

## Document 1

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]**.

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**From:** [Redacted – Fol Section 38(1)(b) – Personal data]  
**Sent:** 20 August 2015 08:44  
**To:** [Redacted – Fol Section 38(1)(b) – Personal data]  
**Subject:** RE: Hyndford

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

Cheers

[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]



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**From:** [Redacted – Fol Section 38(1)(b) – Personal data]  
**Sent:** 18 August 2015 15:27  
**To:** [Redacted – Fol Section 38(1)(b) – Personal data]  
**Subject:** Hyndford

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

You seem to be the person that we recently had contact with regarding Hyndford hence why I am e-mailing you about a request I had over the telephone for a person's name to be deleted from the list of third parties.

A lady phoned this morning on behalf of her elderly mother asking that her name be removed from any list we held of people who should be copied into any decision on Hyndford (NOD/SLS/001).

Therefore, grateful if you could please arrange for -

[Redacted – personal details] name to be deleted from the third party list that DPEA hold.

Cheers

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

[Redacted – Fol Section 38(1)(b) – Personal data] Planning Decisions| 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: 25 June 2015 10:45  
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 - Intentions letter - 26 June 2015

Marion/David

I have amended [Redacted – Fol Section 38(1)(b) – Personal data] letter - last para-  
re where docs are available. Hope this is ok too? [Redacted – Fol Section 38(1)(b) – Personal data] letter attached for you to issue once we know when.

Now all that remains is timing of the decision. [Redacted – Fol Section 38(1)(b) – Personal data] are you aware of any issues being raised about timing on Friday? I maybe should check with Comms, unless you have heard anything. I know they were looking at the lines to take etc.

Thanks to you both,  
[Redacted – Fol Section 38(1)(b) – Personal data]

**[Attachment] – Excluded from scope of request**

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From: [Redacted – Fol Section 38(1)(b) – Personal data]  
Sent: 07 December 2016 14:09  
To: [Redacted – Fol Section 38(1)(b) – Personal data]  
Cc: [Redacted – Fol Section 38(1)(b) – Personal data]  
Subject: Hyndford Quarry, Lanark  
Attachments: Hyndford Quarry, Lanark - Decision letter.pdf

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

For information and upload onto your website, decision letter on Hyndford has just been sent to the applicant.

Regards

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

From: [Redacted – Fol Section 38(1)(b) – Personal data]  
Sent: 07 December 2016 14:07  
To: [REDACTED]@cemex.com'  
Subject: Hyndford Quarry, Lanark

Dear [REDACTED]

Please see the attached letter for your information.

Regards

[Redacted – FoI Section 38(1)(b) – Personal data] | Assistant Planning Decisions Manager | Planning & Architecture | Scottish Government  
| [Redacted – FoI Section 38(1)(b) – Personal data]  
General Planning Decisions enquiries should be directed to:  
planning.decisions@gov.scot

**[Attachment] - Excluded from scope of request**

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From: [Redacted – FoI Section 38(1)(b) – Personal data]  
Sent: 07 December 2016 13:01  
To: [Redacted – FoI Section 38(1)(b) – Personal data]  
Cc: [Redacted – FoI Section 38(1)(b) – Personal data] Communications CSSE  
Subject: RE: Submission to Mr Stewart on Hyndford - 1Dec

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

[Redacted – FoI Section 38(1)(b) – Personal data] is out of the office this afternoon.

I have checked the line, and discussed with [Redacted – FoI Section 38(1)(b) – Personal data] It looks fine from our side.

We will issue the letter this afternoon.

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

From: [Redacted – FoI Section 38(1)(b) – Personal data]  
Sent: 07 December 2016 12:51  
To: [Redacted – FoI Section 38(1)(b) – Personal data]  
Cc: [Redacted – FoI Section 38(1)(b) – Personal data]

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

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

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

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

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

Thanks

[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: 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 – FoI Section 38(1)(b) –  
Personal data] Hogg KJ (Kenneth) Communications CSSE;

Subject: Submission to Mr Stewart on Hyndford - 1 Dec

[Redacted – FoI 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 – FoI  
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] - No attachment with this e-mail chain

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

Sent: 25 June 2015 09:49

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 - Information letter for use by DPEA - Draft

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

not too sure how specific you want to be about where to find the docs - so please feel free to edit.

Let me know if you are both content so that I can have the final version that you are going to use.

Many thanks to you both.

[Redacted – Fol Section 38(1)(b) – Personal data] has sent you a link to "NOD-SLS-001 - Hyndford Quarry Lanark - Information letter for use by DPEA - Draft" from Objective.

Open in Navigator

Double click on the attachment

Open in Your Browser

Latest: <https://erdm.scotland.gov.uk/id:A11460290/document/versions/latest>

Published:

<https://erdm.scotland.gov.uk/id:A11460290/document/versions/published>

**[Attachment – as above]**

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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

Attachments: Hyndford list active.xlsx

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

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

[Attachment] - Personal third party details (On DPEA website)

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

Sent: 16 November 2015 14:42

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

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

Subject: NOD-SLS-001: SUPPLEMENTARY REPORT: HYNDFORD QUARRY LANARK ML11 9TA

Attachments: NOD-SLS-001 - Other Party details per case by Postal Type - as at 16 November 2015.xlsx; NOD-SLS-001 - supplementary report - dated 16 November 2015.docx; NOD-SLS-001 - supplementary report - dated 16 November 2015.pdf; Removing Official-Sensitive Marking.pdf

Our ref: NOD-SLS-001

16 November 2015

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

SUPPLEMENTARY REPORT: HYNDFORD QUARRY LANARK ML11 9TA

Following the reporters' further consideration of the above case, I now send you the supplementary report and interested party list. Please be aware that we only keep a PDF version of the report for our records so should you wish to cut and paste from it you will need to save the word version.

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.

