) – Personal data] is doing on the State of Conservation Report for New Lanark. Not directly about Hyndford but I will double-check if we want/need to say anything on it in the Hyndford submission.

[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data] On Behalf Of Chief Planner
Sent: 07 December 2015 10:41
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Cc: Chief Planner
Subject: FW: New Lanark WHS Buffer Zone – [Redacted – Out of scope]

[Redacted – Fol Section 38(1)(b) – Personal data]

Please see below email John has asked me to forward to yourselves

Many Thanks

[Redacted – Fol Section 38(1)(b) – Personal data]
|PA to Chief Planner | Planning and Architecture | Scottish Government |
[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 26 November 2015 19:09
To: McNairney J (John)
Subject: RE: New Lanark WHS Buffer Zone –

[Redacted – Not in scope of request]

With best wishes

[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted] gov.scot [mailto:[Redacted]@gov.scot]
Sent: 04 November 2015 08:36
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Cc: [Redacted – Fol Section 38(1)(b) – Personal data]

Subject: RE: New Lanark WHS Buffer Zone [Redacted – Not in scope of request]

[Redacted – Fol Section 38(1)(b) – Personal data]

Many thanks

Kind regards

John

From [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 03 November 2015 22:34

To: McNairney J (John)

Subject: New Lanark WHS Buffer Zone - [Redacted – Not in scope of request]

Dear John

Please find attached for your information a letter sent to South Lanarkshire Council about the above application.

With Kind regards

[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 10 December 2015 16:05

To: [Redacted – Fol Section 38(1)(b) – Personal data]

Cc: [Redacted – Fol Section 38(1)(b) – Personal data]

Subject: RE: NOD-SLS-001 - Hyndford Quarry Lanark - Report - Follow-up report etc. from DPEA reflecting parties' views on conditions

Attachments: CL110285 - AMSC - decision notice and conditions with cross ref notes to NODSLS001.doc

[Redacted – EIR Reg 10(4)(e) Internal Communications – In relation to internal legal advice]

From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 09 December 2015 12:38

To: [Redacted – Fol Section 38(1)(b) – Personal data]

Cc: [Redacted – Fol Section 38(1)(b) – Personal data]

Subject: RE: NOD-SLS-001 - Hyndford Quarry Lanark - Report - Follow-up report etc. from DPEA reflecting parties' views on conditions

[Redacted – EIR Reg 10(4)(e) Internal Communications – In relation to internal legal advice]

[Redacted – Fol Section 38(1)(b) – Personal data]

-----Original Message-----

[Redacted – EIR Reg 10(4)(e) Internal Communications – In relation to internal legal advice]

-----Original Message-----

From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 07 December 2015 13:55

To: [Redacted – Fol Section 38(1)(b) – Personal data]

Cc: [Redacted – Fol Section 38(1)(b) – Personal data]

Subject: RE: NOD-SLS-001 - Hyndford Quarry Lanark - Report - Follow-up report etc. from DPEA reflecting parties' views on conditions

[Redacted – EIR Reg 10(4)(e) Internal Communications – In relation to internal legal advice]

-----Original Message-----

From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 03 December 2015 18:04

To: [Redacted – Fol Section 38(1)(b) – Personal data]

Cc: Chief Planner; [Redacted – Fol Section 38(1)(b) – Personal data]

Subject: FW: NOD-SLS-001 - Hyndford Quarry Lanark - Report - Follow-up report etc. from DPEA reflecting parties' views on conditions

Thanks [Redacted – Fol Section 38(1)(b) – Personal data]

Looks good, subject to any comments [Redacted – Fol Section 38(1)(b) – Personal data] might offer on conditions.

Minor text query in para 7.

[Redacted – Fol Section 38(1)(b) – Personal data]

-----Original Message-----

From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 02 December 2015 15:40

To: Chief Planner; [Redacted – Fol Section 38(1)(b) – Personal data]

Cc: [Redacted – Fol Section 38(1)(b) – Personal data]

Subject: RE: NOD-SLS-001 - Hyndford Quarry Lanark - Report - Follow-up report etc. from DPEA reflecting parties' views on conditions

Attached is a draft submission with the reporters' report appended recommending that Hyndford southern extension only is granted subject to planning obligation and conditions.

Conditions 3-10 cover restoration, enhancement, aftercare, timeous completion of work and the guarantee/bond and look okay but [Redacted – Fol Section 38(1)(b) –

Personal data]views here would be helpful. We thought you'd want to see this before we put it up to Mr Neil.
Grateful for any comments.

Thanks

[Redacted – FoI Section 38(1)(b) – Personal data]

-----Original Message-----

From: [Redacted – FoI Section 38(1)(b) – Personal data]
Sent: 17 November 2015 10:48
To: [Redacted – FoI Section 38(1)(b) – Personal data]
Cc: [Redacted – FoI Section 38(1)(b) – Personal data]
Subject: NOD-SLS-001 - Hyndford Quarry Lanark - Report - Follow-up report etc. from DPEA reflecting parties' views on conditions

Hi [Redacted – FoI Section 38(1)(b) – Personal data]

Report received from DPEA in relation to the Hyndford Quarry

[Attachment] [Redacted – Document outwith scope of request]

From: [Redacted – FoI Section 38(1)(b) – Personal data]
Sent: 02 April 2015 12:28
To: [Redacted – FoI Section 38(1)(b) – Personal data]
Cc: [Redacted – FoI Section 38(1)(b) – Personal data]
Subject:
FW: NOD-SLS-001: Hyndford Quarry, Lanark, South Lanarkshire : Intentions Letter

Follow Up Flag: Follow up
Flag Status: Flagged

[Redacted – EIR Reg 10(4)(e) Internal Communications – In relation to internal legal advice]

Many thanks

[Redacted – FoI Section 38(1)(b) – Personal data]
Senior Planner
Directorate for Local Government and Communities
Planning and Architecture Division
Victoria Quay, 2H South, Edinburgh, EH6 6QQ
[Redacted – FoI Section 38(1)(b) – Personal data]

From: [Redacted – FoI Section 38(1)(b) – Personal data]
Sent: 03 August 2016 14:08
To: [Redacted – FoI Section 38(1)(b) – Personal data]
Subject: RE: Hyndford draft - jane - 3 Aug

[Redacted – FoI Section 38(1)(b) – Personal data]

[Redacted – Regulation 10(4)(e) – Free and frank exchange in relation to general decision making]

[Redacted – FoI Section 38(1)(b) – Personal data]

You will advise how you wish to handle para 5.
Thanks

[Redacted – FoI Section 38(1)(b) – Personal data]

[Attachment – Redacted – Regulation 10(4)(d) – Material in the course of completion]

Document 6

Relates to exchanges in connection with the proposed Hyndford Quarry development (NOD-SLS-001) and within the scope of the request.

Note: Individual communications are separated by a full line to separate discrete exchanges. Where email communications have attachments, these are appended, where appropriate, below the main text of the email, prefaced by **[attachment below]**

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 07 December 2016 15:53
To: [Redacted – Fol Section 38(1)(b) – Personal data]
)
Subject: Hyndford Quarry - Information letter (3)

Just to note...

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 07 December 2016 15:49
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Subject: RE: Hyndford Quarry - Information letter (3)

[Redacted – Fol Section 38(1)(b) – Personal data]

Dpea website all up to date and we will issue email tomorrow and have started printing now. I will confirm when all the letters have been issued.

[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 07 December 2016 14:55
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Subject: Hyndford Quarry - Information letter (3)

Yes, looks good thanks.

[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 07 December 2016 14:35
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Subject: Hyndford Quarry - Information letter (3)

<< File: Hyndford Quarry - Information letter (3).doc >>

[Redacted – Fol Section 38(1)(b) – Personal data] made the attached changes to the letter so link to our website are you happy with content?

[Attachment - not part of exchange]

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 25 November 2016 09:59
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Subject: NOD-SLS-001 - Hyndford
Attachments: Hyndford list active.xlsx

For info...

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 24 November 2016 16:00
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Subject: NOD-SLS-001 - Hyndford

Hi [Redacted – Fol Section 38(1)(b) – Personal data]

As requested, here is an updated spreadsheet of the parties in connection with above.

Regards

[Redacted – Fol Section 38(1)(b) – Personal data] | Case Officer
Planning & Environmental Appeals Division | 4 The Courtyard | Callendar Business Park | FALKIRK | FK1 1XR
TEL: [Redacted – Fol Section 38(1)(b) – Personal data]

[Attachment – Contents on DPEA website]

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 07 December 2016 09:10
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Cc: [Redacted – Fol Section 38(1)(b) – Personal data]
Subject: RE: Submission to Mr Stewart on Hyndford - 1 Dec

Hi [Redacted – Fol Section 38(1)(b) – Personal data]

I'm out at an announcement until 11 and the team are all tied up in parliament – is 11am okay?

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 07 December 2016 07:32
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Cc: [Redacted – Fol Section 38(1)(b) – Personal data]
Subject: FW: Submission to Mr Stewart on Hyndford - 1 Dec

[Redacted – Fol Section 38(1)(b) – Personal data]

As discussed last night. We intend to issue the decision letter later today.

Thanks

[Redacted – Fol Section 38(1)(b) – Personal data]Planning Decisions Manager |
Planning & Architecture | Scottish Government | [Redacted – Fol Section 38(1)(b) –
Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 01 December 2016 14:09

To: Minister for Local Government and Housing

Cc: Cabinet Secretary for Communities, Social Security and Equalities; Cabinet
Secretary for Culture, Tourism and External Affairs; DG Communities; Solicitor to the
Scottish Government and PS; Chief Planner; [Redacted – Fol Section 38(1)(b) –
Personal data] Hogg KJ (Kenneth)

Subject: Submission to Mr Stewart on Hyndford - 1 Dec

[Redacted – Fol Section 38(1)(b) – Personal data]

TO SEEK APPROVAL TO GRANT CONSENT FOR SOUTHERN EXTENSION
WORKS AT HYNDFORD QUARRY, LANARK AND TO RELEASE INFORMATION
RELATING TO THE COMMISSIONER'S DECISION ON THE RELATED FOI-EIR
CASE

Please see attached submission in relation to the above.

I would be grateful for a response by Monday 5th December, if possible, to allow for
decision to be issued shortly thereafter.

The submission has been cleared in advance through SpAds. [Redacted – Fol
Section 38(1)(b) – Personal data]has mentioned that as:

* a courtesy Mr Stewart should inform the Culture Cab Sec due to sensitivities
of WHS area shortly before issue and;

* a courtesy Mr Stewart should inform the former Cab Sec that this FOI will be
made available.

I trust this is satisfactory but I am happy to provide additional information or discuss
in further detail.

Kind regards

[Redacted – Fol Section 38(1)(b) – Personal data]

[Attachment – not part of this exchange]

From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 01 December 2016 13:33

To: [Redacted – Fol Section 38(1)(b) – Personal data]

Cc: [Redacted – Fol Section 38(1)(b) – Personal data]

Subject: RE: DRAFT SUBMISSION HYNDFORD QUARRY SEEKING APPROVAL FROM MR STEWART AND AGREEMENT ON FOI POSITION

[Redacted – EIR Reg 10(4)(e) Internal Communications – In relation to the free and frank exchange of views in decision making]

From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 01 December 2016 12:50

To: [Redacted – Fol Section 38(1)(b) – Personal data]

Cc: [Redacted – Fol Section 38(1)(b) – Personal data]

Subject: RE: DRAFT SUBMISSION HYNDFORD QUARRY SEEKING APPROVAL FROM MR STEWART AND AGREEMENT ON FOI POSITION

Hi [Redacted – Fol Section 38(1)(b) – Personal data]

[Redacted – EIR Reg 10(4)(e) Internal Communications – In relation to the free and frank exchange of views in decision making]

From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 01 December 2016 10:33

To: [Redacted – Fol Section 38(1)(b) – Personal data]

Cc: [Redacted – Fol Section 38(1)(b) – Personal data]

Subject: RE: DRAFT SUBMISSION HYNDFORD QUARRY SEEKING APPROVAL FROM MR STEWART AND AGREEMENT ON FOI POSITION

[Redacted – EIR Reg 10(4)(e) Internal Communications – In relation to the free and frank exchange of views in decision making]

From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 01 December 2016 10:26

To: [Redacted – Fol Section 38(1)(b) – Personal data]

Cc: [Redacted – Fol Section 38(1)(b) – Personal data]

Subject: RE: DRAFT SUBMISSION HYNDFORD QUARRY SEEKING APPROVAL FROM MR STEWART AND AGREEMENT ON FOI POSITION

[Redacted – EIR Reg 10(4)(e) Internal Communications – In relation to the free and frank exchange of views in decision making]

From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 01 December 2016 08:24

To: [Redacted – Fol Section 38(1)(b) – Personal data]

Cc: [Redacted – Fol Section 38(1)(b) – Personal data]

Subject: RE: DRAFT SUBMISSION HYNDFORD QUARRY SEEKING APPROVAL FROM MR STEWART AND AGREEMENT ON FOI POSITION

[Redacted – EIR Reg 10(4)(e) Internal Communications – In relation to the free and frank exchange of views in decision making]

[Redacted – Fol Section 38(1)(b) – Personal data]

Planning Decisions Manager | Planning & Architecture | Scottish Government |
[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 01 December 2016 05:43
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Subject: FW: DRAFT SUBMISSION HYNDFORD QUARRY SEEKING APPROVAL
FROM MR STEWART AND AGREEMENT ON FOI POSITION

[Redacted – EIR Reg 10(4)(e) Internal Communications – In relation to the free and
frank exchange of views in decision making]

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 30 November 2016 17:21
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Cc: [Redacted – Fol Section 38(1)(b) – Personal data]
Subject: RE: DRAFT SUBMISSION HYNDFORD QUARRY SEEKING APPROVAL
FROM MR STEWART AND AGREEMENT ON FOI POSITION

[Redacted – EIR Reg 10(4)(e) Internal Communications – In relation to the free and
frank exchange of views in decision making]

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 29 November 2016 12:37
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Cc: [Redacted – Fol Section 38(1)(b) – Personal data]
Subject: DRAFT SUBMISSION HYNDFORD QUARRY SEEKING APPROVAL
FROM MR STEWART AND AGREEMENT ON FOI POSITION
Importance: High

[Redacted – EIR Reg 10(4)(e) Internal Communications – In relation to the free and
frank exchange of views in decision making]

[Redacted – Fol Section 38(1)(b) – Personal data] Planning Decisions Manager |
Planning & Architecture | Scottish Government | [Redacted – Fol Section 38(1)(b) –
Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 30 November 2016 15:03
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Cc: [Redacted – Fol Section 38(1)(b) – Personal data]
Subject: RE: DRAFT SUBMISSION HYNDFORD QUARRY SEEKING
APPROVAL FROM MR STEWART AND AGREEMENT ON FOI POSITION

thanks

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 30 November 2016 14:29
To: [Redacted – Fol Section 38(1)(b) – Personal data]

Cc: [Redacted – FoI Section 38(1)(b) – Personal data]
Subject: FW: DRAFT SUBMISSION HYNDFORD QUARRY SEEKING APPROVAL
FROM MR STEWART AND
AGREEMENT ON FOI POSITION

[Redacted – EIR Reg 10(4)(e) Internal Communications – In relation to the free and frank exchange of views in decision making]

[Redacted – FoI Section 38(1)(b) – Personal data]Planning Decisions Manager |
Planning & Architecture | Scottish Government | [Redacted – FoI Section 38(1)(b) –
Personal data]

From: [Redacted – FoI Section 38(1)(b) – Personal data]
Sent: 30 November 2016 09:07
To: [Redacted – FoI Section 38(1)(b) – Personal data]
Cc: [Redacted – FoI Section 38(1)(b) – Personal data]

Subject: RE: DRAFT SUBMISSION HYNDFORD QUARRY SEEKING APPROVAL
FROM MR STEWART AND AGREEMENT ON FOI POSITION

[Redacted – EIR Reg 10(4)(e) Internal Communications – In relation to the free and frank exchange of views in decision making]

From: [Redacted – FoI Section 38(1)(b) – Personal data]
Sent: 29 November 2016 12:37
To: [Redacted – FoI Section 38(1)(b) – Personal data]
Cc: [Redacted – FoI Section 38(1)(b) – Personal data]
Subject: DRAFT SUBMISSION HYNDFORD QUARRY SEEKING APPROVAL
FROM MR STEWART AND AGREEMENT ON FOI POSITION
Importance: High

[Redacted – FoI Section 38(1)(b) – Personal data]

As discussed.

I attach the draft submission relating to the Hyndford Quarry planning application. I have highlighted the relevant FOI-EIR parts which require clearance prior to the submission being presented to Mr Stewart.

As explained, it is our intention to issue the decision on the planning application by 7th December and that is why I am keen to put this forward today seeking a response from Mr Stewart by Monday 5th December.

For ease of reference, I attach FOI Unit's submission on 15th November notifying the Minister of the Commissioner's decision for information which was viewed as 'incorrectly withheld' to be released

Happy to discuss further with [Redacted – FoI Section 38(1)(b) – Personal data] or yourself.

Thanks again for your help and a response later today would be very welcome indeed.

[Redacted – Fol Section 38(1)(b) – Personal data]

Planning Decisions Manager | Planning & Architecture | Scottish Government

[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 04 February 2016 16:03

To: [Redacted – Fol Section 38(1)(b) – Personal data]

Cc: [Redacted – Fol Section 38(1)(b) – Personal data]

Subject: RE: NOD-SLS-001 - Hyndford Quarry Lanark - Draft Intentions letter - 27 Jan 2016

Hi [Redacted – Fol Section 38(1)(b) – Personal data]

I've made a few further tweaks to reflect that reporters took account of the conditions hearing session in 2015 and further written subs in 2016 and clarified that it is one planning obligation rather than planning obligations under S.75 of the Act.

If you're happy with this, just check formatting and it's good to go.

Thanks

[Redacted – Fol Section 38(1)(b) – Personal data]

-----Original Message-----

From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 04 February 2016 15:42

To: [Redacted – Fol Section 38(1)(b) – Personal data]

Cc: [Redacted – Fol Section 38(1)(b) – Personal data]

Subject: NOD-SLS-001 - Hyndford Quarry Lanark - Draft Intentions letter - 27 Jan 2016

Hi [Redacted – Fol Section 38(1)(b) – Personal data]

Have had a look over your draft intentions letter (I'm presuming that you did the draft?). It looks good, but I've tracked a couple of changes and added in the supplementary report as an annex to the letter (document attached). From briefly checking the report, I don't think there was any hearing procedures.

Can you confirm you're ok with the changes (if you agree!)

Cheers

[Redacted – Fol Section 38(1)(b) – Personal data]

[Attachment – excluded from scope of request]

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 14 June 2016 07:45
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Subject: FW: FOI Appeal to OSIC - Hyndford Quarry Planning Application-
Email seeking clearance from SPADs to put submission to Minister

[Redacted – Fol Section 38(1)(b) – Personal data]

Did [Redacted – Fol Section 38(1)(b) – Personal data] leave any instructions with you on where we are with this? If not, I am assuming that the docs she saved last Friday are the final drafts. As there is urgency with this, I would like to move it on today for [Redacted – Fol Section 38(1)(b) – Personal data] Any up to date info you have would be great.

Thanks

[Redacted – Fol Section 38(1)(b) – Personal data]
Planning Decisions Manager | Planning & Architecture | Scottish Government |
[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 13 June 2016 17:00
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Cc: [Redacted – Fol Section 38(1)(b) – Personal data]
Subject: RE: FOI Appeal to OSIC - Hyndford Quarry Planning Application- Email seeking clearance from SPADs to put submission to Minister

[Redacted – EIR Reg 10(4)(e) Internal Communications – In relation to the free and frank exchange of views in decision making]

Thanks

[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 13 June 2016 16:47
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Cc: Chief Planner [Redacted – Fol Section 38(1)(b) – Personal data]
Subject: RE: FOI Appeal to OSIC - Hyndford Quarry Planning Application- Email seeking clearance from SPADs to put submission to Minister

[Redacted – Fol Section 38(1)(b) – Personal data]

In [Redacted – Fol Section 38(1)(b) – Personal data] absence, do you have all you need? If you need me to do anything, please just ask.

Thanks

[Redacted – Fol Section 38(1)(b) – Personal data]

Planning Decisions Manager | Planning & Architecture | Scottish Government |
[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 13 June 2016 16:42
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Cc: Chief Planner [Redacted – Fol Section 38(1)(b) – Personal data]

Subject: RE: FOI Appeal to OSIC - Hyndford Quarry Planning Application- Email seeking clearance from SPADs to put submission to Minister

[Redacted – EIR Reg 10(4)(e) Internal Communications – In relation to the free and frank exchange of views in decision making]

[Redacted – Fol Section 38(1)(b) – Personal data]
Deputy Private Secretary to the Special Advisers' Office
Scottish Government
St Andrew's House, 4N.05
Regent Road
Edinburgh
EH1 3DG
[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 10 June 2016 11:28
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Cc: Chief Planner; [Redacted – Fol Section 38(1)(b) – Personal data]
Subject: RE: FOI Appeal to OSIC - Hyndford Quarry Planning Application- Email seeking clearance from SPADs to put submission to Minister

[Redacted – Fol Section 38(1)(b) – Personal data]

Sorry, we should have thought of that. Attached is what would be released to Emma Dewar, Burness Paul LLP, on behalf of the applicant/requestor Cemex Operations UK. Just get in touch if you need anything else.

[Redacted – Fol Section 38(1)(b) – Personal data]
[Senior Planner | Planning & Architecture | Scottish Government | [Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 10 June 2016 10:29
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Cc: Chief Planner; [Redacted – Fol Section 38(1)(b) – Personal data]
Subject: RE: FOI Appeal to OSIC - Hyndford Quarry Planning Application- Email seeking clearance from SPADs to put submission to Minister

Thanks [Redacted – Fol Section 38(1)(b) – Personal data]

SpAds have asked if you could also provide a clean version of what you plan on issuing. Also, who has requested this information?

Thanks again,

[Redacted – FoI Section 38(1)(b) – Personal data]

Deputy Private Secretary to the Special Advisers' Office
Scottish Government
St Andrew's House, 4N.05
Regent Road
Edinburgh
EH1 3DG

[Redacted – FoI Section 38(1)(b) – Personal data]

From: [Redacted – FoI Section 38(1)(b) – Personal data]

Sent: 09 June 2016 17:32

To: [Redacted – FoI Section 38(1)(b) – Personal data]

Cc: Chief Planner [Redacted – FoI Section 38(1)(b) – Personal data]

Subject: RE: FOI Appeal to OSIC - Hyndford Quarry Planning Application- Email seeking clearance from SPADs to put submission to Minister

[Redacted – FoI Section 38(1)(b) – Personal data]

[Redacted – EIR Reg 10(4)(e) Internal Communications – In relation to the free and frank exchange of views in decision making]

[Redacted – FoI Section 38(1)(b) – Personal data]

[Senior Planner | Planning & Architecture | Scottish Government | [Redacted – FoI Section 38(1)(b) – Personal data]

From: [Redacted – FoI Section 38(1)(b) – Personal data]

Sent: 09 June 2016 16:38

To: [Redacted – FoI Section 38(1)(b) – Personal data]

Cc: [Redacted – FoI Section 38(1)(b) – Personal data]

Chief Planner

Subject: RE: FOI Appeal to OSIC - Hyndford Quarry Planning Application- Email seeking clearance from SPADs to put submission to Minister

Thanks [Redacted – FoI Section 38(1)(b) – Personal data]

SpAds will not be able to consider this until tomorrow due to Parliamentary business. To help expedite their consideration, are there any points of contention within the document of which they should be aware?

Many thanks,

[Redacted – FoI Section 38(1)(b) – Personal data]

Deputy Private Secretary to the Special Advisers' Office
Scottish Government

St Andrew's House, 4N.05
Regent Road
Edinburgh
EH1 3DG

[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 09 June 2016 10:57

To: [Redacted – Fol Section 38(1)(b) – Personal data]

Cc: [Redacted – Fol Section 38(1)(b) – Personal data] Chief Planner

Subject: FOI Appeal to OSIC - Hyndford Quarry Planning Application- Email seeking clearance from SPADs to put submission to Minister

[Redacted – EIR Reg 10(4)(e) Internal Communications – In relation to the free and frank exchange of views in decision making]

[Redacted – Fol Section 38(1)(b) – Personal data]

[Redacted – Fol Section 38(1)(b) – Personal data] Senior Planner | Planning & Architecture | Scottish Government | [Redacted – Fol Section 38(1)(b) – Personal data]

Document 7

Relates to exchanges in connection with the proposed Hyndford Quarry development (NOD-SLS-001) and within the scope of the request.

Note: Individual communications are separated by a full line to separate discrete exchanges. Where email communications have attachments, these are appended, where appropriate, below the main text of the email, prefaced by **[attachment below]**

[Redacted – EIR Reg 10(4)(e) Internal Communications – In relation to internal legal advice]

-----Original Message-----

[Redacted – EIR Reg 10(4)(e) Internal Communications – In relation to internal legal advice]

From: From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 24 November 2016 15:52
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Cc: [Redacted – Fol Section 38(1)(b) – Personal data]
Subject: FW: FOR CHECKING - NOD_SLS_001 - Hyndford Quarry Lanark - On-going working DRAFT Decisions Letter

[Redacted – Fol Section 38(1)(b) – Personal data]

Draft submission for your clearance/comments to put to Mr Stewart seeking agreement to issue Hyndford Decision letter and to note Scottish Information Commissioner's FOI-EIR decision and that further information now requires to be released. We discussed this with Mr Stewart yesterday and so he is expecting the submission. If you're content I will put it to SPADS/Comms and get on with LTT/Press lines, which I think is best prepared before putting it forward to Mr Stewart as a complete package

Will John want to see?.

We can discuss tomorrow.

Thanks

[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 23 November 2016 14:22
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Subject: RE: FOR CHECKING - NOD_SLS_001 - Hyndford Quarry Lanark - On-going working DRAFT Decisions Letter

Hi [Redacted – Fol Section 38(1)(b) – Personal data]

I'm happy for you to take forward the submission when I'm away and run it by Helen. I'm back next Wednesday, so if it's done around then, I can always check too.

I hope the [Redacted – not in scope] meeting goes fine.

Thanks

[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 23 November 2016 09:10
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Cc: [Redacted – Fol Section 38(1)(b) – Personal data]
Subject: RE: FOR CHECKING - NOD_SLS_001 - Hyndford Quarry Lanark - On-going working DRAFT Decisions Letter

[Redacted – Fol Section 38(1)(b) – Personal data]

[Redacted – Regulation 10(4)(d) – Material in the course of completion]

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 17 November 2016 13:01
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Subject: RE: FOR CHECKING - NOD_SLS_001 - Hyndford Quarry Lanark - On-going working DRAFT Decisions Letter

That's great.

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 17 November 2016 12:59
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Subject: RE: FOR CHECKING - NOD_SLS_001 - Hyndford Quarry Lanark - On-going working DRAFT Decisions Letter

Thanks. Yes, I can get a submission drafted up with the hope of it going to Mr Stewart early next week. He may have that with him before we meet him on [Redacted – not in scope]

[Redacted – Fol Section 38(1)(b) – Personal data]

[Redacted – EIR Reg 10(4)(e) Internal Communications – In relation to internal legal advice]

From: [Redacted – FoI Section 38(1)(b) – Personal data]
Sent: 14 November 2016 13:13
To: [Redacted – FoI Section 38(1)(b) – Personal data]
Cc: [Redacted – FoI Section 38(1)(b) – Personal data]
Subject: RE: FOR CHECKING - NOD_SLS_001 - Hyndford Quarry Lanark - On-going working DRAFT
Decisions Letter

Good job!

Being optimistic here but do you think that there is a possibility that we could issue on or before 28th? I have an FoI-Eir request from [Redacted – personal details] – see below.

I would feel comfortable giving him this if we had issued the consent. [Redacted – Out of scope]

[Redacted – FoI Section 38(1)(b) – Personal data]

On 9 February 2016, the Directorate of Local Government and Communities Planning and Architecture: Planning Decisions issued a Notice of Intention addressed to Mr Mark Kelly of Cemex UK Operations Limited.

This related to the called in planning application, reference: NOD/SLS/001

The letter requested requested a planning obligation to be drawn up.

I wish to know whether such an obligation has been drawn up, and if so when it was received by the Scottish Government.

I also a request a copy of this planning obligation.

Yours sincerely

[Redacted – personal details]

[Redacted – FoI Section 38(1)(b) – Personal data] Planning Decisions Manager |
Planning & Architecture | Scottish Government | [Redacted – FoI Section 38(1)(b) – Personal data]

[Redacted – EIR Reg 10(4)(e) Internal Communications – In relation to internal legal advice]

From: [Redacted – FoI Section 38(1)(b) – Personal data]
Sent: 16 December 2015 11:47
To: [Redacted – FoI Section 38(1)(b) – Personal data]
Subject: RE: Appeal - FoI/15/01208 - Planning permission - Hyndford Quarry, Lanark

Wonderful!

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 16 December 2015 11:24
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Cc: [Redacted – Fol Section 38(1)(b) – Personal data]
Subject: RE: Appeal - Fol/15/01208 - Planning permission - Hyndford Quarry, Lanark

[Redacted – Fol Section 38(1)(b) – Personal data]

I'm content with this.

Thanks

[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 16 December 2015 09:52
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Cc: [Redacted – Fol Section 38(1)(b) – Personal data]
Subject: RE: Appeal - Fol/15/01208 - Planning permission - Hyndford Quarry, Lanark

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On-going working DRAFT Decisions Letter

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Draft submission for your clearance/comments to put to Mr Stewart seeking agreement to issue Hyndford Decision letter and to note Scottish Information Commissioner's FOI-EIR decision and that further information now requires to be released. We discussed this with Mr Stewart yesterday and so he is expecting the submission. If you're content I will put it to SPADS/Comms and get on with LTT/Press lines, which I think is best prepared before putting it forward to Mr Stewart as a complete package

Will John want to see?.

We can discuss tomorrow.

Thanks

[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 23 November 2016 14:22
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Subject: RE: FOR CHECKING - NOD_SLS_001 - Hyndford Quarry Lanark - On-going working DRAFT Decisions Letter

Hi [Redacted – Fol Section 38(1)(b) – Personal data]

I'm happy for you to take forward the submission when I'm away and run it by Helen. I'm back next Wednesday, so if it's done around then, I can always check too.

I hope the [Redacted – not in scope] meeting goes fine.

Thanks

[Redacted – Fol Section 38(1)(b) – Personal data]

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Sent: 23 November 2016 09:10
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[Redacted – Regulation 10(4)(d) – Material in the course of completion]

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 17 November 2016 13:01
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Subject: RE: FOR CHECKING - NOD_SLS_001 - Hyndford Quarry Lanark - On-going working DRAFT Decisions Letter

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Sent: 17 November 2016 12:59
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Subject: RE: FOR CHECKING - NOD_SLS_001 - Hyndford Quarry Lanark - On-going working DRAFT Decisions Letter

Thanks. Yes, I can get a submission drafted up with the hope of it going to Mr Stewart early next week. He may have that with him before we meet him on [Redacted – not in scope]

[Redacted – Fol Section 38(1)(b) – Personal data]

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Yours sincerely

[Redacted – personal details]

[Redacted – Fol Section 38(1)(b) – Personal data] Planning Decisions Manager |
Planning & Architecture | Scottish Government | [Redacted – Fol Section 38(1)(b) – Personal data]

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From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 16 December 2015 11:47
To: [Redacted – Fol Section 38(1)(b) – Personal data]
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Subject: RE: Appeal - Fol/15/01208 - Planning permission - Hyndford Quarry, Lanark

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I'm content with this.

Thanks

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Subject: RE: Appeal - Fol/15/01208 - Planning permission - Hyndford Quarry, Lanark

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Rosie is content for our part that it is factual and in public domain. Jane – are you content with that too given your remit in case?

Thanks

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We can discuss tomorrow.

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Hi [Redacted – Fol Section 38(1)(b) – Personal data]

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Sent: 24 November 2016 15:52

To: [Redacted – Fol Section 38(1)(b) – Personal data]

Cc: [Redacted – Fol Section 38(1)(b) – Personal data]

Subject: FW: FOR CHECKING - NOD_SLS_001 - Hyndford Quarry Lanark - On-going working DRAFT Decisions Letter

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Sent: 17 November 2016 13:01

To: [Redacted – Fol Section 38(1)(b) – Personal data]

Subject: RE: FOR CHECKING - NOD_SLS_001 - Hyndford Quarry Lanark - On-going working DRAFT Decisions Letter

That's great.

From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 17 November 2016 12:59

To: [Redacted – Fol Section 38(1)(b) – Personal data]

Subject: RE: FOR CHECKING - NOD_SLS_001 - Hyndford Quarry Lanark - On-going working DRAFT Decisions Letter

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[Redacted – FoI Section 38(1)(b) – Personal data]

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From: [Redacted – FoI Section 38(1)(b) – Personal data]
Sent: 14 November 2016 13:13
To: [Redacted – FoI Section 38(1)(b) – Personal data]
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Subject: RE: FOR CHECKING - NOD_SLS_001 - Hyndford Quarry Lanark - On-going working DRAFT Decisions Letter

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Subject: RE: FOR CHECKING - NOD_SLS_001 - Hyndford Quarry Lanark - On-going working DRAFT Decisions Letter

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Sent: 16 December 2015 11:47
To: [Redacted – FoI Section 38(1)(b) – Personal data]
Subject: RE: Appeal - Fol/15/01208 - Planning permission - Hyndford Quarry, Lanark

Wonderful!

From: [Redacted – FoI Section 38(1)(b) – Personal data]
Sent: 16 December 2015 11:24
To: [Redacted – FoI Section 38(1)(b) – Personal data]
Cc: [Redacted – FoI Section 38(1)(b) – Personal data]
Subject: RE: Appeal - Fol/15/01208 - Planning permission - Hyndford Quarry, Lanark

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I'm content with this.

Thanks

[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 16 December 2015 09:52

To: [Redacted – Fol Section 38(1)(b) – Personal data]

Cc: [Redacted – Fol Section 38(1)(b) – Personal data]

Subject: RE: Appeal - Fol/15/01208 - Planning permission - Hyndford Quarry, Lanark

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[Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 07 December 2015 13:55

To: From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 24 November 2016 15:52

To: [Redacted – Fol Section 38(1)(b) – Personal data]

Cc: [Redacted – Fol Section 38(1)(b) – Personal data]

Subject: FW: FOR CHECKING - NOD_SLS_001 - Hyndford Quarry Lanark - On-going working DRAFT Decisions Letter

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Will John want to see?.

We can discuss tomorrow.

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From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 23 November 2016 14:22
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Subject: RE: FOR CHECKING - NOD_SLS_001 - Hyndford Quarry Lanark - On-going working DRAFT Decisions Letter

Hi [Redacted – Fol Section 38(1)(b) – Personal data]

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I hope the [Redacted – not in scope] meeting goes fine.

Thanks

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From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 23 November 2016 09:10
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Cc: [Redacted – Fol Section 38(1)(b) – Personal data]
Subject: RE: FOR CHECKING - NOD_SLS_001 - Hyndford Quarry Lanark - On-going working DRAFT Decisions Letter

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From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 17 November 2016 13:01
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Subject: RE: FOR CHECKING - NOD_SLS_001 - Hyndford Quarry Lanark - On-going working DRAFT Decisions Letter

That's great.