Regards

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

| Case Officer

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

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

**[Attachments]** - Personal third party details (On DPEA website) and Report excluded from scope of request

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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: 25 June 2015 10:33

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

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

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]

McNairney J (John); 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 – FoI Section 38(1)(b) – Personal data] I CASE OFFICER  
DPEA | 4 The Courtyard | Callendar Business Park | FALKIRK | FK1 1XR | phone:  
[Redacted – FoI Section 38(1)(b) – Personal data] | fax:  
[Redacted – FoI Section 38(1)(b) – Personal data] | [Redacted – FoI Section 38(1)(b) – Personal data]  
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**[Attachment]** - Report excluded from scope of request

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**From:** [Redacted – FoI Section 38(1)(b) – Personal data]  
**Sent:** 24 June 2015 16:04  
**To:** [Redacted – FoI Section 38(1)(b) – Personal data]  
**Cc:** [Redacted – FoI Section 38(1)(b) – Personal data]  
**Subject:** RE: Planning decisions - Hyndford Quarry

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

[Redacted – EIR Regulation 11(2) – Personal data relating to third party]

Cheers

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

**From:** [Redacted – FoI Section 38(1)(b) – Personal data]  
**Sent:** 24 June 2015 15:42  
**To:** [Redacted – FoI Section 38(1)(b) – Personal data]  
**Cc:** [Redacted – FoI Section 38(1)(b) – Personal data]  
**Subject:** RE: Planning decisions - Hyndford Quarry

[Redacted – FoI Section 38(1)(b) – Personal data], I acknowledge your concerns and sorry if I have caused blood pressures to rise over in Falkirk today! I note in particular the issue about sending out the letter itself to all parties and this is my mistake in not picking up the discussion that I know has been going on in the background around this.



I would therefore ask that as a priority tomorrow morning, and assuming that we hear nothing further from Mr Neil overnight, [Redacted – Fol Section 38(1)(b) – Personal data] amends the letter to include the link to the website to cover this point and drafts a separate single page letter that can go out to the interested parties.

Although the sooner the better, we don't have a final date in which these letters have to go out, so perhaps that is some comfort. The key thing for us is getting the decision out to the main parties this week i.e. Friday. Grateful if Lyndsey and Marion can liaise with you tomorrow morning on all the practicalities, recognising that there are several bodies in here next week that can help if necessary.

Thanks

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

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

**Sent:** 24 June 2015 15:26

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

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

**Subject:** FW: Planning decisions - Hyndford Quarry

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

Just on the back of our phone call, [Redacted – Fol Section 38(1)(b) – Personal data] will speak to [Redacted – Fol Section 38(1)(b) – Personal data] tomorrow to confirm that PAD are issuing this letter and a copy of the report on Friday to the main parties and to those who participated in the hearing session.

I will speak to [Redacted – Fol Section 38(1)(b) – Personal data] tomorrow with regards to a possible timescale for issuing a copy of this letter to other interested parties but as I mentioned and I know [Redacted – Fol Section 38(1)(b) – Personal data] has mentioned on various occasions we would generally need at least a week to issue a bulk mailing of this size. This position is worse over the next two weeks given the start of the Summer holidays and the fact that we have a good number of people on leave, including [Redacted – Fol Section 38(1)(b) – Personal data] who would have taken responsibility for this task.

A further issue that might delay this issue is I note from the correspondence that you are sending a copy of the decision itself to all parties. As [Redacted – Fol Section 38(1)(b) – Personal data] has explained our systems do not work in a way that would easily allow this. I had thought we had come to an agreement, that had SGLD approval, that we would send a single page letter notifying other interested parties of the decision addressed to them and linking to a web site where the decision would be available.

If we send this letter to all parties we would either have to produce labels for each party and stick them on in which case we would be no quicker doing this than you, or alternatively, produce a covering letter to each party which would allow window

envelopes to be used. If the latter I presume this letter would be on a PAD template and signed off by PAD.

As above I'll speak to [Redacted – Fol Section 38(1)(b) – Personal data] and we will get back to you. It would however be helpful if you could let us know if you have an absolute final date in which these letter should be issued in order that we can work out whether we can do this within that period.

Cheers

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

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

**Sent:** Wednesday, June 24, 2015 01:04 PM

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

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

**Subject:** FW: Planning decisions - Hyndford Quarry

[Redacted – Fol Section 38(1)(b) – Personal data], to see the timescale on Hyndford – we intend to issue on Friday. Hope this is going to work ok at your end. [Redacted – Fol Section 38(1)(b) – Personal data] is not in today, but can pick things up with you tomorrow.

[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 26<sup>th</sup> 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]



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

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

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

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

**From:** Hunt M (Marion)

**Sent:** 11 January 2016 15:31

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

**Subject:** FW: NOD-SLS-001 Proposed extension to mineral extraction operations and associated restoration and enhancement works at Hyndford Quarry, Lanark

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

Found this old e-mail that I have saved onto eRDM from [redacted - personal details] about deleting his wife's details from the interested parties list for Hyndford. Could not see any e-mail to DPEA so thought I had better send it again just to be on the safe side.

Regards

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

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

**Sent:** 11 January 2016 10:51

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

**Subject:** FW: NOD-SLS-001 Proposed extension to mineral extraction operations and associated restoration and enhancement works at Hyndford Quarry, Lanark

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

**Sent:** 30 July 2015 08:16

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

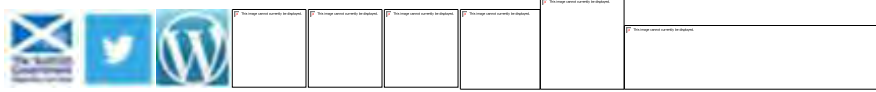
**Subject:** RE: NOD-SLS-001 Proposed extension to mineral extraction operations and associated restoration and enhancement works at Hyndford Quarry, Lanark

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

Thank you for your e-mail on behalf of your wife in respect of the recent correspondence regarding Hyndford Quarry. I note that you wish her name to be deleted from the mailing list held of people having an interest in this development. I will arrange with my colleagues in DPEA for this to be done.

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:** 29 July 2015 14:18

**To:** Planning Decisions

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

**Subject:** NOD-SLS-001 Proposed extension to mineral extraction operations and associated restoration and enhancement works at Hyndford Quarry, Lanark

For the attention of [Redacted – Fol Section 38(1)(b) – Personal data]

For some considerable period of time my wife has been receiving letters from your division regarding the above mentioned proposed development. On a number of occasions [Redacted – Fol Section 38(1)(b) – Personal data] has written to your office to indicate that she has no interest in this matter now or at any time in the past.

It is completely unclear how the addressee whose details are below became erroneously registered as an individual having an interest in this matter.

I would be grateful if you would [Redacted – Fol Section 38(1)(b) – Personal data] name and address from the mailing list associated to this issue forthwith.

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

---

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

**Sent:** 23 July 2015 11:50

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

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

**Subject:** RE: EIR - C - Information Request - Hyndford Quarry, Lanark (NOD-SLS-001) [BURNESSPAULL-Live.FID22476830] - Emma Dewar

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

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

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

**Sent:** 23 July 2015 11:45

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

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

**Subject:** RE: EIR - C - Information Request - Hyndford Quarry, Lanark (NOD-SLS-001) [BURNESSPAULL-Live.FID22476830] - Emma Dewar

To save duplication, I am emailing to say that I will do a search on what PAD hold within the scope of the request.

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

**Sent:** 23 July 2015 11:21

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

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

**Subject:** FW: EIR - C - Information Request - Hyndford Quarry, Lanark (NOD-SLS-001) [BURNESSPAULL-Live.FID22476830] - Emma Dewar

All

Please see the EIR request which has recently been submitted to us. I would be grateful if you consider the terms of the request and provide [Redacted – Fol Section 38(1)(b) – Personal data] with any information which falls within that category [Redacted – Fol Section 38(1)(b) – Personal data] will be in the office next Monday should you wish to discuss further (or she may wish to discuss further on how she intends to handle this).

The request is due to be answered by 11 August so anything you have should be sent her way by the end of the month.

If there is anybody else who should be involved in any wider trawl, then please do the necessary.

Ta!

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

**From:** Central Enquiry Unit

**Sent:** 13 July 2015 15:34

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

**Subject:** EIR - C - Information Request - Hyndford Quarry, Lanark (NOD-SLS-001) [BURNESSPAULL-Live.FID22476830] - Emma Dewar

Good afternoon,

The email enquiry below was received at the Central Enquiry Unit today.

I would be grateful if you would deal with this or forward it to the appropriate person / area of business.

***You may wish to acknowledge receipt of this email to the enquirer.***

Thank you

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

## Central Enquiry Unit

**Reminder:** If this email contains a request for information please remember that the Scottish Government is required to respond to all requests for information including e-mails, within 20 working days of receipt in accordance with the Freedom of Information (Scotland) Act. [FOI Guidance](#) A leaflet '[How to Open Government](#)' is available for members of the public, the FOI unit recommend that you send a copy /link with your response.

**All FOI requests received must be registered on the FOI Tracker. Please [click here to access the FOI tracker](#) .**

If this correspondence relates to a complaint as defined in the [Complaints Handling Procedures](#) please remember that it needs to be dealt with in accordance with those procedures. Further advice on the [complaints handling process](#) is available on Saltire.



☐ **Please consider the environment before printing this e-mail**

**From:** Emma Dewar [[mailto:\[REDACTED\]@burnesspaull.com](mailto:[REDACTED]@burnesspaull.com)]  
**Sent:** 13 July 2015 15:26  
**To:** Central Enquiry Unit  
**Subject:** Information Request - Hyndford Quarry, Lanark (NOD-SLS-001) [BURNESSPAULL-Live.FID22476830]

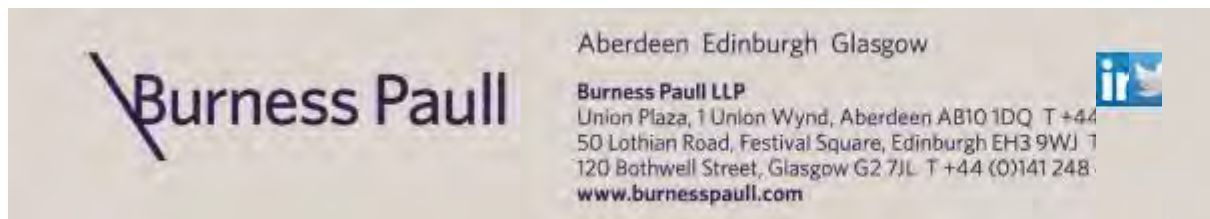
I attach a request for information in connection with a decision taken by the Scottish Ministers in relation to a planning application at Hyndford Quarry, Lanark.

I look forward to receiving the information requested.

Regards

**Emma Dewar**  
Senior Associate  
Burness Paull LLP

Direct Dial: [Redacted]  
[Redacted – Personal mobile number]  
Email: [Redacted] [burnesspaull.com](mailto:[Redacted]@burnesspaull.com)



Legal Business Awards 2014  
"National/Regional Firm of the Year"



Large Scottish Emp

**[Attachment below] – Second attachment excluded from scope of request  
(Intentions letter of 26 June 2015)**

Our Ref CEM/3001/00001 /EMD

50 Lothian Road  
Festival Square  
Edinburgh  
EH3 9WJ

T +44 (0)131 473 6000  
F +44 (0)131 473 6006

LP-60 Edinburgh 2  
DX ED73 Edinburgh  
www.burnesspaul.com

The Scottish Government  
St Andrew's House  
Regent Road  
EDINBURGH  
EH1 3DG

 **Burness Paull**

13 July 2015

Dear Sirs

**ENVIRONMENTAL INFORMATION (SCOTLAND) REGULATIONS 2004 (“THE  
REGULATIONS”)  
REQUEST FOR INFORMATION**

We have been instructed by our clients, Cemex UK Operations Limited, to make a request for environmental information which we understand you hold.

Our clients’ application for planning permission for mineral extraction operations and associated restoration and enhancement works at Hyndford Quarry, Lanark, was called in by the Scottish Ministers under 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.

Our clients received the enclosed letter dated 26 June 2015 advising them that the Scottish Ministers are minded to refuse to grant planning permission for works in the western extension area at Hyndford Quarry and to grant planning permission for the southern extension area only. Our clients have also received a copy of the report on the application prepared by the Reporters, Dan Jackman and J Alasdair Edwards, dated 20 February 2015 which recommended that planning permission should be granted.

Our clients are disappointed that the Scottish Ministers have not followed the Reporters’ recommendations and consider that the reasons given in the letter dated 26 June 2015 for not

Aberdeen Edinburgh Glasgow

Burness Paull LLP is a limited liability partnership registered in Scotland (SO300380)  
Registered office: 50 Lothian Road, Festival Square, Edinburgh EH3 9WJ  
Burness Paull is a registered trade mark of Burness Paull LLP  
VAT registration number GB 115 0905 48

Lawyers with offices in Aberdeen, Edinburgh and Glasgow.  
A list of members is available for inspection at the firm’s registered office.

Live: 31939779 v 2



Our Ref CEM/3001/00001 /EMD

50 Lothian Road  
Festival Square  
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 Burness Paull

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Lawyers with offices in Aberdeen, Edinburgh and Glasgow.  
A list of members is available for inspection at the firm's registered office.