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 17 November 2016 12:59
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Subject: RE: FOR CHECKING - NOD_SLS_001 - Hyndford Quarry Lanark - On-going working DRAFT Decisions Letter

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From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 14 November 2016 13:13
To: [Redacted – Fol Section 38(1)(b) – Personal data]
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Subject: RE: FOR CHECKING - NOD_SLS_001 - Hyndford Quarry Lanark - On-going working DRAFT
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Thanks

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Sent: 24 November 2016 15:52
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Cc: [Redacted – Fol Section 38(1)(b) – Personal data]
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Sent: 23 November 2016 14:22

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Subject: RE: FOR CHECKING - NOD_SLS_001 - Hyndford Quarry Lanark - On-going working DRAFT
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Hi [Redacted – Fol Section 38(1)(b) – Personal data]

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Sent: 24 November 2016 15:52

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[Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 03 December 2015 18:04
To: From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 24 November 2016 15:52
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Cc: [Redacted – Fol Section 38(1)(b) – Personal data]
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Cc: Chief Planner; From: [Redacted – Fol Section 38(1)(b) – Personal data]
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To: [Redacted – Fol Section 38(1)(b) – Personal data]

Cc: [Redacted – Fol Section 38(1)(b) – Personal data]

Subject: FW: FOR CHECKING - NOD_SLS_001 - Hyndford Quarry Lanark -
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We thought you'd want to see this before we put it up to Mr Neil.
Grateful for any comments.

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Sent: 17 November 2016 13:01

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Sent: 17 November 2016 12:59

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Sent: 28 January 2016 16:06

To: From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 24 November 2016 15:52

To: [Redacted – Fol Section 38(1)(b) – Personal data]

Cc: [Redacted – Fol Section 38(1)(b) – Personal data]

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On balance I think we should recommend that Ministers be minded to grant subject
to the S.75 and conditions as proposed.

Parties are essentially in agreement that the S75 is required and reporters consider it to be a pragmatic approach.

If we are all in agreement with that approach, I'd be grateful for comments on the attached draft submission and draft intentions Letter.

I'm back in the office tomorrow if we need to discuss more.

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[Redacted – FoI Section 38(1)(b) – Personal data] Planning Decisions Manager |
Planning & Architecture | Scottish Government | [Redacted – FoI Section 38(1)(b) – Personal data]

[Redacted – EIR Reg 10(4)(e) Internal Communications – In relation to internal legal advice]

From: [Redacted – FoI Section 38(1)(b) – Personal data]
Sent: 16 December 2015 11:47

To: [Redacted – Fol Section 38(1)(b) – Personal data]
Subject: RE: Appeal - Fol/15/01208 - Planning permission - Hyndford Quarry, Lanark

Wonderful!

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 16 December 2015 11:24
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Cc: [Redacted – Fol Section 38(1)(b) – Personal data]
Subject: RE: Appeal - Fol/15/01208 - Planning permission - Hyndford Quarry, Lanark

[Redacted – Fol Section 38(1)(b) – Personal data]

I'm content with this.

Thanks

[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 16 December 2015 09:52
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Cc: [Redacted – Fol Section 38(1)(b) – Personal data]
Subject: RE: Appeal - Fol/15/01208 - Planning permission - Hyndford Quarry, Lanark

[Redacted – Fol Section 38(1)(b) – Personal data]

is content for our part that it is factual and in public domain. [Redacted – Fol Section 38(1)(b) – Personal data] – are you content with that too given your remit in case?

Thanks

[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 03 October 2016 11:29
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Subject: FW: Hyndford Quarry Application - DRAFT Decision Letter - For clearance

Morning [Redacted – Fol Section 38(1)(b) – Personal data]

Have you any comments on the draft letter? I was hoping to send this on to [Redacted – Fol Section 38(1)(b) – Personal data] today, if poss.

Many thanks

[Redacted – Fol Section 38(1)(b) – Personal data]

[Redacted – EIR Reg 10(4)(e) Internal Communications – In relation to internal legal advice]

From: From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 24 November 2016 15:52
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Cc: [Redacted – Fol Section 38(1)(b) – Personal data]
Subject: FW: FOR CHECKING - NOD_SLS_001 - Hyndford Quarry Lanark - On-going working DRAFT Decisions Letter

[Redacted – Fol Section 38(1)(b) – Personal data]

Draft submission for your clearance/comments to put to Mr Stewart seeking agreement to issue Hyndford Decision letter and to note Scottish Information Commissioner's FOI-EIR decision and that further information now requires to be released. We discussed this with Mr Stewart yesterday and so he is expecting the submission. If you're content I will put it to SPADS/Comms and get on with LTT/Press lines, which I think is best prepared before putting it forward to Mr Stewart as a complete package

Will John want to see?.

We can discuss tomorrow.

Thanks

[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 23 November 2016 14:22
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Subject: RE: FOR CHECKING - NOD_SLS_001 - Hyndford Quarry Lanark - On-going working DRAFT Decisions Letter

Hi [Redacted – Fol Section 38(1)(b) – Personal data]

I'm happy for you to take forward the submission when I'm away and run it by [Redacted – Fol Section 38(1)(b) – Personal data]

I'm back next Wednesday, so if it's done around then, I can always check too.

I hope the [Redacted – not in scope] meeting goes fine.

Thanks

[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 23 November 2016 09:10

To: [Redacted – Fol Section 38(1)(b) – Personal data]

Cc: [Redacted – Fol Section 38(1)(b) – Personal data]

Subject: RE: FOR CHECKING - NOD_SLS_001 - Hyndford Quarry Lanark - On-going working DRAFT Decisions Letter

[Redacted – Fol Section 38(1)(b) – Personal data]

[Redacted – Regulation 10(4)(d) – Material in the course of completion]

From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 17 November 2016 13:01

To: [Redacted – Fol Section 38(1)(b) – Personal data]

Subject: RE: FOR CHECKING - NOD_SLS_001 - Hyndford Quarry Lanark - On-going working DRAFT Decisions Letter

That's great.

From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 17 November 2016 12:59

To: [Redacted – Fol Section 38(1)(b) – Personal data]

Subject: RE: FOR CHECKING - NOD_SLS_001 - Hyndford Quarry Lanark - On-going working DRAFT Decisions Letter

Thanks. Yes, I can get a submission drafted up with the hope of it going to Mr Stewart early next week. He may have that with him before we meet him on [Redacted – not in scope]

[Redacted – Fol Section 38(1)(b) – Personal data]

[Redacted – EIR Reg 10(4)(e) Internal Communications – In relation to internal legal advice]

From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 14 November 2016 13:13

To: [Redacted – Fol Section 38(1)(b) – Personal data]

Cc: [Redacted – Fol Section 38(1)(b) – Personal data]

Subject: RE: FOR CHECKING - NOD_SLS_001 - Hyndford Quarry Lanark - On-going working DRAFT Decisions Letter

Good job!

Being optimistic here but do you think that there is a possibility that we could issue on or before 28th? I have an FoI-Eir request from [Redacted – personal details] – see below.

I would feel comfortable giving him this if we had issued the consent. [Redacted – Out of scope]

[Redacted – FoI Section 38(1)(b) – Personal data]

On 9 February 2016, the Directorate of Local Government and Communities Planning and Architecture: Planning Decisions issued a Notice of Intention addressed to Mr Mark Kelly of Cemex UK Operations Limited.

This related to the called in planning application, reference: NOD/SLS/001

The letter requested requested a planning obligation to be drawn up.

I wish to know whether such an obligation has been drawn up, and if so when it was received by the Scottish Government.

I also a request a copy of this planning obligation.

Yours sincerely

[Redacted – personal details]

[Redacted – FoI Section 38(1)(b) – Personal data] Planning Decisions Manager |
Planning & Architecture | Scottish Government | [Redacted – FoI Section 38(1)(b) – Personal data]

[Redacted – EIR Reg 10(4)(e) Internal Communications – In relation to internal legal advice]

From: [Redacted – FoI Section 38(1)(b) – Personal data]
Sent: 16 December 2015 11:47
To: [Redacted – FoI Section 38(1)(b) – Personal data]
Subject: RE: Appeal - FoI/15/01208 - Planning permission - Hyndford Quarry, Lanark

Wonderful!

From: [Redacted – FoI Section 38(1)(b) – Personal data]
Sent: 16 December 2015 11:24
To: [Redacted – FoI Section 38(1)(b) – Personal data]
Cc: [Redacted – FoI Section 38(1)(b) – Personal data]
Subject: RE: Appeal - FoI/15/01208 - Planning permission - Hyndford Quarry, Lanark

[Redacted – FoI Section 38(1)(b) – Personal data]

I'm content with this.

Thanks

[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 16 December 2015 09:52

To: [Redacted – Fol Section 38(1)(b) – Personal data]

Cc: [Redacted – Fol Section 38(1)(b) – Personal data]

Subject: RE: Appeal - Fol/15/01208 - Planning permission - Hyndford Quarry, Lanark

[Redacted – Fol Section 38(1)(b) – Personal data]

[Redacted – Fol Section 38(1)(b) – Personal data]

is content for our part that it is factual and in public domain. [Redacted – Fol Section 38(1)(b) – Personal data] – are you content with that too given your remit in case?

Thanks

[Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 31 August 2016 10:30

To: [Redacted – Fol Section 38(1)(b) – Personal data]

Cc: [Redacted – Fol Section 38(1)(b) – Personal data]

Subject: FW: Hyndford Quarry, Lanark (NOD/SLS/001) [BURNESSPAULL-Live.FID22708414]

Hi [Redacted – Fol Section 38(1)(b) – Personal data]

Further to my e-mail of 4 August, please see attached e-mail from [Redacted – Fol Section 38(1)(b) – Personal data] which advises that the agreement has now been accepted for registration.

I would be grateful if you could now cast your eye over the proposed decision letter in the hope we can issue the final consent in the very near future.

Many thanks

[Redacted – Fol Section 38(1)(b) – Personal data]

Planning Decisions Planning & Architecture | Scottish Government | [Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 04 August 2016 08:47

To: [Redacted – Fol Section 38(1)(b) – Personal data]

Cc: [Redacted – FoI Section 38(1)(b) – Personal data]
Subject: FW: Hyndford Quarry, Lanark (NOD/SLS/001) [BURNESSPAULL-Live.FID22708414]

Hi [Redacted – FoI Section 38(1)(b) – Personal data]

HYNDFORD QUARRY, NEW LANARK

I have recently received the minute of agreement between Cemex and SLC – see attached. [Redacted – FoI Section 38(1)(b) – Personal data]
and I have looked at it and are content.

I have drafted a decision letter granting formal consent to the southern extension of Hyndford Quarry.

I attach the link to DPEA's website where you can view the previous reports and intentions letters.

<https://www.dpea.scotland.gov.uk/CaseDetails.aspx?id=114959&T=20>

I would be grateful if you could cast you eye over the agreement and draft decision letter and advise if there are any issues.

I am awaiting documentary evidence [Redacted – FoI Section 38(1)(b) – Personal data] as to the registration/recording of the agreement. I also need to speak to private office and comms around any sensitivities/timing in issuing the final letter.

Thanks

[Redacted – FoI Section 38(1)(b) – Personal data]

From: [Redacted – FoI Section 38(1)(b) – Personal data]
Sent: 28 July 2016 10:02
To: [Redacted – FoI Section 38(1)(b) – Personal data]
Cc: [Redacted – FoI Section 38(1)(b) – Personal data] Chief Planner
Subject: RE: Hyndford Quarry, Lanark (NOD/SLS/001) [BURNESSPAULL-Live.FID22708414]

[Redacted – FoI Section 38(1)(b) – Personal data]

I attach a copy of the s75 agreement which has now been signed by the parties and will be in touch with evidence that it has been accepted for registration in due course.

Kind regards

[Redacted – FoI Section 38(1)(b) – Personal data]
Senior Associate
Burness Paull LLP

[Redacted – FoI Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 08 July 2016 16:14
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Cc: [Redacted – Fol Section 38(1)(b) – Personal data]
Chief.Planner@gov.scot
Subject: RE: Hyndford Quarry, Lanark (NOD/SLS/001) [BURNESSPAULL-Live.FID22708414]

[Redacted – Fol Section 38(1)(b) – Personal data]

I am pleased to advise that the agreement has been finalised and is now in the course of being signed by the parties. I will let you know just as soon as it has been signed and submitted for registration, which should be sometime next week.

Kind regards

[Redacted – Fol Section 38(1)(b) – Personal data]
Senior Associate
Burness Paull LLP

[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 06 June 2016 10:51
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Cc: [Redacted – Fol Section 38(1)(b) – Personal data]
Chief.Planner@gov.scot
Subject: RE: Hyndford Quarry, Lanark (NOD/SLS/001) [BURNESSPAULL-Live.FID22708414]

Hi [Redacted – Fol Section 38(1)(b) – Personal data]

I am content for an extension to be granted until the beginning of July.

I look forward to hearing from you again soon.

Kind regards

[Redacted – Fol Section 38(1)(b) – Personal data]
Planning Decisions Manager | Planning & Architecture | Scottish Government |

From [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 06 June 2016 10:43
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Cc [Redacted – Fol Section 38(1)(b) – Personal data]
Subject: RE: Hyndford Quarry, Lanark (NOD/SLS/001) [BURNESSPAULL-Live.FID22708414]

[Redacted – Fol Section 38(1)(b) – Personal data]

Just to update you on the s75 agreement, the principal terms have now been agreed with the Council but the agreement has still to be finalised and registered. We are unlikely to meet the deadline of 9 June so would request that the deadline be extended by another month to 8 July 2016, which should give us sufficient time to conclude matters. We have already advised South Lanarkshire Council of our intention to seek a further extension and they have raised no objection.

I should be much obliged if you could confirm whether the Ministers would be prepared to grant an extension to the deadline for concluding the s75 agreement to 8 July 2016.

Kind regards

[Redacted – Fol Section 38(1)(b) – Personal data]

Senior Associate
Burness Paull LLP

[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 09 May 2016 11:35

To: [Redacted – Fol Section 38(1)(b) – Personal data]

Cc: [Redacted – Fol Section 38(1)(b) – Personal data]

Subject: RE: Hyndford Quarry, Lanark (NOD/SLS/001) [BURNESSPAULL-Live.FID22708414]

Morning [Redacted – Fol Section 38(1)(b) – Personal data]

Thank you for the update and I note good progress is being made.

Ministers are content to grant an extension until June.

I look forward to hearing from you again soon.

Kind regards

[Redacted – Fol Section 38(1)(b) – Personal data]

Planning Decisions Manager | Planning & Architecture | Scottish Government |

[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 05 May 2016 12:02

To: [Redacted – Fol Section 38(1)(b) – Personal data]

Cc: [Redacted – Fol Section 38(1)(b) – Personal data]

Subject: Hyndford Quarry, Lanark (NOD/SLS/001) [BURNESSPAULL-Live.FID22708414]

[Redacted – Fol Section 38(1)(b) – Personal data]

We act for CEMEX UK Operations Limited and have been dealing with the negotiation of the s75 agreement required by the Scottish Ministers in terms of the attached Notice of Intention to grant planning permission for the southern extension to Hyndford Quarry, Lanark.

While we have made good progress in negotiating the terms of the agreement with South Lanarkshire Council, we will not be able to get the agreement completed and registered by 9 May 2016.

We would therefore request that the deadline for concluding the agreement be extended by another month to 9 June 2016. We have already advised South Lanarkshire Council of our intention to seek an extension and they have raised no objection.

I should be much obliged if you could confirm whether the Ministers would be prepared to grant an extension to the deadline for concluding the s75 agreement to 9 June 2016.

I look forward to hearing from you.

Regards

[Redacted – FoI Section 38(1)(b) – Personal data]

Senior Associate
Burness Paull LLP

[Redacted – FoI Section 38(1)(b) – Personal data]

[Attachment] – Draft decision letter [Redacted – EIR Reg 10(4)(d) – Material in the course of completion]

From: [Redacted – FoI Section 38(1)(b) – Personal data]

Sent: 30 September 2016 09:33

To: [Redacted – FoI Section 38(1)(b) – Personal data]

Subject: FW: Notification of Direction, Hyndford Quarry NOD-SLS-001

Morning [Redacted – FoI Section 38(1)(b) – Personal data]

Please see e-mail below from South Lanarkshire Council. Is this something you can deal with? Should I advise that I have passed the query on to yourselves?

Regards

[Redacted – FoI Section 38(1)(b) – Personal data] Case Officer

Planning & Environmental Appeals Division | 4 The Courtyard | Callendar Business Park | FALKIRK | FK1 1XR

TEL: [Redacted – FoI Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 30 September 2016 09:16
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Planning Decisions
Cc: [Redacted – Fol Section 38(1)(b) – Personal data]
Subject: Notification of Direction, Hyndford Quarry NOD-SLS-001

Dear [Redacted – Fol Section 38(1)(b) – Personal data]

South Lanarkshire Council received notification that the S75 was signed for the above application in July this year. The Council is currently carrying out a monitoring exercise of its Minerals Development Plan and to enable collation of an up to date mineral land bank I'd appreciate if you would be able to give timescales for a decision to be issued? We're also conscious that Hyndford is operating to a previous permission that whilst updated through a ROMP application it would be preferable if it were to be worked via a decision utilising the proposed up to date mitigation within the Environmental Statement submitted as part of the current application. A timescale would also be appreciate as we have been receiving several enquiries from members of the public and Local Councillors regarding the applications status.

Any information you could provide would be appreciated.

Regards

[Redacted – Fol Section 38(1)(b) – Personal data]

Planner - Minerals and Waste
Community & Enterprise Resources
Montrose House
154 Montrose Crescent
Hamilton
ML3 6LB

Tel: [Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 31 October 2016 14:46
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Subject: RE: Hyndford Quarry Application - DRAFT Decision Letter - For clearance

Hi [Redacted – Fol Section 38(1)(b) – Personal data]

Where do you want to go from here – do you have any comments before I put down to [Redacted – Fol Section 38(1)(b) – Personal data]?