Live: 31939779 v 2

**From:** [Redacted – FoI Section 38(1)(b) – Personal data] On Behalf Of Chief Planner

**Sent:** 29 July 2015 15:10

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

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

Chief Planner

**Subject:** RE: Costing's for Hyndford

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

Yes we are happy with the costs and I would be grateful if you could raise the journal.

Kind regards

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



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:** 27 July 2015 09:35

**To:** Chief Planner

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

**Subject:** RE: Costing's for Hyndford

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

Can you liaise with [Redacted – Fol Section 38(1)(b) – Personal data] please?

Thanks

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

| **Business Manager | Planning & Architecture | Scottish Government |**

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

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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:** 27 July 2015 09:29

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

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

**Subject:** Costing's for Hyndford

Morning

Sorry for the delay in confirming costs for postage of Hyndford. The total cost was £4533.65. Can you please confirm you are happy with costs and I will raise the journal.

Breakdown of cost –

21 boxes of Neopost envelopes @£19.65 per box - £412.65

2 Print cartridges costs – £100

4 Paper @£19 per box - £77

10325 Postage (2<sup>nd</sup> class, plus Europe and Worldwide) – £3944

Happy to discuss

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

**PGDip IS**

Finance and IT Project Manager

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

**Directorate for Planning and Environmental Appeals**

4 The Courtyard

Callendar Business Park

Falkirk

FK1 1XR

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

[www.gov.scot/Topics/Planning/Appeals](http://www.gov.scot/Topics/Planning/Appeals)

Follow us on Twitter for Appeal and Decision Updates << OLE Object: Picture (Device Independent Bitmap) >>

<< OLE Object: Picture (Device Independent Bitmap) >>

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

**Sent:** 11 January 2016 07:02

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

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

**Subject:** FW: Hyndford Quarry, Lanark

I am not sure who at your end issued the previous intentions letter on our behalf. But could somebody please update the records on your CHS to show this change of address. Could the e-mail please also be saved into the objective file of which there appears to be 3, 2 of which are padlocked so I am unsure where it should be saved.

Thanks.

From: [Redacted – Fol Section 38(1)(b) – Personal data]  
Sent: 08 January 2016 21:38  
To: Planning Decisions  
Subject: Hyndford Quarry, Lanark

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

Your Ref: NOD-SLS-001

Please could you amend your records to show that I am no longer living at  
[Redacted – Fol Section 38(1)(b) – Personal data]

Thank you for your assistance

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

---

From: [Redacted – Fol Section 38(1)(b) – Personal data]  
Sent: 12 February 2016 12:03  
To: [Redacted – Fol Section 38(1)(b) – Personal data]  
Cc: [Redacted – Fol Section 38(1)(b) – Personal data]  
Subject: RE: Hyndford

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

The report dated 16 November 2015 and intentions notice dated 9 February 2016 are both on our web site and I accessed them through the link in the letter.

Link is <http://www.dpea.scotland.gov.uk/CaseDetails.aspx?id=114959&T=20>

Cheers

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

---

From: [Redacted – Fol Section 38(1)(b) – Personal data]  
Sent: 12 February 2016 11:49  
To: [Redacted – Fol Section 38(1)(b) – Personal data]  
Cc: [Redacted – Fol Section 38(1)(b) – Personal data]  
Subject: Hyndford

I have had 2 calls for individuals stating that they can't access the documents referred to in the e-mail intentions letter. Could this be investigated please

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

General Planning Decisions enquiries should be directed to:  
[planning.decisions@gov.scot](mailto:planning.decisions@gov.scot)

---

From: [Redacted – Fol Section 38(1)(b) – Personal data]  
Sent: 20 July 2015 15:31  
To: [Redacted – Fol Section 38(1)(b) – Personal data]  
Subject: RE: NOD-SLS-001 - Hyndford Quarry Lanark - Intentions letter - 26 June 2015

Well done on progressing this. Look forward to the response in due course from DPEA!

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

From: [Redacted – Fol Section 38(1)(b) – Personal data]  
Sent: 08 July 2015 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 - Intentions letter - 26 June 2015

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

That's great. Thank you.

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

From: [Redacted – Fol Section 38(1)(b) – Personal data]  
Sent: 08 July 2015 15:54  
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

Thanks, [Redacted – Fol Section 38(1)(b) – Personal data], we don't need anything further at this stage. [Redacted – Fol Section 38(1)(b) – Personal data] is back from his holidays on Monday and will give this priority on his return. We're hoping to get something out to parties by the end of next week.

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

From: [Redacted – Fol Section 38(1)(b) – Personal data]  
Sent: 08 July 2015 15:00  
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]

In follow up to the Hyndford Intention's letter Para. 11, the purpose of this email is to request that DPEA seek parties' views on the drafting of appropriate conditions and legal agreements in relation to granting permission for the southern extension only and to decide what further procedure is necessary to consider those issues. Thereafter we request that reporters submit a supplementary report to Scottish Ministers with recommendations on conditions and legal agreements.

Please let me know if you need anything further from us at this stage.

Kind regards

[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: 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]

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

---

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

Sent: 25 June 2015 11:30

To: [Redacted – FoI 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.doc

This is the intentions letter to use. Can you please save this to erdm for me - much appreciated.

Thanks

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

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

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

Sent: 25 June 2015 10:45

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 - Intentions letter - 26 June 2015

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

I have amended [Redacted – Fol Section 38(1)(b) – Personal data] letter - last para- re where docs are available. Hope this is ok too? Marion letter attached for you to issue once we know when.

Now all that remains is timing of the decision. [Redacted – Fol Section 38(1)(b) – Personal data] are you aware of any issues being raised about timing on Friday? I maybe should check with Comms, unless you have heard anything. I know they were looking at the lines to take etc.

Thanks to you both,

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

[Attachment] – Excluded from the scope of the request

---

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

Sent: 25 June 2015 17:01

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

Subject: FW: MACCS: New case 2015/0020773 allocated.

Attachments: S20150020773.PDF; Hyndford Quarry - [Redacted – Fol Section 38(1)(b) – Personal data]

pro-forma letters.doc; Hyndford Quarry - Reply to [Redacted – Fol Section 38(1)(b) – Personal data]re pro-forma letters (updated version).doc

Importance: High

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

Sorry to trouble you about this MR MACCS case from Aileen Campbell for [Redacted – Fol Section 38(1)(b) – Personal data] about Hyndford. That is the chap who has been sending in batches of usually about 300 to 500 at a time pro-forma complaints/objection forms in respect of Hyndford. I had spoken to someone at DPEA when we were first started getting these cases to determine how they had been handled there and was advised that if the form was the same each time then it was treated like a Petition and the person who sent all the letters on was the person



who got the response. (Sorry cannot remember who it was I spoke to but this seemed a sensible way forward.)