Thanks

[Redacted – Fol Section 38(1)(b) – Personal data]

[Redacted – EIR Reg 10(4)(e) Internal Communications – In relation to internal legal advice]

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 03 October 2016 15:45
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Cc: [Redacted – Fol Section 38(1)(b) – Personal data]

Subject: FW: Hyndford Quarry Application - DRAFT Decision Letter - For clearance

Hi [Redacted – Fol Section 38(1)(b) – Personal data]

Thanks for your advice in preparing the Hyndford decision letter.

Please see attached our latest draft for your further comments and assistance.

Happy to discuss.

Many thanks

[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 03 October 2016 15:34
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Cc: [Redacted – Fol Section 38(1)(b) – Personal data]
Subject: RE: Hyndford Quarry Application - DRAFT Decision Letter - For clearance

Thanks [Redacted – Fol Section 38(1)(b) – Personal data]

I'm happy that you forward to [Redacted – Fol Section 38(1)(b) – Personal data]
– no comments to add from me.

[Redacted – Fol Section 38(1)(b) – Personal data]

From [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 03 October 2016 11:29
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Subject: FW: Hyndford Quarry Application - DRAFT Decision Letter - For clearance

Morning [Redacted – Fol Section 38(1)(b) – Personal data]

Have you any comments on the draft letter? I was hoping to send this on to [Redacted – Fol Section 38(1)(b) – Personal data] today, if poss.

Many thanks

[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 23 September 2016 16:04

To: [Redacted – FoI Section 38(1)(b) – Personal data]
Cc: [Redacted – FoI Section 38(1)(b) – Personal data]
Subject: Hyndford Quarry Application - DRAFT Decision Letter - For clearance

[Redacted – FoI Section 38(1)(b) – Personal data]

Attached is a revised draft of the Hyndford decision letter (in light of [Redacted – FoI Section 38(1)(b) – Personal data] email attached below) for your comment before we revert back to [Redacted – FoI Section 38(1)(b) – Personal data] and issue.

The letter focuses on the reasons given in the Intentions Letter for part refusal – that is - the potential adverse impact of the western extension upon the OUV of the WHS is not outweighed by the need for a greater supply of minerals.

[Redacted - Regulation 10(4)(e) - Internal communications – Free and frank exchange in relation to general decision-making]

What we have done is explained the emphasis we have given to SPP paragraph 235, 'policy principles' in relation to ensuring an adequate and steady supply of minerals alongside the need to minimise the impacts of extraction on local communities, the environment and built and natural heritage.

[Redacted – FoI Section 38(1)(b) – Personal data] on behalf of Cemex, has been in contact looking for a timescale of when she can expect the decision letter so it would be helpful to get your views on this and discuss this with you early next week.

Thanks

[Redacted – FoI Section 38(1)(b) – Personal data]

[Senior Planner | Planning & Architecture | Scottish Government | [Redacted – FoI Section 38(1)(b) – Personal data]planning.decisions@gov.scot

[Redacted – EIR Reg 10(4)(e) Internal Communications – In relation to internal legal advice]

From: [Redacted – FoI Section 38(1)(b) – Personal data]

Sent: 31 August 2016 10:30

To: [Redacted – FoI Section 38(1)(b) – Personal data]

Cc: [Redacted – FoI Section 38(1)(b) – Personal data]

Chief Planner

Subject: FW: Hyndford Quarry, Lanark (NOD/SLS/001) [BURNESSPAULL-Live.FID22708414]

Hi [Redacted – FoI Section 38(1)(b) – Personal data]

Further to my e-mail of 4 August, please see attached e-mail from [Redacted – FoI Section 38(1)(b) – Personal data] which advises that the agreement has now been accepted for registration.

I would be grateful if you could now cast your eye over the proposed decision letter in the hope we can issue the final consent in the very near future.

Many thanks

[Redacted – FoI Section 38(1)(b) – Personal data]

Planning Decisions Planning & Architecture | Scottish Government | [Redacted – FoI Section 38(1)(b) – Personal data]

From: [Redacted – FoI Section 38(1)(b) – Personal data]

Sent: 04 August 2016 08:47

To: [Redacted – FoI Section 38(1)(b) – Personal data]

Cc: [Redacted – FoI Section 38(1)(b) – Personal data]

Subject: FW: Hyndford Quarry, Lanark (NOD/SLS/001) [BURNESSPAULL-Live.FID22708414]

Hi [Redacted – FoI Section 38(1)(b) – Personal data]

HYNDFORD QUARRY, NEW LANARK

I have recently received the minute of agreement between Cemex and SLC – see attached. Jane and I have looked at it and are content.

I have drafted a decision letter granting formal consent to the southern extension of Hyndford Quarry.

I attach the link to DPEA's website where you can view the previous reports and intentions letters.

<https://www.dpea.scotland.gov.uk/CaseDetails.aspx?id=114959&T=20>

I would be grateful if you could cast you eye over the agreement and draft decision letter and advise if there are any issues.

I am awaiting documentary evidence from Emma Dewar as to the registration/recording of the agreement. I also need to speak to private office and comms around any sensitivities/timing in issuing the final letter.

Thanks

[Redacted – FoI Section 38(1)(b) – Personal data]

From: [Redacted – FoI Section 38(1)(b) – Personal data]

Sent: 28 July 2016 10:02

To: [Redacted – FoI Section 38(1)(b) – Personal data]

Cc: [Redacted – FoI Section 38(1)(b) – Personal data] Chief Planner

Subject: RE: Hyndford Quarry, Lanark (NOD/SLS/001) [BURNESSPAULL-Live.FID22708414]

[Redacted – Fol Section 38(1)(b) – Personal data]

I attach a copy of the s75 agreement which has now been signed by the parties and will be in touch with evidence that it has been accepted for registration in due course.

Kind regards

[Redacted – Fol Section 38(1)(b) – Personal data]

Senior Associate
Burness Paull LLP

[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 08 July 2016 16:14

To: [Redacted – Fol Section 38(1)(b) – Personal data]

Cc: [Redacted – Fol Section 38(1)(b) – Personal data]

Chief.Planner@gov.scot

Subject: RE: Hyndford Quarry, Lanark (NOD/SLS/001) [BURNESSPAULL-Live.FID22708414]

[Redacted – Fol Section 38(1)(b) – Personal data]

I am pleased to advise that the agreement has been finalised and is now in the course of being signed by the parties. I will let you know just as soon as it has been signed and submitted for registration, which should be sometime next week.

Kind regards

[Redacted – Fol Section 38(1)(b) – Personal data]

Senior Associate
Burness Paull LLP

[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 06 June 2016 10:51

To: [Redacted – Fol Section 38(1)(b) – Personal data]

Cc: [Redacted – Fol Section 38(1)(b) – Personal data]

[Redacted – Fol Section 38(1)(b) – Personal data] Chief.Planner@gov.scot

Subject: RE: Hyndford Quarry, Lanark (NOD/SLS/001) [BURNESSPAULL-Live.FID22708414]

Hi [Redacted – Fol Section 38(1)(b) – Personal data]

I am content for an extension to be granted until the beginning of July.

I look forward to hearing from you again soon.

Kind regards

[Redacted – Fol Section 38(1)(b) – Personal data]
Planning Decisions Manager | Planning & Architecture | Scottish Government |
[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 06 June 2016 10:43
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Cc: [Redacted – Fol Section 38(1)(b) – Personal data]
Subject: RE: Hyndford Quarry, Lanark (NOD/SLS/001) [BURNESSPAULL-Live.FID22708414]

[Redacted – Fol Section 38(1)(b) – Personal data]

Just to update you on the s75 agreement, the principal terms have now been agreed with the Council but the agreement has still to be finalised and registered. We are unlikely to meet the deadline of 9 June so would request that the deadline be extended by another month to 8 July 2016, which should give us sufficient time to conclude matters. We have already advised South Lanarkshire Council of our intention to seek a further extension and they have raised no objection.

I should be much obliged if you could confirm whether the Ministers would be prepared to grant an extension to the deadline for concluding the s75 agreement to 8 July 2016.

Kind regards

[Redacted – Fol Section 38(1)(b) – Personal data]
Senior Associate
Burness Paull LLP

[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 09 May 2016 11:35
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Cc: [Redacted – Fol Section 38(1)(b) – Personal data]
Subject: RE: Hyndford Quarry, Lanark (NOD/SLS/001) [BURNESSPAULL-Live.FID22708414]

Morning [Redacted – Fol Section 38(1)(b) – Personal data]

Thank you for the update and I note good progress is being made.

Ministers are content to grant an extension until June.

I look forward to hearing from you again soon.

Kind regards

[Redacted – Fol Section 38(1)(b) – Personal data]

Planning Decisions Manager | Planning & Architecture | Scottish Government |

[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 05 May 2016 12:02

To: [Redacted – Fol Section 38(1)(b) – Personal data]

Cc: [Redacted – Fol Section 38(1)(b) – Personal data]

Subject: Hyndford Quarry, Lanark (NOD/SLS/001) [BURNESSPAULL-Live.FID22708414]

[Redacted – Fol Section 38(1)(b) – Personal data]

We act for CEMEX UK Operations Limited and have been dealing with the negotiation of the s75 agreement required by the Scottish Ministers in terms of the attached Notice of Intention to grant planning permission for the southern extension to Hyndford Quarry, Lanark.

While we have made good progress in negotiating the terms of the agreement with South Lanarkshire Council, we will not be able to get the agreement completed and registered by 9 May 2016.

We would therefore request that the deadline for concluding the agreement be extended by another month to 9 June 2016. We have already advised South Lanarkshire Council of our intention to seek an extension and they have raised no objection.

I should be much obliged if you could confirm whether the Ministers would be prepared to grant an extension to the deadline for concluding the s75 agreement to 9 June 2016.

I look forward to hearing from you.

Regards

[Redacted – Fol Section 38(1)(b) – Personal data]

Senior Associate

Burness Paull LLP

[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 08 November 2016 09:09

To: [Redacted – Fol Section 38(1)(b) – Personal data]

Cc: [Redacted – Fol Section 38(1)(b) – Personal data]

Subject: FW: Hyndford Quarry, Lanark (NOD/SLS/001) [BURNESSPAULL-Live.FID22708414]

[Redacted – Fol Section 38(1)(b) – Personal data]

Simon has brought me up to date on how your meeting went with Norman on Hyndford. I sent the attached to Norman and yourself at the time it came in. However, I thought you may wish to have this to hand as the draft decision letter gets nearer to an end (hopefully!!!) so that Norman and yourself can read the agreement in conjunction with the draft.

Thanks

[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 31 August 2016 10:08
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Cc: [Redacted – Fol Section 38(1)(b) – Personal data]
Subject: RE: Hyndford Quarry, Lanark (NOD/SLS/001) [BURNESSPAULL-Live.FID22708414]

[Redacted – Fol Section 38(1)(b) – Personal data]

Apologies for the delay in providing evidence that the s75 agreement has been accepted for registration. This was caused by difficulties in submission of the agreement for registration. Further to my previous email, I now attach a fresh copy of the s75 agreement signed by all parties. The plan was amended with the agreement of both parties to remove certain areas of land. I also attach acknowledgements from Registers of Scotland of submission of the agreement for registration.

I would be grateful if you would now arrange for planning permission to be issued pursuant to your notice of intention dated 9 February 2016.

Kind regards

[Redacted – Fol Section 38(1)(b) – Personal data]

Senior Associate
Burness Paull LLP

[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 28 July 2016 10:09
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Cc: [Redacted – Fol Section 38(1)(b) – Personal data]

Subject: RE: Hyndford Quarry, Lanark (NOD/SLS/001) [BURNESSPAULL-Live.FID22708414]

Morning [Redacted – Fol Section 38(1)(b) – Personal data]

Thanks for sending me a copy of the agreement. I will check this over and, all going well, I should be in a position to issue the final consent in the very near future.

[Redacted – Fol Section 38(1)(b) – Personal data]

Planning Decisions Planning & Architecture | Scottish Government [Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 28 July 2016 10:02

To: [Redacted – Fol Section 38(1)(b) – Personal data]

Cc: [Redacted – Fol Section 38(1)(b) – Personal data] Chief Planner

Subject: RE: Hyndford Quarry, Lanark (NOD/SLS/001) [BURNESSPAULL-Live.FID22708414]

[Redacted – Fol Section 38(1)(b) – Personal data]

I attach a copy of the s75 agreement which has now been signed by the parties and will be in touch with evidence that it has been accepted for registration in due course.

Kind regards

[Redacted – Fol Section 38(1)(b) – Personal data]

Senior Associate

Burness Paull LLP

[Redacted – Fol Section 38(1)(b) – Personal data]

From [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 08 July 2016 16:14

To: [Redacted – Fol Section 38(1)(b) – Personal data]

Cc: [Redacted – Fol Section 38(1)(b) – Personal data] Chief.Planner@gov.scot

Subject: RE: Hyndford Quarry, Lanark (NOD/SLS/001) [BURNESSPAULL-Live.FID22708414]

[Redacted – Fol Section 38(1)(b) – Personal data]

I am pleased to advise that the agreement has been finalised and is now in the course of being signed by the parties. I will let you know just as soon as it has been signed and submitted for registration, which should be sometime next week.

Kind regards

[Redacted – Fol Section 38(1)(b) – Personal data]

Senior Associate

Burness Paull LLP

[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 06 June 2016 10:51

To: [Redacted – Fol Section 38(1)(b) – Personal data]

Cc [Redacted – Fol Section 38(1)(b) – Personal data] Chief.Planner@gov.scot

Subject: RE: Hyndford Quarry, Lanark (NOD/SLS/001) [BURNESSPAULL-Live.FID22708414]

Hi [Redacted – Fol Section 38(1)(b) – Personal data]

I am content for an extension to be granted until the beginning of July.

I look forward to hearing from you again soon.

Kind regards

[Redacted – Fol Section 38(1)(b) – Personal data]

Planning Decisions Manager | Planning & Architecture | Scottish Government |

[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 06 June 2016 10:43

To: [Redacted – Fol Section 38(1)(b) – Personal data]

Cc: [Redacted – Fol Section 38(1)(b) – Personal data]

Subject: RE: Hyndford Quarry, Lanark (NOD/SLS/001) [BURNESSPAULL-Live.FID22708414]

[Redacted – Fol Section 38(1)(b) – Personal data]

Just to update you on the s75 agreement, the principal terms have now been agreed with the Council but the agreement has still to be finalised and registered. We are unlikely to meet the deadline of 9 June so would request that the deadline be extended by another month to 8 July 2016, which should give us sufficient time to conclude matters. We have already advised South Lanarkshire Council of our intention to seek a further extension and they have raised no objection.

I should be much obliged if you could confirm whether the Ministers would be prepared to grant an extension to the deadline for concluding the s75 agreement to 8 July 2016.

Kind regards

[Redacted – Fol Section 38(1)(b) – Personal data]

Senior Associate

Burness Paull LLP

[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 09 May 2016 11:35

To: [Redacted – Fol Section 38(1)(b) – Personal data]

Cc: [Redacted – Fol Section 38(1)(b) – Personal data]

Subject: RE: Hyndford Quarry, Lanark (NOD/SLS/001) [BURNESSPAULL-Live.FID22708414]

Morning [Redacted – Fol Section 38(1)(b) – Personal data]

Thank you for the update and I note good progress is being made.

Ministers are content to grant an extension until June.

I look forward to hearing from you again soon.

Kind regards

[Redacted – FoI Section 38(1)(b) – Personal data]

Planning Decisions Manager | Planning & Architecture | Scottish Government |

[Redacted – FoI Section 38(1)(b) – Personal data]

From: [Redacted – FoI Section 38(1)(b) – Personal data]

Sent: 05 May 2016 12:02

To: [Redacted – FoI Section 38(1)(b) – Personal data]

Cc: [Redacted – FoI Section 38(1)(b) – Personal data]

Subject: Hyndford Quarry, Lanark (NOD/SLS/001) [BURNESSPAULL-Live.FID22708414]

[Redacted – FoI Section 38(1)(b) – Personal data]

We act for CEMEX UK Operations Limited and have been dealing with the negotiation of the s75 agreement required by the Scottish Ministers in terms of the attached Notice of Intention to grant planning permission for the southern extension to Hyndford Quarry, Lanark.

While we have made good progress in negotiating the terms of the agreement with South Lanarkshire Council, we will not be able to get the agreement completed and registered by 9 May 2016.

We would therefore request that the deadline for concluding the agreement be extended by another month to 9 June 2016. We have already advised South Lanarkshire Council of our intention to seek an extension and they have raised no objection.

I should be much obliged if you could confirm whether the Ministers would be prepared to grant an extension to the deadline for concluding the s75 agreement to 9 June 2016.

I look forward to hearing from you.

Regards

[Redacted – FoI Section 38(1)(b) – Personal data]

Senior Associate

Burness Paull LLP

[Redacted – FoI Section 38(1)(b) – Personal data]

[Attachments - were the signed, amended S75 agreement and 3 acknowledgements]

Document 8

Relates to exchanges in connection with the proposed Hyndford Quarry development (NOD-SLS-001) and within the scope of the request.

Note: Individual communications are separated by a full line to separate discrete exchanges. Where email communications have attachments, these are appended, where appropriate, below the main text of the email, prefaced by **[attachment below]**

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 01 December 2016 13:33
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Cc: [Redacted – Fol Section 38(1)(b) – Personal data]
Subject: RE: DRAFT SUBMISSION HYNDFORD QUARRY SEEKING APPROVAL FROM MR STEWART AND AGREEMENT ON FOI POSITION

Yes, thanks both, I'm content, just wonder should we be as specific as Monday 19th for release of further FOI info (or should we state that it will be that week, with exact day to be agreed with Comms?)

[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 01 December 2016 12:50
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Cc: [Redacted – Fol Section 38(1)(b) – Personal data]
Subject: RE: DRAFT SUBMISSION HYNDFORD QUARRY SEEKING APPROVAL FROM MR STEWART AND AGREEMENT ON FOI POSITION

Hi [Redacted – Fol Section 38(1)(b) – Personal data]

I've checked and I'm content with the updated draft, which includes a timeline and additional press lines.

I'm happy this to go forward before the Minister's box closes.

[Redacted – Fol Section 38(1)(b) – Personal data]– was just wanting to check that you are ok with this too.

Thanks

[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 01 December 2016 10:33
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Cc: [Redacted – Fol Section 38(1)(b) – Personal data]

Subject: RE: DRAFT SUBMISSION HYNDFORD QUARRY SEEKING APPROVAL
FROM MR STEWART AND AGREEMENT ON FOI POSITION

Hi [Redacted – Fol Section 38(1)(b) – Personal data]

Excellent – that is what I have put in draft.

If you are content with the updated draft, my amendments are highlighted in main submission and at Annex C, I shall put forward.

In the covering note I will make mention of Jeanette's handling arrangements around advising Ms Hyslop (re culture portfolio) and Mr Neil (of the release of indo) as a matter of courtesy.

Many thanks

[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 01 December 2016 10:26

To: [Redacted – Fol Section 38(1)(b) – Personal data]

Cc: [Redacted – Fol Section 38(1)(b) – Personal data]

Subject: RE: DRAFT SUBMISSION HYNDFORD QUARRY SEEKING APPROVAL
FROM MR STEWART AND AGREEMENT ON FOI POSITION

Hi [Redacted – Fol Section 38(1)(b) – Personal data]

Deadline is 28th I think, and since that will be the first day back after the Christmas weekend, I would think middle of the week beginning 19th December would be best. Would you agree? That should be a couple of weeks from when the decision letter issues.

[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 01 December 2016 08:24

To: [Redacted – Fol Section 38(1)(b) – Personal data]

Cc: [Redacted – Fol Section 38(1)(b) – Personal data]

Subject: RE: DRAFT SUBMISSION HYNDFORD QUARRY SEEKING APPROVAL
FROM MR STEWART AND AGREEMENT ON FOI POSITION

Morning [Redacted – Fol Section 38(1)(b) – Personal data]

That is great.

I did add in a draft press line to the draft last night and thought that the last 2 bullet points would be best mentioned on the covering e-mail with the submission.

What I am unsure about is what date we should aim for releasing the Foi-Eir paperwork? I was intending of speaking to Stephen Bruce this morning if you do not have a date in mind.

[Redacted – Fol Section 38(1)(b) – Personal data]

Planning Decisions Manager | Planning & Architecture | Scottish Government |
[Redacted – FoI Section 38(1)(b) – Personal data]

From: [Redacted – FoI Section 38(1)(b) – Personal data]

Sent: 01 December 2016 05:43

To: [Redacted – FoI Section 38(1)(b) – Personal data]

Subject: FW: DRAFT SUBMISSION HYNDFORD QUARRY SEEKING APPROVAL
FROM MR STEWART AND AGREEMENT ON FOI POSITION

Hi [Redacted – FoI Section 38(1)(b) – Personal data]

These look like manageable suggestions from [Redacted – FoI Section 38(1)(b) – Personal data] – I would think the covering email could address all these points? Happy to have a word this morning if helpful.

[Redacted – FoI Section 38(1)(b) – Personal data]

From: [Redacted – FoI Section 38(1)(b) – Personal data]

Sent: 30 November 2016 17:21

To: [Redacted – FoI Section 38(1)(b) – Personal data]

Cc: [Redacted – FoI Section 38(1)(b) – Personal data]

Subject: RE: DRAFT SUBMISSION HYNDFORD QUARRY SEEKING APPROVAL
FROM MR STEWART AND AGREEMENT ON FOI POSITION

Hi [Redacted – FoI Section 38(1)(b) – Personal data]

I appreciate you getting this up to me plenty time before the date of issue of planning application, but I'm afraid asking for turnaround of few hours isn't really possible and normally SpAds are given several days. However due to sensitive on this subject I've reviewed today, and am content for this to go to Minister.

I think it needs to be accompanied by the following – or at least the Minister is made aware they will shortly follow if you want to send substantive quickly –

- * Timetable of when planning and FOI will be issued.
- * Handling advice with media lines to be developed for local and national press. Lines should include council support for the application
- * As a courtesy Mr Stewart should inform the Culture Cab Sec sue to sensitivities of WHO area shortly before issue
- * As a courtesy Mr Stewart should inform the former Cab Sec that this FOI will be made available.

The timetable of publication will help with the planning of both these last two points for Mr Stewart to pursue through PO.

[Redacted – FoI Section 38(1)(b) – Personal data]

From: [Redacted – FoI Section 38(1)(b) – Personal data]

Sent: 29 November 2016 12:37

To: [Redacted – FoI Section 38(1)(b) – Personal data]

Cc: [Redacted – FoI Section 38(1)(b) – Personal data]

Subject: DRAFT SUBMISSION HYNDFORD QUARRY SEEKING APPROVAL
FROM MR STEWART AND
AGREEMENT ON FOI POSITION
Importance: High

[Redacted – FoI Section 38(1)(b) – Personal data]

As discussed.

I attach the draft submission relating to the Hyndford Quarry planning application. I have highlighted the relevant FOI-EIR parts which require clearance prior to the submission being presented to Mr Stewart.

As explained, it is our intention to issue the decision on the planning application by 7th December and that is why I am keen to put this forward today seeking a response from Mr Stewart by Monday 5th December.

For ease of reference, I attach FOI Unit's submission on 15th November notifying the Minister of the Commissioner's decision for information which was viewed as 'incorrectly withheld' to be released

Happy to discuss further with [Redacted – FoI Section 38(1)(b) – Personal data] or yourself.

Thanks again for your help and a response later today would be very welcome indeed.

[Redacted – FoI Section 38(1)(b) – Personal data]

Planning Decisions Manager | Planning & Architecture | Scottish Government |

[Redacted – FoI Section 38(1)(b) – Personal data]

From: [Redacted – FoI Section 38(1)(b) – Personal data]

Sent: 25 November 2016 18:13

To: [Redacted – FoI Section 38(1)(b) – Personal data]

Cc: [Redacted – FoI Section 38(1)(b) – Personal data]

Subject: RE: FOR CLEARANCE - Hyndford Quarry sub to Ministers on decision notice and FOI release

[Redacted – FoI Section 38(1)(b) – Personal data]

Thanks for all the work you've put into this. Thanks [Redacted – FoI Section 38(1)(b) – Personal data] for picking up those couple of queries I'd put in before I rushed off to the school. Draft media lines look fine to me.

I've gone through the decision letter for a last read, and made a couple of very small text suggestions, hopefully to aid clarity, just having in mind the potential for bits of this to be quoted in isolation. Other than that, I'm happy.

Thanks

[Redacted – FoI Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 25 November 2016 16:05

To: [Redacted – Fol Section 38(1)(b) – Personal data]

Cc: [Redacted – Fol Section 38(1)(b) – Personal data]

Subject: FOR CLEARANCE - Hyndford Quarry sub to Ministers on decision notice and FOI release

Helen - I see you've made some comments in ERDM on the sub thanks which I've taken on board. FOI Unit are content with the sub and draft response. I've also included some press lines at Annex C in anticipation of any media interest which we can finalise with Comms before the decision letter and FOI issues.

[Redacted – Fol Section 38(1)(b) – Personal data] - If [Redacted – Fol Section 38(1)(b) – Personal data] is happy grateful if you could run handling plans past SPAds / comms and put it up to Mr Stewart.

I'm off home.

Thanks

[Redacted – Fol Section 38(1)(b) – Personal data]

|Senior Planner | Planning & Architecture | Scottish Government | [Redacted – Fol Section 38(1)(b) – Personal data] General Planning Decisions enquiries should be directed to: planning.decisions@gov.scot

From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 28 November 2016 18:25

To: [Redacted – Fol Section 38(1)(b) – Personal data]

Subject: RE: Hyndford

Thanks [Redacted – Fol Section 38(1)(b) – Personal data]

Sorry I missed you. Unexpectedly spent the afternoon with [Redacted – Fol Section 38(1)(b) – Personal data] et al going through the cabinet paper for the review consultation...

Yes – hopefully we can catch up tomorrow morning, I won't be in till probably 9.30 as I'm doing school drop off, but we should be able to have a word.

Cheers

[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 28 November 2016 16:25

To: [Redacted – Fol Section 38(1)(b) – Personal data]

Subject: FW: Hyndford

Hello busy lady!

I tried you on the 'phone a couple of times today to discuss Hyndford. Nothing major but a few minor things I wanted to check with you prior to sending the submission.

Will catch up with you in morning hopefully – should only take a few minutes.

Thanks

[Redacted – FoI Section 38(1)(b) – Personal data]

From: [Redacted – FoI Section 38(1)(b) – Personal data]
Sent: 28 November 2016 13:34
To: [Redacted – FoI Section 38(1)(b) – Personal data]
Subject: RE: Hyndford

That is great – thank you!

[Redacted – FoI Section 38(1)(b) – Personal data] Planning Decisions Manager |
Planning & Architecture | Scottish Government | [Redacted – FoI Section 38(1)(b) –
Personal data]

From: [Redacted – FoI Section 38(1)(b) – Personal data]
Sent: 28 November 2016 13:31
To: [Redacted – FoI Section 38(1)(b) – Personal data]
Subject: RE: Hyndford

Hi [Redacted – FoI Section 38(1)(b) – Personal data]

Sorry meant to say earlier I have nothing to add and was awaiting [Redacted – FoI
Section 38(1)(b) – Personal data] input. See you tomorrow!

[Redacted – FoI Section 38(1)(b) – Personal data]

From: [Redacted – FoI Section 38(1)(b) – Personal data]
Sent: 28 November 2016 06:40
To: [Redacted – FoI Section 38(1)(b) – Personal data]
Cc: [Redacted – FoI Section 38(1)(b) – Personal data]
Subject: RE: Hyndford

Hi

I am looking to put the Hyndford submission forward today – any lines by early afternoon today would be most welcome.

Thanks

[Redacted – FoI Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 22 November 2016 09:55
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Cc: [Redacted – Fol Section 38(1)(b) – Personal data]
Subject: Hyndford

As you know, we are nearing the end of our consideration period on this and hope to be in a position to issue formal consent real soon. Are there any wider sensitivities at the moment re UNESCO etc. that we/Ministers should be aware of?

Thanks

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 04 February 2016 13:27
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Cc: [Redacted – Fol Section 38(1)(b) – Personal data]
Subject: NOTICE OF INTENTION TO GRANT PROPOSED SOUTHERN
EXTENSION TO HYNDFORD SAND
AND GRAVEL QUARRY, LANARK

Yes, I advised [Redacted – Fol Section 38(1)(b) – Personal data] yesterday when I was copied into the submission to Mr Neil. In the past, they have asked for one week's prior notice to crank up the system, but, I'll liaise with [Redacted – Fol Section 38(1)(b) – Personal data] on potential timescales.

The intentions letter looks fine to me, but is noted as draft. Are you content that this is the final version for issue (I note it is signed off as 'planning decisions'. I take it that this is intentional)? If all ok, I'll send to DPEA to feed into their system.

[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 04 February 2016 13:04
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Cc: [Redacted – Fol Section 38(1)(b) – Personal data]
Subject: FW: NOTICE OF INTENTION TO GRANT PROPOSED SOUTHERN
EXTENSION TO HYNDFORD
SAND AND GRAVEL QUARRY, LANARK

That's good then.

Please arrange for letter to issue - [Redacted – Fol Section 38(1)(b) – Personal data], I know you were liaising with [Redacted – Fol Section 38(1)(b) – Personal data] – DPEA about handling.

Thanks

[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data] On Behalf Of Cabinet Secretary for Social Justice, Communities and Pensioners' Rights

Sent: 04 February 2016 12:49

To: [Redacted – Fol Section 38(1)(b) – Personal data] Cabinet Secretary for Social Justice, Communities and Pensioners' Rights Cc: Minister for Local Government and Community Empowerment; Cabinet Secretary for Culture, Europe and External Affairs; Permanent Secretary; DG Communities; DG Enterprise, Environment & Innovation; DG Strategy and External Affairs; Hogg KJ (Kenneth); Solicitor to the Scottish Government and PS; McNairney J (John); Communications Social Justice
Subject: RE: NOTICE OF INTENTION TO GRANT PROPOSED SOUTHERN EXTENSION TO HYNDFORD SAND AND GRAVEL QUARRY, LANARK

[Redacted – Fol Section 38(1)(b) – Personal data]

Many thanks for your submission. Mr Neil is content with the recommendations.

Thanks

[Redacted – Fol Section 38(1)(b) – Personal data]

P/S Cabinet Secretary for Social Justice, Communities and Pensioner's Rights

[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 03 February 2016 14:43

To: Cabinet Secretary for Social Justice, Communities and Pensioners' Rights

Cc: Minister for Local Government and Community Empowerment; Cabinet Secretary for Culture, Europe and External Affairs; Permanent Secretary; DG Communities; DG Enterprise, Environment & Innovation; DG Strategy and External Affairs; Hogg KJ (Kenneth); Solicitor to the Scottish Government and PS; McNairney J (John); [Redacted – Fol Section 38(1)(b) – Personal data] Communications Social Justice

Subject: NOTICE OF INTENTION TO GRANT PROPOSED SOUTHERN EXTENSION TO HYNDFORD SAND AND GRAVEL QUARRY, LANARK

[Redacted – Fol Section 38(1)(b) – Personal data]

NOTICE OF INTENTION TO GRANT PROPOSED SOUTHERN EXTENSION TO HYNDFORD SAND AND GRAVEL QUARRY, LANARK

Please find attached a submission for Mr Neil's attention seeking agreement to the issuing of a Notice of Intention to grant planning consent for the southern extension to Hyndford Quarry, New Lanark, subject to conditions and the conclusion of a planning obligation.

<< File: A12743179.docx >>

Many thanks

[Redacted – Fol Section 38(1)(b) – Personal data]

Senior Planner
Planning Decisions

[Redacted – Fol Section 38(1)(b) – Personal data]

www.scotland.gov.uk/Topics/Planning

[Attachment – Not part of this exchange]

From: Cabinet Secretary for Social Justice, Communities and Pensioners' Rights

Sent: 25 June 2015 17:10

To: [Redacted – Fol Section 38(1)(b) – Personal data]

Cc: Minister for Housing and Welfare; Minister for Local Government and Community Empowerment; Communications Social Justice; [Redacted – Fol Section 38(1)(b) – Personal data] Cabinet Secretary for Culture, Europe and External Affairs

Subject: Re: For clearance - Hyndford Quarry - reactive line

[Redacted – Fol Section 38(1)(b) – Personal data]

- content thanks [Redacted – Fol Section 38(1)(b) – Personal data]

Sent from social justice private office blackberry

From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: Thursday, June 25, 2015 03:06 PM

To: Cabinet Secretary for Social Justice, Communities and Pensioners' Rights

Cc: Minister for Housing and Welfare; Minister for Local Government and Community Empowerment; Communications Social Justice; [Redacted – Fol Section 38(1)(b) – Personal data] Cabinet Secretary for Culture, Europe and External Affairs

Subject: For clearance - Hyndford Quarry - reactive line

[Redacted – Fol Section 38(1)(b) – Personal data]

Please see below our proposed line, agreed with officials and SpAd, on Hyndford Quarry. The letter will be issued tomorrow, so this will be used for reactive purposes.

Grateful if you can please let me know if Mr Neil is content with the following:

A Scottish Government Spokesperson said: "Scottish Ministers have carefully considered all the evidence relating to the planning application at Hyndford Quarry, and considered the reporters' conclusions and recommendations. "A balanced approach must be taken when considering what impact any development will have on the local area.

"The Scottish Government wants to see the right development in the right places – therefore Ministers intend to grant permission only for the southern extension and to refuse the western extension works as they consider eight years of disturbance close to the World Heritage site would create an unacceptable impact on the landscape. Ministers are seeking further information on proposed conditions and legal agreements before they issue their final decision on the application."

Background:

Ministers called in Cemex UK Operations application to extend its quarry at Hyndford, New Lanark last year in view of the potential impact on the World Heritage Site at New Lanark. Ministers are waiting for further information before issuing a final decision.

Many thanks,

[Redacted – Fol Section 38(1)(b) – Personal data]
| Media Manager | Communications Social Justice | The Scottish Government
[Redacted – Fol Section 38(1)(b) – Personal data]
| @scotgovfairer

From: [Redacted – Fol Section 38(1)(b) – Personal data] on behalf of Cabinet Secretary for Social Justice, Communities and Pensioners' Rights

Sent: 24 June 2015 17:52

To: [Redacted – Fol Section 38(1)(b) – Personal data] Cabinet Secretary for Social Justice, Communities and Pensioners' Rights

Cc: Minister for Local Government and Community Empowerment; Cabinet Secretary for Culture, Europe and External Affairs; Permanent Secretary; DG Communities; DG Enterprise, Environment & Innovation; DG Strategy and External Affairs; Hogg KJ (Kenneth); Solicitor to the Scottish Government and PS; Chief Planner; [Redacted – Fol Section 38(1)(b) – Personal data] Communications Social Justice

Subject: RE: Planning decisions - Hyndford Quarry

[Redacted – Fol Section 38(1)(b) – Personal data]

Mr Neil has noted

Thanks

[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 24 June 2015 13:03

To: Cabinet Secretary for Social Justice, Communities and Pensioners' Rights

Cc: Minister for Local Government and Community Empowerment; Cabinet Secretary for Culture, Europe and External Affairs; Permanent Secretary; DG Communities; DG Enterprise, Environment & Innovation; DG Strategy and External Affairs; Hogg KJ (Kenneth); Solicitor to the Scottish Government and PS; Chief Planner; [Redacted – Fol Section 38(1)(b) – Personal data] Communications Social Justice

Subject: Planning decisions - Hyndford Quarry

[Redacted – Fol Section 38(1)(b) – Personal data]

Further to my email of 10 June 2015, and to Mr Neil's decision on 17 June 2015, please see attached notice of intention letter relating to Hyndford Quarry, for Mr Neil to note. Following discussion with Comms, the letter is expected to issue to the parties on Friday 26th June and media lines are being prepared.