We have treated all his batches of letters similarly and responded with a letter acknowledging their receipt (since March). Did this using the letter above for the first 4 batches received. The only ones that got an individual reply were those sent in to us by the person signing the pro-forma themselves. [Redacted – FoI Section 38(1)(b) – Personal data] continued to send large batches of letters and we accumulated a large number which we had not had time to acknowledge. So when [Redacted – FoI Section 38(1)(b) – Personal data] started I updated the initial letter used to apologise for the delay in the acknowledgement and copied them off asking him to put in the date and number of pro-forma letters received and send these off to [Redacted – FoI Section 38(1)(b) – Personal data] so that he knew we had them. I indicated that these could all go in the same envelope.

I am afraid it was my mistake at the beginning with misspelling his name as [Redacted – FoI Section 38(1)(b) – Personal data] and I have continued to use this letter when responding without noticing.

I have spoken to [Redacted – FoI Section 38(1)(b) – Personal data] this afternoon to get confirmation of how they treat such pro-forma letters and she is going to get back to me. However, it looks like we may have followed a wrong steer and may have to change the way we have treated these letters.

[Redacted – FoI Section 38(1)(b) – Personal data] from the Ministers office had asked about whether we were going to be putting a reply forward today to catch the Minister before he goes on leave but I am not sure how we will wish to reply other than to apologise and indicate that we will change how we will be responding if that is what it has to be. So I think this one will just have to be late as they also wanted to know about the decision issuing. Next problem is that to date none of these pro-forma letters are saved and will not be part of DPEA's exercise as they came here so although we will be able to use the same letter we provided for DPEA with the Link to DPEA's website etc. we may have to go through the letters and write out envelopes.

Please give me a call in the morning to discuss what you want me to do.

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

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

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

Sent: 15 June 2015 15:35

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

Subject: MACCS: New case 2015/0020773 allocated.

Ministerial and Corporate Correspondence System:

Please see case 20150020773 which has been allocated to you. The current target date for this case is 29/06/2015.

<http://s0125a/MACCS/CaseDetail.aspx?c=20150020773>

If this correspondence contains a complaint as defined in the Complaints Handling Policy please remember that it needs to be dealt with in accordance with those procedures. <http://scotland.gov.uk/Contacts/Have-Your-Say/Making-Complaints/complaintshandling>

Further advice on Complaints Handling is available on Saltire.  
<http://intranet/InExec/HR/PoliciesandGuidance/Conduct/Standards/Service-Standards/Complaints/ICHP>

If the case includes a request for information, see guidance on FOI and MACCS.  
<http://goo.gl/LqHTbx>

Please do not reply to this email.

**[Attachments below]**

1.  
**Local Government and Communities Directorate** □□□□□□□□□□□□□□□□  
**Planning and Architecture**  
Planning Decisions Team

T: [Redacted – FoI Section 38(1)(b) – Personal data] F [Redacted – FoI Section 38(1)(b) – Personal data]  
E: [Redacted – FoI Section 38(1)(b) – Personal data]

□□□

Our ref: NOD/SLS/001  
2015

Dear

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

Yours sincerely

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

2.  
From: [Redacted – FoI Section 38(1)(b) – Personal data]  
Sent: 15 June 2015 10:09:56  
To: Ministerial Correspondence Unit  
Cc: Cabinet Secretary for Social Justice, Communities and Pensioners'

Rights

Subject: FW: Representations to MinistersGH

MACCs please.

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

Assistant Private Secretary (Correspondence) to the Cabinet Secretary for Social Justice, Communities and Pensioners' Rights  
3F-S, Victoria Quay  
47291

All e-mails and attachments sent by a Ministerial Private Office to another official on behalf of a Minister relating to a decision, request or comment made by a Minister, or a note of a Ministerial meeting, must be filed appropriately by the primary recipient. Private Offices do not keep official records of such e-mails or attachments.

From: Aileen.Campbell.MSP@scottish.parliament.uk  
[mailto:Aileen.Campbell.MSP@scottish.parliament.uk]  
Sent: 15 June 2015 09:13  
To: Cabinet Secretary for Social Justice, Communities and Pensioners' Rights  
Cc: Alex.Neil.msp@scottish.parliament.uk; Linda.Finlay@scottish.parliament.uk  
Subject: Fwd: Representations to Ministers

Dear Alex, please see below correspondence from my constituent re the falls of clyde. I would be grateful to know if his request can be accommodated and what measures the gov can take to reassure him and the people who have taken the time to contact the gov, that the gov take their views seriously. I would also be glad of an update on the situation. With many thanks in advance.

Best wishes

Aileen

Sent from my iPhone

Begin forwarded message:

From: [Redacted – personal details]  
Date: 12 Jun 2015 22:56:06 GMT+1  
To: <aileen.campbell.msp@scottish.parliament.uk<mailto:aileen.campbell.msp@scottish.parliament.uk>>  
Subject: Representations to Ministers

Dear Aileen,

As you know, the proposed quarry at the Falls of Clyde has attracted huge public opposition. Since Christmas more than 4,000 visitors to the Falls have signed pro-forma letters to Ministers regarding this issue. Many of them are your constituents. These I have collected together and sent on to Ministers every few weeks, with a short covering letter.

This week I received six (almost) identical letters from a [Redacted – FoI Section 38(1)(b) – Personal data] of the Scottish Government Planning Decisions Team all in

the same envelope, with my name scrawled on the envelope and mis-spelled in each letter. There is no stated postal address. Three of the letters have been dated by hand. Four are not dated. The only other variation is little gaps into which dates of my previous correspondence has been scribbled in hand writing. The letters refer to my previous correspondence, sometimes dating back to mid April, but which had thus far been unacknowledged. (Apparently they "have not been in a position" to do so!)

These letters state that the correspondents will not be replied to by the Scottish Government. Instead their letters will be treated as a petition. It is no such thing. It is detailed, more than 400 words long, and daily I witness people reading it carefully before signing it and giving their addresses. Moreover, the refusal to reply to these letters is contrary to the advice given on the web page of the Scottish Government. The letters follow the format advised on the site. They are addressed to the relevant Minister, and were delivered (at some expense) by special or recorded delivery to the specified address. They fall within the guidance which states that "we aim to respond to everything received."