At the same time, we will issue the Ministers' decision on the South Lanarkshire Local Development Plan (also attached), on which Mr Neil responded on 16 June 2015.

Regards

[Redacted – Fol Section 38(1)(b) – Personal data]
| Planning Decisions | Planning & Architecture | Scottish Government | [Redacted – Fol Section 38(1)(b) – Personal data]

[Attachment – Not part of this exchange]

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 24 June 2015 13:03
To: Cabinet Secretary for Social Justice, Communities and Pensioners' Rights
Cc: Minister for Local Government and Community Empowerment; Cabinet Secretary for Culture, Europe and External Affairs; Permanent Secretary; DG Communities; DG Enterprise, Environment & Innovation; DG Strategy and External Affairs; Hogg KJ (Kenneth); Solicitor to the Scottish Government and PS; Chief Planner; [Redacted – Fol Section 38(1)(b) – Personal data] Communications Social Justice

Subject: Planning decisions - Hyndford Quarry

[Redacted – Fol Section 38(1)(b) – Personal data]

Further to my email of 10 June 2015, and to Mr Neil's decision on 17 June 2015, please see attached notice of intention letter relating to Hyndford Quarry, for Mr Neil to note. Following discussion with Comms, the letter is expected to issue to the parties on Friday 26th June and media lines are being prepared.

At the same time, we will issue the Ministers' decision on the South Lanarkshire Local Development Plan (also attached), on which Mr Neil responded on 16 June 2015.

Regards

[Redacted – Fol Section 38(1)(b) – Personal data]
| Planning Decisions | Planning & Architecture | Scottish Government | [Redacted – Fol Section 38(1)(b) – Personal data]

[Attachments – Excluded from the scope of the request]

From: [Redacted – Fol Section 38(1)(b) – Personal data] On Behalf Of Cabinet Secretary for Social Justice, Communities and Pensioners' Rights

Sent: 04 February 2016 12:49

To: [Redacted – Fol Section 38(1)(b) – Personal data] Cabinet Secretary for Social Justice, Communities and Pensioners' Rights Cc: Minister for Local Government and Community Empowerment; Cabinet Secretary for Culture, Europe and External Affairs; Permanent Secretary; DG Communities; DG Enterprise, Environment & Innovation; DG Strategy and External Affairs; Hogg KJ (Kenneth); Solicitor to the Scottish Government and PS; McNairney J (John); Communications Social Justice

Subject: RE: NOTICE OF INTENTION TO GRANT PROPOSED SOUTHERN EXTENSION TO HYNDFORD SAND AND GRAVEL QUARRY, LANARK

[Redacted – Fol Section 38(1)(b) – Personal data]

Many thanks for your submission. Mr Neil is content with the recommendations.

Thanks

[Redacted – Fol Section 38(1)(b) – Personal data]

P/S Cabinet Secretary for Social Justice, Communities and Pensioner's Rights

[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 03 February 2016 14:43

To: Cabinet Secretary for Social Justice, Communities and Pensioners' Rights

Cc: Minister for Local Government and Community Empowerment; Cabinet Secretary for Culture, Europe and External Affairs; Permanent Secretary; DG Communities; DG Enterprise, Environment & Innovation; DG Strategy and External Affairs; Hogg KJ (Kenneth); Solicitor to the Scottish Government and PS; McNairney J (John); [Redacted – Fol Section 38(1)(b) – Personal data] Communications Social Justice

Subject: NOTICE OF INTENTION TO GRANT PROPOSED SOUTHERN EXTENSION TO HYNDFORD SAND AND GRAVEL QUARRY, LANARK

[Redacted – Fol Section 38(1)(b) – Personal data]

NOTICE OF INTENTION TO GRANT PROPOSED SOUTHERN EXTENSION TO HYNDFORD SAND AND GRAVEL QUARRY, LANARK

Please find attached a submission for Mr Neil's attention seeking agreement to the issuing of a Notice of Intention to grant planning consent for the southern extension to Hyndford Quarry, New Lanark, subject to conditions and the conclusion of a planning obligation.

<< File: A12743179.docx >>

Many thanks

[Redacted – Fol Section 38(1)(b) – Personal data]

Senior Planner

Planning Decisions

[Redacted – FoI Section 38(1)(b) – Personal data]
www.scotland.gov.uk/Topics/Planning

[Attachment not part of exchange]

Document 9

Relates to exchanges in connection with the proposed Hyndford Quarry development (NOD-SLS-001) and within the scope of the request.

Note: Individual communications are separated by a full line to separate discrete exchanges. Where email communications have attachments, these are appended, where appropriate, below the main text of the email, prefaced by **[attachment below]**

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 07 December 2016 13:09
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Subject: RE: FMQ - Hyndford
Attachments: FMQ - Hyndford.docx

[Redacted – Fol Section 38(1)(b) – Personal data]

I've added another bullet in the top lines, to reflect how we carefully considered all the evidence (taken from our comms lines).

[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 07 December 2016 10:13
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Subject: FMQ - Hyndford
Importance: High

The draft FMQ for your clearance.

Thanks

[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 07 December 2016 15:55
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Cc: [Redacted – Fol Section 38(1)(b) – Personal data]
Subject: RE: FMQ Brief - Hyndford Quarry - For Checking
Attachments: FMQ - Brief - Hyndford.docx

Importance: High

[Redacted – Fol Section 38(1)(b) – Personal data]

Please see amended FMQ brief.

Regards

[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 07 December 2016 15:26
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Cc: Chief Planner[Redacted – Fol Section 38(1)(b) – Personal data]
Subject: RE: FMQ Brief - Hydnford Quarry - For Checking

Yes will need to go asap please, FM will look through folder shortly

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 07 December 2016 15:26
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Cc: Chief Planner; [Redacted – Fol Section 38(1)(b) – Personal data]
Subject: RE: FMQ Brief - Hydnford Quarry - For Checking

Hi [Redacted – Fol Section 38(1)(b) – Personal data]

I will amend to put the emphasis on the top line that it would not be appropriate for Ministers to comment.

I note you last point. However, the letter has now been issued.

Do you still wish the Brief to go up today?

Regards

[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 07 December 2016 15:04
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Cc: Chief Planner[Redacted – Fol Section 38(1)(b) – Personal data]
Subject: RE: FMQ Brief - Hydnford Quarry - For Checking

I think if the main line is we cannot comment then that should be the top line
Also the boxed issue should be lot clearer.

Clear top liens –
Consent been given following reporters
We cannot comment during appeal

A much more sensible approach though would have been to give consent on
Thursday afternoon?

[Redacted – Fol Section 38(1)(b) – Personal data]

From[Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 07 December 2016 14:12
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Cc: Chief Planner; [Redacted – Fol Section 38(1)(b) – Personal data]

Subject: FMQ Brief - Hyndford Quarry - For Checking

Hi [Redacted – FoI Section 38(1)(b) – Personal data]

You will be aware that Scottish Ministers intend to grant planning consent later today for the southern extension of Hyndford Quarry in Lanark, South Lanarkshire. We agreed press lines with Comms earlier this afternoon, so the decision can now be issued.

We considered that it would be helpful to prepare a short FMQ brief, in case this comes up tomorrow.

Would you be able to check over the brief (attached) before I forward this to the FMQ mailbox.

Happy to discuss.

From: [Redacted – FoI Section 38(1)(b) – Personal data]
Sent: 07 December 2016 16:11
To: First Minister FMQs
Cc: [Redacted – FoI Section 38(1)(b) – Personal data]
Subject: FQM Brief - Hyndford Quarry - Scottish Ministers Decision to Issue Planning Consent
Attachments: FMQ - Brief - Hyndford.docx

Please see attached FMQ Brief which relates to Scottish Ministers decision to issue planning consent today (Wednesday 7th December) for the southern extension of Hyndford Quarry in Lanark, South Lanarkshire

There is not a specific FMQ on this subject, but there is a possibility it may come up in supplementary questions.

Please let me know if you have any further questions, or need more information.

Regards

[Redacted – FoI Section 38(1)(b) – Personal data]
| Principal Planner| Planning Decisions| Planning & Architecture | Scottish Government
[Redacted – FoI Section 38(1)(b) – Personal data]

[Attachment below]

**MINISTERS' GRANT PLANNING CONSENT TO THE SOUTHERN EXTENSION OF
HYNDFORD QUARRY, LANARK**

In 2012, **Cemex UK Operations Ltd** applied to South Lanarkshire Council for planning consent to extend mineral operations to the south and west of their quarry.

The proposed **southern extension is not located within the New Lanark World Heritage Site (WHS) or its buffer zone. The western zone would extend operations into the buffer zone.**

In 2013, Ministers issued a direction to the Council requiring the application to be notified if the Council were minded to grant planning consent. This was in light of the proposal's potential impacts on the buffer zone of the WHS.

In 2014, following the Council's intention to grant planning consent to the whole proposal, Ministers called in the planning application for their own determination. This was due to the proposed development's potential impact on the WHS, which is internationally recognised for its Outstanding Universal Value (OUV), and on its wider setting.

Reporters from Planning and Environmental Appeals Division (DPEA) were appointed to determine the application and report to Ministers with a recommendation on whether or not consent should be granted.

In 2015, Ministers carefully considered all the evidence relating to the application and considered the reporters' conclusions and recommendations. Ministers did not accept the reporters' recommendation to grant planning consent to the proposal as a whole. **Ministers decided to restrict the granting of consent to the southern extension only and not into the WHS buffer zone.**

The World Heritage Committee of UNESCO expressed concern about the potential impact on the WHS and its setting.

Historic Scotland did not object to the proposal.

The proposal has attracted over 11,000 representations and media attention. Letters received include, Aileen Campbell MSP, Claudia Beamish MSP, Patrick Harvie MSP, Joan McAlpine MSP, John Campbell QC, Save our Landscapes, The Garden History Society, New Lanark and Falls of Clyde Working Group

Top Lines

- **On 7th December 2016, Ministers granted planning consent for the southern extension only.**
- **In arriving at their decision, Scottish Ministers carefully considered all the evidence relating to the planning application and considered the reporters' conclusions and recommendations.**
- **The Scottish Government wants to see the right development in the right places and have refused the western extension works as they consider eight years disturbance close to the New Lanark World Heritage Site would create an unacceptable impact on the landscape**
- **In 2014, South Lanarkshire Council wished to grant planning consent to both the southern and western extension**
- **It is not appropriate to make any further comment, given there is a 6 week period for challenging Ministers' decision in the Court of Session, and that could be seen as prejudicial to any potential legal challenge.**

Contact - [Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 21 November 2016 08:43

To: [Redacted – Fol Section 38(1)(b) – Personal data]

Cc: Chief Planner; [Redacted – Fol Section 38(1)(b) – Personal data]

Subject: Re: Scottish Information Commissioner: Decision 244/2016 - Cemex UK - Hyndford Quarry

[Redacted – Fol Section 38(1)(b) – Personal data]

I think there is less sensitivity on the LDP side... it's more that we'll be releasing our assessment/analysis of issues raised in correspondence which I'm not aware we have done previously but as you say, I'm not sure we have any option.

[Redacted – Fol Section 38(1)(b) – Personal data]

Sent from my BlackBerry 10 smartphone on the EE network.

From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: Friday, 18 November 2016 5:31 PM

To: [Redacted – Fol Section 38(1)(b) – Personal data]

Cc: Chief Planner; [Redacted – Fol Section 38(1)(b) – Personal data]

Subject: Scottish Information Commissioner: Decision 244/2016 - Cemex UK - Hyndford Quarry

[Redacted – Fol Section 38(1)(b) – Personal data]

We've discussed and there does not appear to any option other than to comply with the Commissioner's decision for further release of Hyndford Quarry info as at this stage the only appeal route is to the Court of Session on a point of law.

There are sensitivities with the release of the further information relating to the planning application. The further information release will reveal that Ministers departed from PAD officials advice on this application. [Redacted – Fol Section 38(1)(b) – Personal data] – we have spoken and I think I am right in saying that there is less of a sensitivity on the release of the LDP submission, albeit we don't entirely agree with the decision to do so.

Timing of release needs careful planning. We are aiming to put a submission to Ministers next week seeking agreement for the decision notice on the planning application to be issued. I propose that the FOI information is not released until after the planning decision letter.

I also propose that next week's submission seeking Minister's agreement to issue the decision notice on the planning application also seeks his agreement not to appeal the Commissioner's FOI decision and notifies him of arrangements to comply with the Decision. We will need to clear handling plans and lines to take with Comms and Special Advisers before the submission goes forward. Does one

submission seem right - I think it would be easier for the Ministers to have all the Hyndford issues set out clearly in one place?

I have worked up a draft response to Burness Paul on behalf CEMEX on the FOI decision (copied to the Commissioner) (attached) that can be included as an annex to that submission, including the information we are required to disclose as an annex (the FOI Unit require this by 6 December 2016 and will issue it on our behalf, on the date we tell them to).

Grateful for your thoughts on whether this is the right course of action and on the draft FOI decision response, attached – is it okay to keep it minimal?

Thanks

[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 01 March 2017 15:38
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Subject: FW: DRAFT SUBMISSION HYNDFORD QUARRY SEEKING APPROVAL FROM MR STEWART AND AGREEMENT ON FOI POSITION

[Redacted – Fol Section 38(1)(b) – Personal data]
Planning Decisions Manager | Planning & Architecture | Scottish Government |
[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 01 December 2016 13:34
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Cc: [Redacted – Fol Section 38(1)(b) – Personal data]
Subject: RE: DRAFT SUBMISSION HYNDFORD QUARRY SEEKING APPROVAL FROM MR STEWART AND AGREEMENT ON FOI POSITION

Hi [Redacted – Fol Section 38(1)(b) – Personal data]

Sorry for the confusion, I have said around the 19th. That should be ok.

Hope all is well at home and have a good weekend when it comes.

Thanks

[Redacted – Fol Section 38(1)(b) – Personal data]
Planning Decisions Manager | Planning & Architecture | Scottish Government |
[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 01 December 2016 13:33
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Cc: [Redacted – Fol Section 38(1)(b) – Personal data]

Subject: RE: DRAFT SUBMISSION HYNDFORD QUARRY SEEKING APPROVAL
FROM MR STEWART AND AGREEMENT ON FOI POSITION

Yes, thanks both, I'm content, just wonder should we be as specific as Monday 19th for release of further FOI info (or should we state that it will be that week, with exact day to be agreed with Comms?)

[Redacted – FoI Section 38(1)(b) – Personal data]

From: [Redacted – FoI Section 38(1)(b) – Personal data]
Sent: 01 December 2016 12:50
To: [Redacted – FoI Section 38(1)(b) – Personal data]
Cc: [Redacted – FoI Section 38(1)(b) – Personal data]
Subject: RE: DRAFT SUBMISSION HYNDFORD QUARRY SEEKING APPROVAL
FROM MR STEWART AND AGREEMENT ON FOI POSITION

Hi [Redacted – FoI Section 38(1)(b) – Personal data]

I've checked and I'm content with the updated draft, which includes a timeline and additional press lines.

I'm happy this to go forward before the Minister's box closes.

[Redacted – FoI Section 38(1)(b) – Personal data] – was just wanting to check that you are ok with this too.

Thanks

[Redacted – FoI Section 38(1)(b) – Personal data]

From: [Redacted – FoI Section 38(1)(b) – Personal data]
Sent: 01 December 2016 10:33
To: [Redacted – FoI Section 38(1)(b) – Personal data]
Cc: [Redacted – FoI Section 38(1)(b) – Personal data]
Subject: RE: DRAFT SUBMISSION HYNDFORD QUARRY SEEKING APPROVAL
FROM MR STEWART AND AGREEMENT ON FOI POSITION

Hi [Redacted – FoI Section 38(1)(b) – Personal data]

Excellent – that is what I have put in draft.

If you are content with the updated draft, my amendments are highlighted in main submission and at Annex C, I shall put forward.

In the covering note I will make mention of [Redacted – FoI Section 38(1)(b) – Personal data] handling arrangements around advising Ms Hyslop (re culture portfolio) and Mr Neil (of the release of indo) as a matter of courtesy.

Many thanks

[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 01 December 2016 10:26

To: [Redacted – Fol Section 38(1)(b) – Personal data]

Cc: [Redacted – Fol Section 38(1)(b) – Personal data]

Subject: RE: DRAFT SUBMISSION HYNDFORD QUARRY SEEKING APPROVAL FROM MR STEWART AND AGREEMENT ON FOI POSITION

Hi [Redacted – Fol Section 38(1)(b) – Personal data]

Deadline is 28th I think, and since that will be the first day back after the Christmas weekend, I would think middle of the week beginning 19th December would be best. Would you agree? That should be a couple of weeks from when the decision letter issues.

[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 01 December 2016 08:24

To: [Redacted – Fol Section 38(1)(b) – Personal data]

Cc: [Redacted – Fol Section 38(1)(b) – Personal data]

Subject: RE: DRAFT SUBMISSION HYNDFORD QUARRY SEEKING APPROVAL FROM MR STEWART AND AGREEMENT ON FOI POSITION

Morning [Redacted – Fol Section 38(1)(b) – Personal data]

That is great.

I did add in a draft press line to the draft last night and thought that the last 2 bullet points would be best mentioned on the covering e-mail with the submission.

What I am unsure about is what date we should aim for releasing the Foi-Eir paperwork? I was intending of speaking to [Redacted – Fol Section 38(1)(b) – Personal data] this morning if you do not have a date in mind.