The web site goes on to state "We may be unable to provide a response if your correspondence: (a) contains offensive language, (b) is illegible or cannot be read, (c) is selling or promoting a product, (d) is concerning a matter not devolved to the Scottish Government." Quite clearly the letters do not fall into any of these exclusions.

Even South Lanarkshire Council has the good grace to respond individually to proforma letters submitted on planning matters, and to notify the signatories of the outcome. I am asking you to intervene on this matter, and for Ministers to insist that each of these correspondents receives notification of the decision on which they have made a representation. If these people - and the 11,500 who sent similar objection letters to South Lanarkshire Council - do not receive replies, then it will speak very poorly of the Scottish Government's commitment to "community empowerment."

I appreciate that the Planning Decisions Team now deal with very few called in applications. Moreover, they will be used to dealing with applications that have attract such widespread opposition. The culture towards the public in that office clearly needs to change.

You will also have received my previous emails asking you to find out when the decision might be made, and for an assurance that a decision in favour of CEMEX is not being held back until UNESCO has safely approved the Forth Bridge nomination. I look forward to an early reply to both these matters.

Best wishes,

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

---

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

Sent: 26 June 2015 09:22

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

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

Subject: Hyndford

To confirm we are looking to issue the letter to all other parties on Tuesday night (dated Wednesday), will be sent second class.

Look forward to hearing when you want us to publish the intentions notice and report.

Regards

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

Head of Performance and Administration  
DPEA  
Unit 4  
Callendar Business Park  
Falkirk  
FK1 1XR

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

Fax [Redacted]

---

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

Sent: 26 June 2015 12:55

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

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

Subject: RE: Hyndford

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

I attach a copy of the decision/intentions letter issued this morning (you will already have the report).

Just to confirm that the main parties e-mails have now gone this morning (it was a bit of a nightmare with eRDM etc. not being available but I have managed to get them away.) I only need to copy them to the 2 MSP's given particular mention in the Report and to Comms & Minister's office.

Not sure what DPEA's protocol is but we generally say documents will be on the website in 48 hours – does that fit in with your plans for the interested parties letter going out next week? I know the intention was that the letter being issued has a link to where the documents are held and you will wish this to be populated before you issue the interested parties letter.

Hope that's ok.

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

---

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

Sent: 26 June 2015 09:22

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

To confirm we are looking to issue the letter to all other parties on Tuesday night (dated Wednesday), will be sent second class.

Look forward to hearing when you want us to publish the intentions notice and report.

Regards  
[Redacted – Fol Section 38(1)(b) – Personal data]  
Head of Performance and Administration  
DPEA  
Unit 4  
Callendar Business Park  
Falkirk  
FK1 1XR

**[Attachment]** – Excluded from scope of request

---

From: [Redacted – Fol Section 38(1)(b) – Personal data]  
Sent: 03 February 2016 15:03  
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

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

Hope things are A-ok in Falkirk. Just a heads up that the submission has just gone up to Mr Neil regards the notice of intention decision regards Hyndford. I'll get the finalised intentions letter to you in due course. Will obviously have to await Mr Neil's response before we can 'ping' this to you.

Cheers

[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

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

[www.scotland.gov.uk/Topics/Planning](http://www.scotland.gov.uk/Topics/Planning)

**[Attachment]** – Not part of exchange

---

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

Sent: 26 June 2015 13:47

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

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

Subject: RE: Hyndford

Ok, we will put it on this afternoon.

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

---

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

Sent: 26 June 2015 13:07

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

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

Subject: RE: Hyndford

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

As you say it may be helpful to have the documentation on-line sooner rather than  
later and if you can arrange for them to be on-line today that seems ideal and as you  
say this would be helpful to be able to refer them to this information for any enquiries  
made over the weekend.

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

---

From: [Redacted – Fol Section 38(1)(b) – Personal data]  
Sent: 26 June 2015 13:02  
To: [Redacted – Fol Section 38(1)(b) – Personal data]  
Cc: [Redacted – Fol Section 38(1)(b) – Personal data]  
Subject: RE: Hyndford

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

As previous we can put this on-line anytime now in line with what PAD want.

The reason I set out yesterday for putting it on-line sooner rather than later was that might help you in terms of telephone queries if you can direct people to the web site now as I am sure once this becomes public knowledge you will soon start receiving requests. Additionally it might be helpful to Comms colleagues and/or others if they can refer people to this over the weekend. Particularly as parties will not receive our notification until later next week

As I say though, PAD's call given your decision.

Let me know how you would like us to proceed.

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

---

From: [Redacted – Fol Section 38(1)(b) – Personal data]  
Sent: 26 June 2015 12:55  
To: [Redacted – Fol Section 38(1)(b) – Personal data]  
Cc: [Redacted – Fol Section 38(1)(b) – Personal data]  
Subject: RE: Hyndford

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

<< File: NOD-SLS-001 - Hyndford Quarry Lanark - Intentions letter - 26 June 2015.pdf >>

I attach a copy of the decision/intentions letter issued this morning (you will already have the report).

Just to confirm that the main parties e-mails have now gone this morning (it was a bit of a nightmare with eRDM etc. not being available but I have managed to get them away.) I only need to copy them to the 2 MSP's given particular mention in the Report and to Comms & Minister's office.

Not sure what DPEA's protocol is but we generally say documents will be on the website in 48 hours – does that fit in with your plans for the interested parties letter going out next week? I know the intention was that the letter being issued has a link to where the documents are held and you will wish this to be populated before you issue the interested parties letter.



Hope that's ok.

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

---

From: [Redacted – FoI Section 38(1)(b) – Personal data]  
Sent: 26 June 2015 09:22  
To: [Redacted – FoI Section 38(1)(b) – Personal data]  
Cc: [Redacted – FoI Section 38(1)(b) – Personal data]  
Subject: Hyndford

To confirm we are looking to issue the letter to all other parties on Tuesday night (dated Wednesday), will be sent second class.

Look forward to hearing when you want us to publish the intentions notice and report.

Regards

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

Head of Performance and Administration  
DPEA  
Unit 4  
Callendar Business Park  
Falkirk  
FK1 1XR

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

**[Attachment]** – Not part of exchange

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## Document 2

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:** 27 July 2015 16:18  
**To:** [Redacted – Fol Section 38(1)(b) – Personal data]  
**Subject:** RE: NOD-SLS-001 - Hyndford Quarry Lanark - Intentions letter - 26 June 2015

Hello Marion

[Redacted – Personal exchanges (out of scope)]

Thanks again

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

---

Culture and Historic Environment Division | Scottish Government  
Area 2H North, Victoria Quay, Edinburgh, EH6 6QQ

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

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

w| [www.gov.scot/Topics/ArtsCultureSport/arts/Historic-environment](http://www.gov.scot/Topics/ArtsCultureSport/arts/Historic-environment)

**From:** [Redacted – Fol Section 38(1)(b) – Personal data]  
**Sent:** Monday, July 27, 2015 15:57  
**To:** [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]

[Redacted – Personal exchanges (out of scope)]

Kind 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 14:02

**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]



**[Attachments]** – Excluded from scope of request (Intentions letter and report)

---

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

**Sent:** 25 June 2015 13:21

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

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

**Subject:** FW: Planning decisions - Hyndford Quarry

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

To action.

Thanks

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

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

**Sent:** 25 June 2015 13:20

To: [Redacted – Fol Section 38(1)(b) – Personal data]  
Cc: [Redacted – Fol Section 38(1)(b) – Personal data]  
Subject: RE: Planning decisions - Hyndford Quarry

That would be great; many thanks.

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

---

Culture and Historic Environment Division | Scottish Government  
Area 2H North, Victoria Quay, Edinburgh, EH6 6QQ  
t| [Redacted – Fol Section 38(1)(b) – Personal data]

e| [Redacted – Fol Section 38(1)(b) – Personal data]  
w| [www.gov.scot/Topics/ArtsCultureSport/arts/Historic-environment](http://www.gov.scot/Topics/ArtsCultureSport/arts/Historic-environment)

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

Sent: Thursday, June 25, 2015 13:11  
To: [Redacted – Fol Section 38(1)(b) – Personal data]  
Cc: [Redacted – Fol Section 38(1)(b) – Personal data]  
)  
Subject: RE: Planning decisions - Hyndford Quarry

[Redacted – Fol Section 38(1)(b) – Personal data] will be e-mailing letter to Cemex late morning and will give you a copy of letter and report too at that time. Is that ok?

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

From: [Redacted – Fol Section 38(1)(b) – Personal data]  
Sent: 25 June 2015 13:08  
To: [Redacted – Fol Section 38(1)(b) – Personal data]  
Cc: [Redacted – Fol Section 38(1)(b) – Personal data]  
Subject: FW: Planning decisions - Hyndford Quarry

It might be ok to email it on Friday – I think that Cemex might actually receive it electronically on Friday anyway, but Lyndsey or Marion could confirm that for you.

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

From: [Redacted – Fol Section 38(1)(b) – Personal data]  
Sent: 24 June 2015 18:32  
To: [Redacted – Fol Section 38(1)(b) – Personal data]  
Cc: [Redacted – Fol Section 38(1)(b) – Personal data]  
Subject: RE: Planning decisions - Hyndford Quarry

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

Monday would be fine for DCMS - esp as it is +ve news for UNESCO.  
[Redacted – Fol Section 38(1)(b) – Personal data]

From [Redacted – Fol Section 38(1)(b) – Personal data]  
Sent: Wednesday, June 24, 2015 6:20 PM  
To [Redacted – Fol Section 38(1)(b) – Personal data]  
Cc: [Redacted – Fol Section 38(1)(b) – Personal data]  
Subject: RE: Planning decisions - Hyndford Quarry

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

Thank you for copying me in. As I mentioned earlier, I would like to inform UNESCO as quickly as possible about Ministers' decision once the letter issues to the applicant. I will forward you a draft of the letter tomorrow for comment but I intend for the letter to include only material from the notice of intention letter (i.e. factual and public domain).

In terms of timings, do you think it would be acceptable to issue the letter to UNESCO on Friday? It would go by email (via DCMS) and this would mean them being informed before the notice of intention letter is received by CEMEX and the parties to the hearing. However, I think the risk of them publicising Ministers' decision is small, particularly as they will be in the final throes of preparation for the World Heritage Committee in Bonn (28 June to 8 July).

If you feel that this is not a good plan, I will arrange for the letter to UNESCO to issue on Monday. The flipside here is that UNESCO may have already heard through media or other channels by Monday (such as ICOMOS UK, who were party to the Hearing), and we're always keen to ensure that they receive updates from us before the media. Would be helpful to discuss tomorrow; appreciate that comms will have a view also.

All the best

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

---

Culture and Historic Environment Division | Scottish Government  
Area 2H North, Victoria Quay, Edinburgh, EH6 6QQ  
t| [Redacted – Fol Section 38(1)(b) – Personal data]  
e| [Redacted – Fol Section 38(1)(b) – Personal data]  
w| [www.gov.scot/Topics/ArtsCultureSport/arts/Historic-environment](http://www.gov.scot/Topics/ArtsCultureSport/arts/Historic-environment)

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

Sent: Wednesday, June 24, 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 included in this exchange

---

From: [Redacted – Fol Section 38(1)(b) – Personal data]  
Sent: 25 June 2015 16:45  
To: [Redacted – Fol Section 38(1)(b) – Personal data]  
Cc: [Redacted – Fol Section 38(1)(b) – Personal data]  
Subject: RE: Planning decisions - Hyndford Quarry  
Attachments: A11562554.obr

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

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

Many thanks

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

---

Culture and Historic Environment Division | Scottish Government  
Area 2H North, Victoria Quay, Edinburgh, EH6 6QQ  
t| [Redacted – Fol Section 38(1)(b) – Personal data]  
e| [Redacted – Fol Section 38(1)(b) – Personal data]  
w| [www.gov.scot/Topics/ArtsCultureSport/arts/Historic-environment](http://www.gov.scot/Topics/ArtsCultureSport/arts/Historic-environment)

From: [Redacted – Fol Section 38(1)(b) – Personal data]  
Sent: Thursday, June 25, 2015 13:08  
To: [Redacted – Fol Section 38(1)(b) – Personal data]  
Cc: [Redacted – Fol Section 38(1)(b) – Personal data]

Subject: FW: Planning decisions - Hyndford Quarry

It might be ok to email it on Friday – I think that Cemex might actually receive it

electronically on Friday anyway, but [Redacted – Fol Section 38(1)(b) – Personal data] could confirm that for you.

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

From: [Redacted – Fol Section 38(1)(b) – Personal data]  
Sent: 24 June 2015 18:32  
To: [Redacted – Fol Section 38(1)(b) – Personal data]  
Cc: [Redacted – Fol Section 38(1)(b) – Personal data]  
Subject: RE: Planning decisions - Hyndford Quarry

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

Monday would be fine for DCMS - esp as it is +ve news for UNESCO.