[Redacted – Fol Section 38(1)(b) – Personal data]

Planning Decisions Manager | Planning & Architecture | Scottish Government |

[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]

Sent: 01 December 2016 05:43

To: [Redacted – Fol Section 38(1)(b) – Personal data]

Subject: FW: DRAFT SUBMISSION HYNDFORD QUARRY SEEKING APPROVAL FROM MR STEWART AND AGREEMENT ON FOI POSITION

Hi [Redacted – Fol Section 38(1)(b) – Personal data]

These look like manageable suggestions from [Redacted – Fol Section 38(1)(b) – Personal data]– I would think the covering email could address all these points?
Happy to have a word this morning if helpful.
[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 30 November 2016 17:21
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Cc: [Redacted – Fol Section 38(1)(b) – Personal data]

Subject: RE: DRAFT SUBMISSION HYNDFORD QUARRY SEEKING APPROVAL
FROM MR STEWART AND AGREEMENT ON FOI POSITION

Hi [Redacted – Fol Section 38(1)(b) – Personal data]

I appreciate you getting this up to me plenty time before the date of issue of planning application, but I'm afraid asking for turnaround of few hours isn't really possible and normally SpAds are given several days. However due to sensitive on this subject I've reviewed today, and am content for this to go to Minister.

I think it needs to be accompanied by the following – or at least the Minister is made aware they will shortly follow if you want to send substantive quickly –

- * Timetable of when planning and FOI will be issued.
- * Handling advice with media lines to be developed for local and national press. Lines should include council support for the application
- * As a courtesy Mr Stewart should inform the Culture Cab Sec sue to sensitivities of WHO area shortly before issue
- * As a courtesy Mr Stewart should inform the former Cab Sec that this FOI will be made available.

The timetable of publication will help with the planning of both these last two points for Mr Stewart to pursue through PO.

[Redacted – Fol Section 38(1)(b) – Personal data]

From: [Redacted – Fol Section 38(1)(b) – Personal data]
Sent: 29 November 2016 12:37
To: [Redacted – Fol Section 38(1)(b) – Personal data]
Cc: [Redacted – Fol Section 38(1)(b) – Personal data]

Subject: DRAFT SUBMISSION HYNDFORD QUARRY SEEKING APPROVAL
FROM MR STEWART AND
AGREEMENT ON FOI POSITION
Importance: High

[Redacted – Fol Section 38(1)(b) – Personal data]

As discussed.

I attach the draft submission relating to the Hyndford Quarry planning application. I

have highlighted the relevant FOI-EIR parts which require clearance prior to the submission being presented to Mr Stewart.

As explained, it is our intention to issue the decision on the planning application by 7th December and that is why I am keen to put this forward today seeking a response from Mr Stewart by Monday 5th December.

For ease of reference, I attach FOI Unit's submission on 15th November notifying the Minister of the Commissioner's decision for information which was viewed as 'incorrectly withheld' to be released

Happy to discuss further with [Redacted – FoI Section 38(1)(b) – Personal data] or yourself.

Thanks again for your help and a response later today would be very welcome indeed.

[Redacted – FoI Section 38(1)(b) – Personal data]

Planning Decisions Manager | Planning & Architecture | Scottish Government |

[Redacted – FoI Section 38(1)(b) – Personal data]

[Attachment – not part of this exchange]

FORTH BRIDGE WORLD HERITAGE NOMINATION: SUPPLEMENTARY INFORMATION

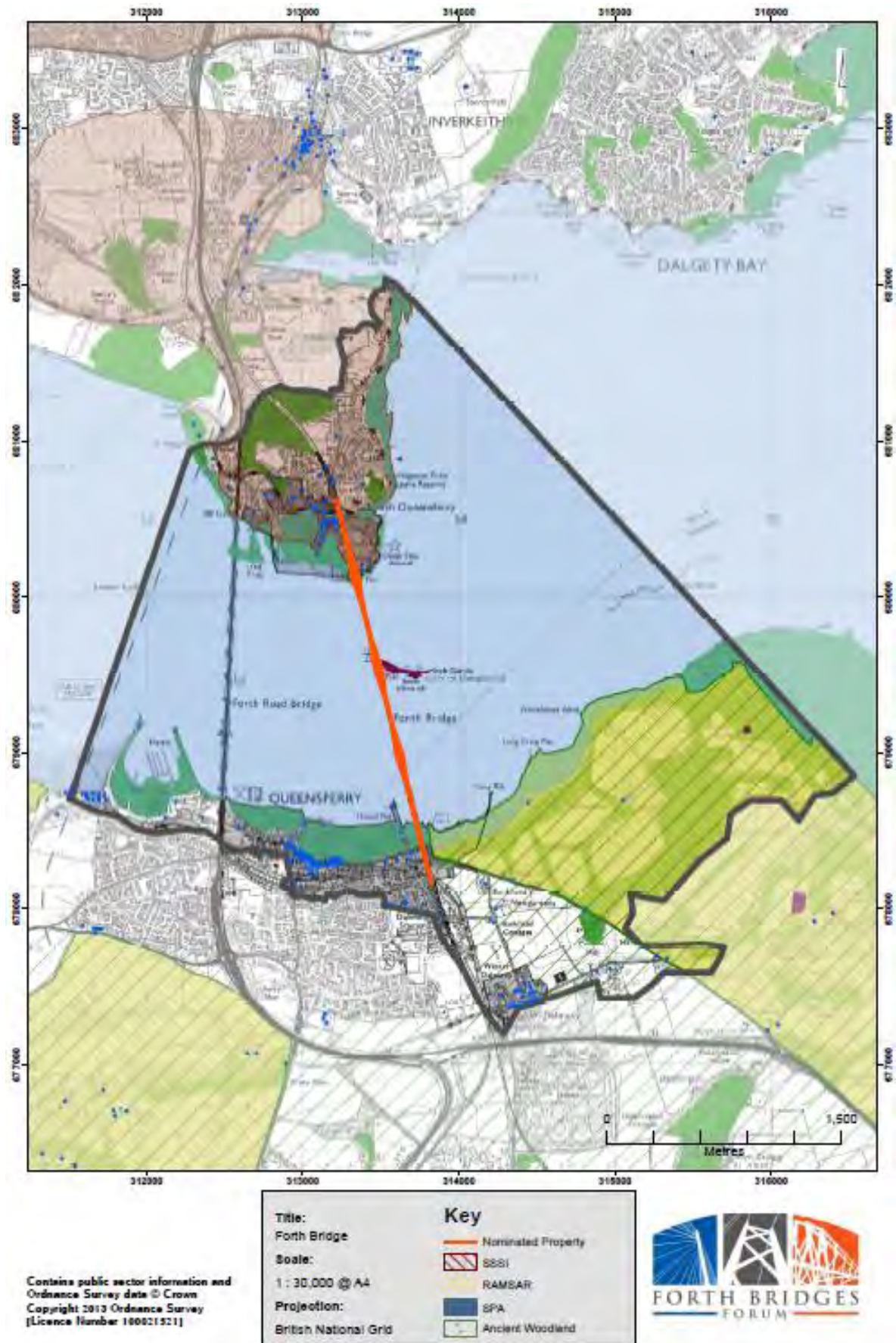
Bridgehead Zone



The Forth Bridge (2013) seen here from the listed Railway Pier in North Queensferry Conservation Area, designated for cultural heritage, viewed across a bay that is a Site of Special Scientific Interest, Ramsar and Special Protection Area for nature conservation, within the planned Scottish Marine Region of the Tay and Forth Estuaries. A part of the Inverkeithing battlefield is on the left and part of the Dalmeny Designed Landscape and Edinburgh's Green Belt is seen through the cantilevers of the bridge over an island that is a scheduled monument.

Supplementary information for ICOMOS
evaluation, February 2015





Map 1: Forth Bridge, nominated World Heritage Site, 'Bridgehead Zone'

FORTH BRIDGE WORLD HERITAGE NOMINATION: SUPPLEMENTARY INFORMATION

Bridgehead Zone

1. Introduction

All necessary measures for the protection of the immediate setting of the Property are in place, and together form the *Bridgehead Zone* which, in effect, acts as an area protected by a combination of statutory natural and cultural designations, and through local authority and marine planning systems. This is represented above in **Map 1** (also supplied as a separate file), and in the short descriptions of the various designations provided in the text below.

Map 1 itself contains the aggregation of planning designations that reinforce the protection afforded the *Bridgehead Zone*. More detailed information on cultural and natural designated sites and areas in the immediate setting of the Property are included in the Nomination Dossier, and are indicated here in **Map 2** (Cultural Designations) and **Map 3** (Natural Designations) below. The principal difference in **Map 1** is the reference to the Marine Planning Area, covering all of the water around and over which the property is situated.

2. Listed Buildings

The Forth Bridge itself is listed at Category 'A'. This gives it the highest level of statutory protection for a building that is in use, and any change that affects the special interest of the bridge requires listed building consent. This has to be obtained from both City of Edinburgh and Fife Councils, with advice in certain circumstances from Historic Scotland on behalf of Scottish Ministers.

The Bridgehead Zone contains around 200 listed buildings, each of which has a setting that is protected in law.

3. Scheduled Monuments

Within the *Bridgehead Zone*, each with a protected setting, are:

- The Chapel of St James, patron saint of Travellers/Pilgrims, an essential place of worship for all ferry travellers in the middle ages (in Fife)
- The Island of Inchgarvie, specifically excluding the Forth Bridge. The central cantilever tower of the bridge stands on rock that is near the island, but is not connected to it above the low waterline (in the City of Edinburgh)
- Harlow Cairn, Dalmeny Estate (in the City of Edinburgh)

4. Conservation Areas

There are three Conservation Areas within the *Bridgehead Zone*, which are:

- North Queensferry Conservation Area
- Queensferry Conservation Area
- Dalmeny Conservation Area

The coastal conservation areas (Queensferry and North Queensferry) extend as far as the jurisdiction of local planning authorities can go, which is to mean low water, where the tide is furthest out. Planning authorities have a duty to preserve or enhance the character of conservation areas.

5. Gardens and Designed Landscapes

The Inventory of Gardens and Designed Landscapes includes two that come into the *Bridgehead Zone*, both on the south side of the Property. These are parts of the Dalmeny and Hopetoun House estates, as explained in the nomination dossier.

6. Battlefields

The national Inventory of Battlefields includes one that is partially included within the *Bridgehead Zone*. This is situated on the north side of the property and is associated with the Battle of Inverkeithing, which took place in 1651. Most of the bloodshed occurred further north and east of Inverkeithing.

7. Local Development Plan Policies: Green Belt and Open Space.

Local Authorities have the power to designate 'Green Belt' areas through Local Development Plans. The fundamental aim of Green Belt Policy is to prevent urban sprawl by keeping land permanently open. The essential characteristic is their openness and permanence. Green belts prevent coalescence of towns and villages, so keeping the separateness of Queensferry from Edinburgh, and they assist urban regeneration by focussing development in towns rather than outside of them.

In the case of the *Bridgehead Zone*, an area of Green Belt is long-established to the south of the Property on the south-east edge of South Queensferry. This forms the north-west end of a crescent that encircles all of urban Edinburgh. See policy ENV10 http://www.edinburgh.gov.uk/downloads/file/3839/second_proposed_local_development_plan_june_2014

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8. Natural Designations

The *Bridgehead Zone* contains several types of protected natural site. These are SSSI (Sites of Special Scientific Interest), Ramsar (wetland sites), SPA (Special Protection Areas), and Ancient Woodland. The Ramsar International Convention and SPA areas are precisely the same as the national SSSI designated shore line areas, but are managed differently according to the various species that pass through or stay in those habitats. All these are regulated through Scottish Natural Heritage (SNH), the national body responsible for protecting the natural environment, and provide statutory protection within the immediate setting of the property. In the interests of clarity, these four natural designations have been combined within **Map 1**, but more detail can be found in **Map 3** below and in the nomination dossier itself.

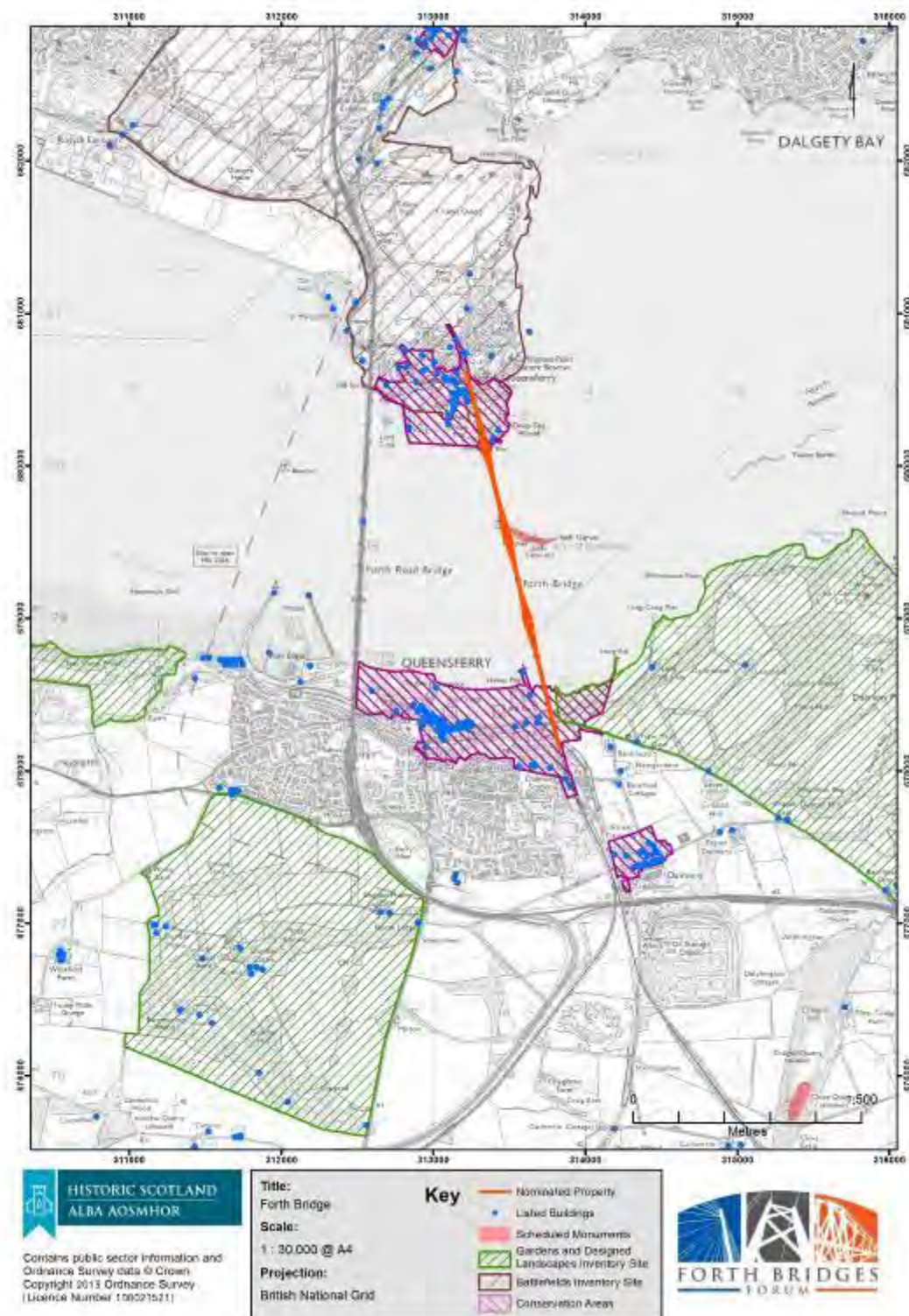
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The original maps within the Nomination Dossier did not refer to marine protection, but in response to comments received during the Technical Evaluation Mission in October 2014, we have included the projected regional marine planning area within the *Bridgehead Zone*, and this is depicted on **Map 1**.

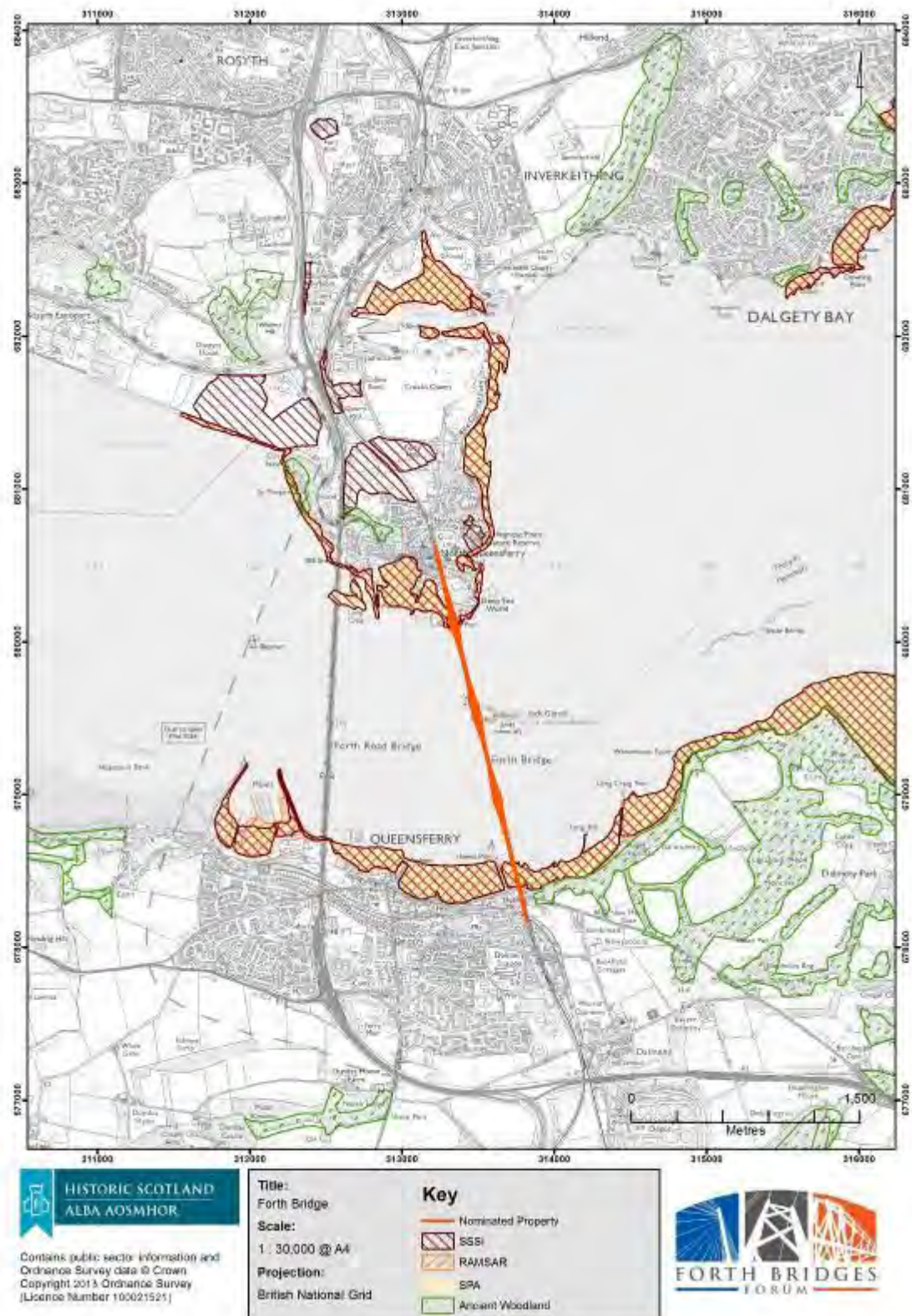
The area of water around the Bridge forms part of the Scottish Marine Area and is subject to marine planning under the *Marine (Scotland) Act 2010* with World Heritage Sites afforded protection through the policies of the Scottish National Marine Plan. In due course, matters at a local level will be addressed through regional marine planning. The boundaries of Scottish Marine Regions are not yet finalised in statute, and the statutory Marine Planning Partnerships remain to be established.

In practice, responsibility for the management and regulation of the areas of water in the *Bridgehead Zone* falls to the owners of the sea bed, *Crown Estates*, the regulators for navigation, *Forth Ports*, and the government regulator, *Marine Scotland*. As a consequence, these organisations are now included in the business circulation of the Steering Group. Paul Bancks, the local Coastal Development Manager for The Crown Estates is invited to join the Steering Group.

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Map 2: showing cultural designated places close to the property



Map 3: Natural designated areas close to the property

FORTH BRIDGE WORLD HERITAGE NOMINATION: SUPPLEMENTARY INFORMATION

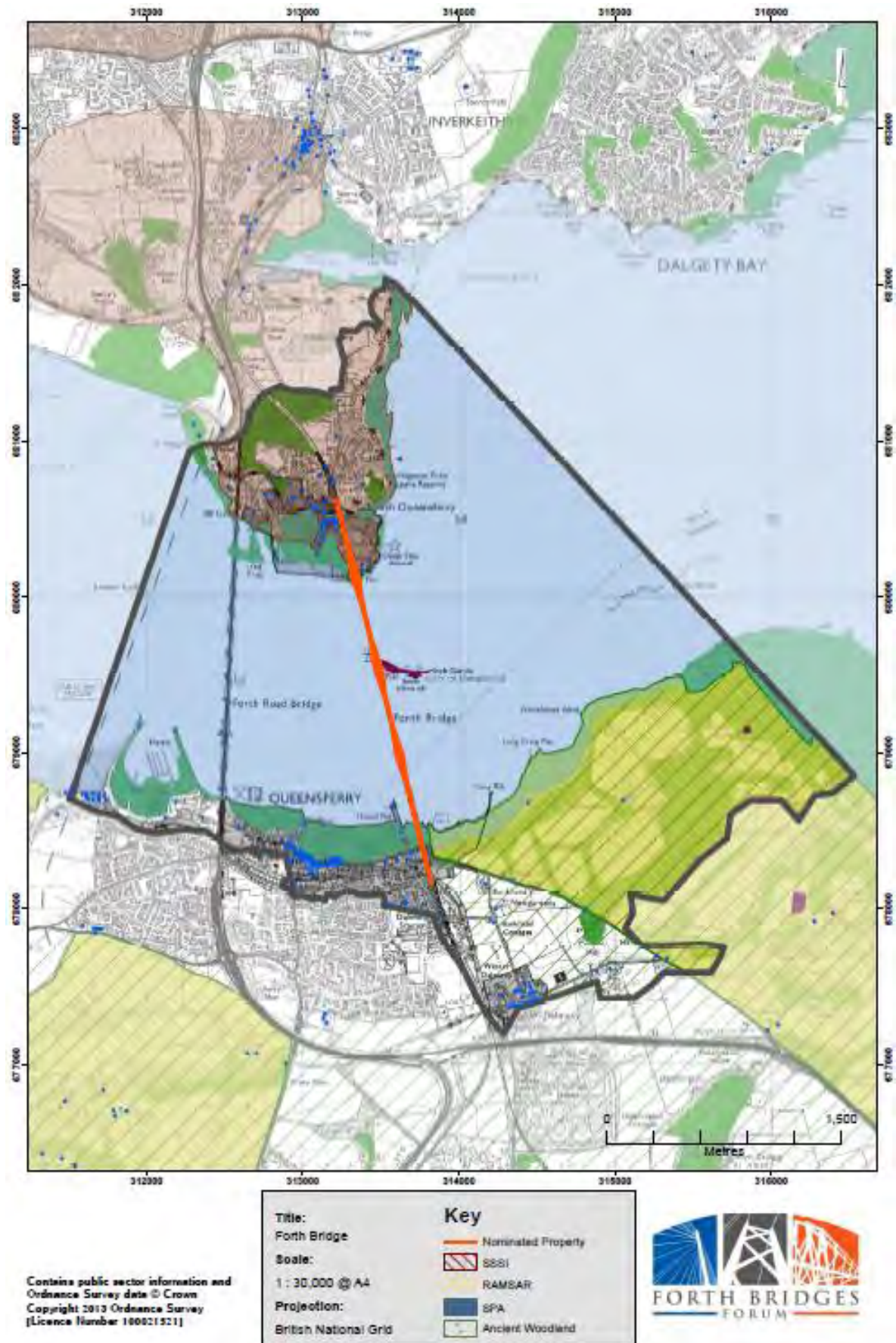
Bridgehead Zone



The Forth Bridge (2013) seen here from the listed Railway Pier in North Queensferry Conservation Area, designated for cultural heritage, viewed across a bay that is a Site of Special Scientific Interest, Ramsar and Special Protection Area for nature conservation, within the planned Scottish Marine Region of the Tay and Forth Estuaries. A part of the Inverkeithing battlefield is on the left and part of the Dalmeny Designed Landscape and Edinburgh's Green Belt is seen through the cantilevers of the bridge over an island that is a scheduled monument.

Supplementary information for ICOMOS
evaluation, February 2015





Map 1: Forth Bridge, nominated World Heritage Site, 'Bridgehead Zone'

FORTH BRIDGE WORLD HERITAGE NOMINATION: SUPPLEMENTARY INFORMATION

Bridgehead Zone

1. Introduction

All necessary measures for the protection of the immediate setting of the Property are in place, and together form the *Bridgehead Zone* which, in effect, acts as an area protected by a combination of statutory natural and cultural designations, and through local authority and marine planning systems. This is represented above in **Map 1** (also supplied as a separate file), and in the short descriptions of the various designations provided in the text below.

Map 1 itself contains the aggregation of planning designations that reinforce the protection afforded the *Bridgehead Zone*. More detailed information on cultural and natural designated sites and areas in the immediate setting of the Property are included in the Nomination Dossier, and are indicated here in **Map 2** (Cultural Designations) and **Map 3** (Natural Designations) below. The principal difference in **Map 1** is the reference to the Marine Planning Area, covering all of the water around and over which the property is situated.

2. Listed Buildings

The Forth Bridge itself is listed at Category 'A'. This gives it the highest level of statutory protection for a building that is in use, and any change that affects the special interest of the bridge requires listed building consent. This has to be obtained from both City of Edinburgh and Fife Councils, with advice in certain circumstances from Historic Scotland on behalf of Scottish Ministers.

The Bridgehead Zone contains around 200 listed buildings, each of which has a setting that is protected in law.

3. Scheduled Monuments

Within the *Bridgehead Zone*, each with a protected setting, are:

- The Chapel of St James, patron saint of Travellers/Pilgrims, an essential place of worship for all ferry travellers in the middle ages (in Fife)
- The Island of Inchgarvie, specifically excluding the Forth Bridge. The central cantilever tower of the bridge stands on rock that is near the island, but is not connected to it above the low waterline (in the City of Edinburgh)
- Harlow Cairn, Dalmeny Estate (in the City of Edinburgh)

4. Conservation Areas

There are three Conservation Areas within the *Bridgehead Zone*, which are:

- North Queensferry Conservation Area
- Queensferry Conservation Area
- Dalmeny Conservation Area

The coastal conservation areas (Queensferry and North Queensferry) extend as far as the jurisdiction of local planning authorities can go, which is to mean low water, where the tide is furthest out. Planning authorities have a duty to preserve or enhance the character of conservation areas.

5. Gardens and Designed Landscapes

The Inventory of Gardens and Designed Landscapes includes two that come into the *Bridgehead Zone*, both on the south side of the Property. These are parts of the Dalmeny and Hopetoun House estates, as explained in the nomination dossier.

6. Battlefields

The national Inventory of Battlefields includes one that is partially included within the *Bridgehead Zone*. This is situated on the north side of the property and is associated with the Battle of Inverkeithing, which took place in 1651. Most of the bloodshed occurred further north and east of Inverkeithing.

7. Local Development Plan Policies: Green Belt and Open Space.

Local Authorities have the power to designate 'Green Belt' areas through Local Development Plans. The fundamental aim of Green Belt Policy is to prevent urban sprawl by keeping land permanently open. The essential characteristic is their openness and permanence. Green belts prevent coalescence of towns and villages, so keeping the separateness of Queensferry from Edinburgh, and they assist urban regeneration by focussing development in towns rather than outside of them.

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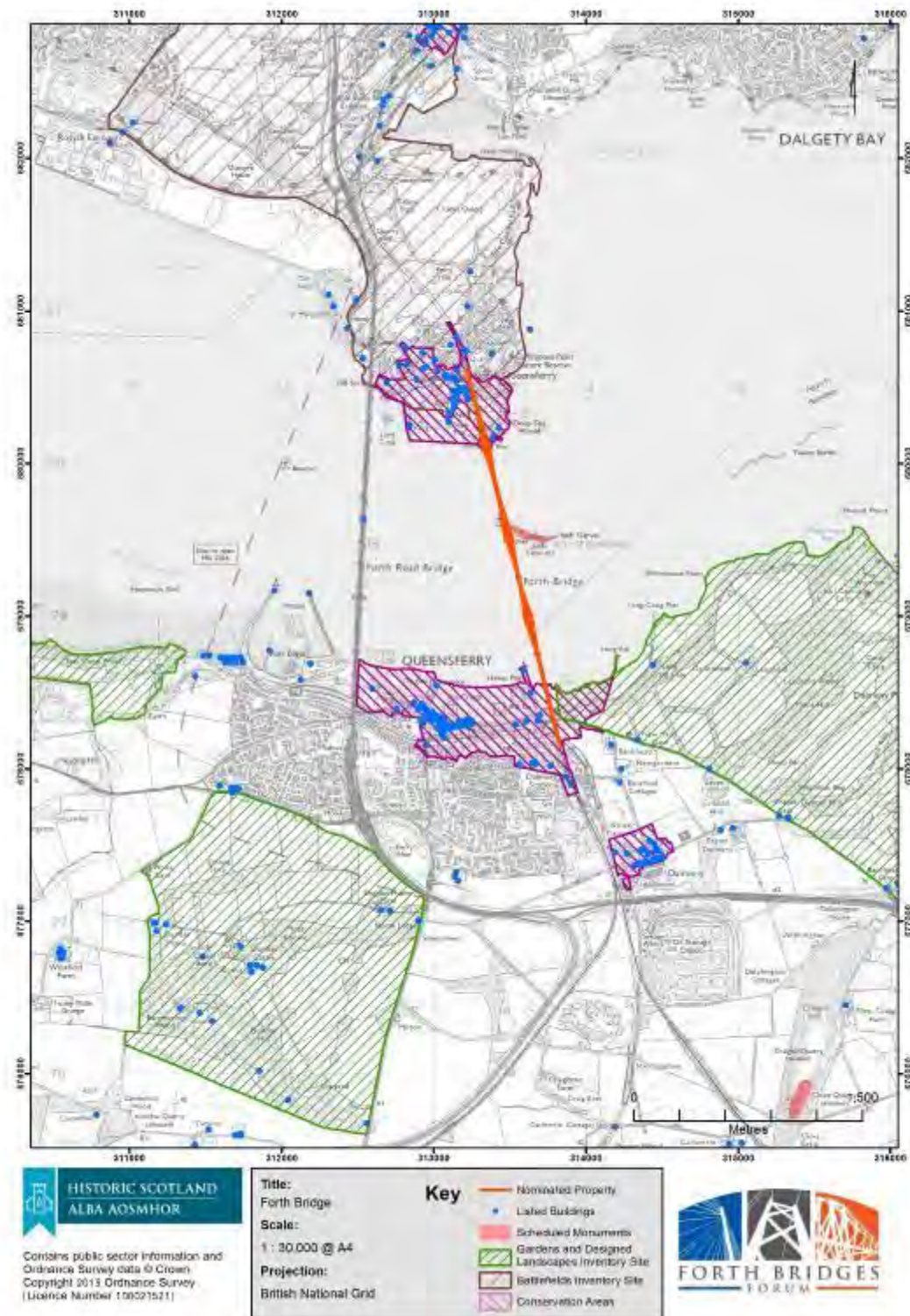
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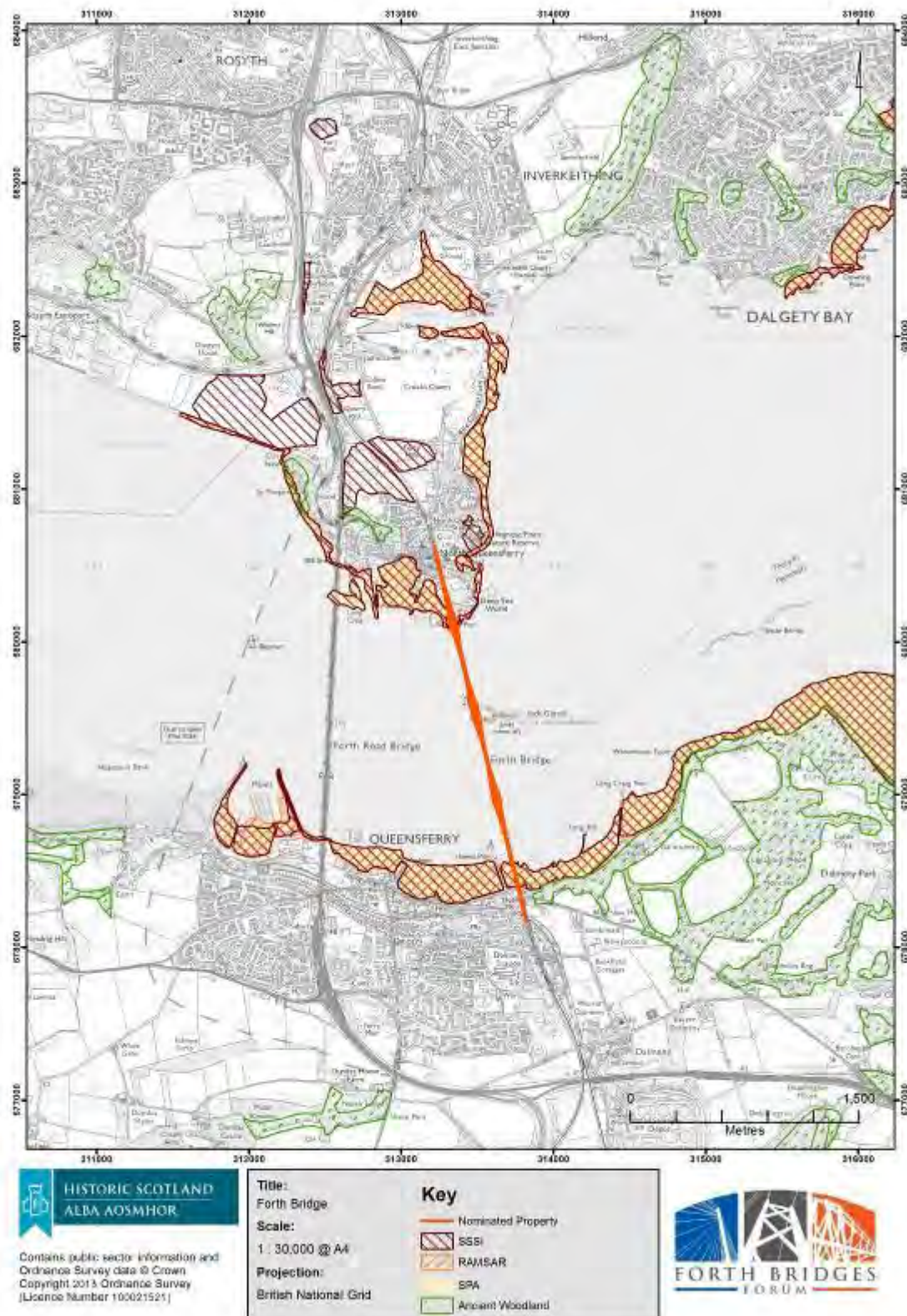
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