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

From: [Redacted – Fol Section 38(1)(b) – Personal data]  
  
Sent: Wednesday, June 24, 2015 6:20 PM  
To: [Redacted – Fol Section 38(1)(b) – Personal data]  
Cc: [Redacted – Fol Section 38(1)(b) – Personal data]  
Subject: RE: Planning decisions - Hyndford Quarry

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

Thank you for copying me in. As I mentioned earlier, I would like to inform UNESCO as quickly as possible about Ministers' decision once the letter issues to the applicant. I will forward you a draft of the letter tomorrow for comment but I intend for the letter to include only material from the notice of intention letter (i.e. factual and public domain). In terms of timings, do you think it would be acceptable to issue the letter to UNESCO on Friday? It would go by email (via DCMS) and this would mean them being informed before the notice of intention letter is received by CEMEX and the parties to the hearing. However, I think the risk of them publicising Ministers' decision is small, particularly as they will be in the final throes of preparation for the World Heritage Committee in Bonn (28 June to 8 July).

If you feel that this is not a good plan, I will arrange for the letter to UNESCO to issue on Monday. The flipside here is that UNESCO may have already heard through media or other channels by Monday (such as ICOMOS UK, who were party to the Hearing), and we're always keen to ensure that they receive updates from us before the media.

Would be helpful to discuss tomorrow; appreciate that comms will have a view also.

All the best

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

---

Culture and Historic Environment Division | Scottish Government

Area 2H North, Victoria Quay, Edinburgh, EH6 6QQ  
t| [Redacted – Fol Section 38(1)(b) – Personal data]  
e| [Redacted – Fol Section 38(1)(b) – Personal data]  
w| www.gov.scot/Topics/ArtsCultureSport/arts/Historic-environment

From: [Redacted – Fol Section 38(1)(b) – Personal data]  
Sent: Wednesday, June 24, 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]

---

From: [Redacted – Fol Section 38(1)(b) – Personal data]  
Sent: 07 July 2015 07:38  
To: [Redacted – Fol Section 38(1)(b) – Personal data]  
Subject: FW: Planning decisions - Hyndford Quarry

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

For filing.

Thanks

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



From: [Redacted – Fol Section 38(1)(b) – Personal data]  
Sent: 29 June 2015 14:46  
To: [Redacted – Fol Section 38(1)(b) – Personal data]  
Cc: [Redacted – Fol Section 38(1)(b) – Personal data]  
Subject: RE: Planning decisions - Hyndford Quarry

[Redacted – Fol Section 38(1)(b) – Personal data] this looks fine, apart from typo in 6th para (should be outweighed rather than outweighed, which is entirely my fault as I see it was wrong in the intentions letter itself!).

Thanks for letting me see.

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

From: [Redacted – Fol Section 38(1)(b) – Personal data]  
Sent: 25 June 2015 16:45  
To: [Redacted – Fol Section 38(1)(b) – Personal data]  
Cc: [Redacted – Fol Section 38(1)(b) – Personal data]  
Subject: RE: Planning decisions - Hyndford Quarry

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

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

Many thanks

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

---

Culture and Historic Environment Division | Scottish Government  
Area 2H North, Victoria Quay, Edinburgh, EH6 6QQ  
t| [Redacted – Fol Section 38(1)(b) – Personal data]  
e| [Redacted – Fol Section 38(1)(b) – Personal data]  
w| [www.gov.scot/Topics/ArtsCultureSport/arts/Historic-environment](http://www.gov.scot/Topics/ArtsCultureSport/arts/Historic-environment)

From: [Redacted – Fol Section 38(1)(b) – Personal data]  
Sent: Thursday, June 25, 2015 13:08  
To: [Redacted – Fol Section 38(1)(b) – Personal data]  
Cc: [Redacted – Fol Section 38(1)(b) – Personal data]  
Subject: FW: Planning decisions - Hyndford Quarry

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

From: [Redacted – Fol Section 38(1)(b) – Personal data]  
Sent: 24 June 2015 18:32  
To: [Redacted – Fol Section 38(1)(b) – Personal data]

Cc: [Redacted – FoI Section 38(1)(b) – Personal data]  
Subject: RE: Planning decisions - Hyndford Quarry

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

Monday would be fine for DCMS - esp as it is +ve news for UNESCO.

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

From [Redacted – FoI Section 38(1)(b) – Personal data]  
Sent: Wednesday, June 24, 2015 6:20 PM  
To: [Redacted – FoI Section 38(1)(b) – Personal data]  
Cc: [Redacted – FoI Section 38(1)(b) – Personal data]  
Subject: RE: Planning decisions - Hyndford Quarry

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

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Would be helpful to discuss tomorrow; appreciate that comms will have a view also.

All the best

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

---

Culture and Historic Environment Division | Scottish Government  
Area 2H North, Victoria Quay, Edinburgh, EH6 6QQ  
t| [Redacted – FoI Section 38(1)(b) – Personal data]  
e| [Redacted – FoI Section 38(1)(b) – Personal data]  
w| [www.gov.scot/Topics/ArtsCultureSport/arts/Historic-environment](http://www.gov.scot/Topics/ArtsCultureSport/arts/Historic-environment)

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

Sent: Wednesday, June 24, 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]

---

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

Sent: 06 December 2016 12:01

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

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

Thanks – maybe I should read the submission in more detail next time...

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

---

Culture and Historic Environment Division | Scottish Government  
Area 2G North, Victoria Quay, Edinburgh, EH6 6QQ

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

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

w| [www.gov.scot/Topics/ArtsCultureSport/arts/Historic-environment](http://www.gov.scot/Topics/ArtsCultureSport/arts/Historic-environment)

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

Sent: 06 December 2016 11:59

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

Yes there will be a 6 week period, from the date of the decision letter, for any aggrieved party to appeal to Court of Session. Para 10 of submission refers and para 13 of decision letter at Annex A.

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

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

Sent: 06 December 2016 11:56

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

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

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

Assuming that Mr Stewart approves this, what is the timescale going forwards? Is there a 6-week period in which the applicants can seek a court ruling?

I's asking because once this consent is finalised and can no longer be appealed, I would like to put a short sub to my Cab Sec and will also need to put a note to UNESCO to confirm the final decision, so an idea of timescales would be helpful.

Many thanks

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

---

Culture and Historic Environment Division | Scottish Government  
Area 2G North, Victoria Quay, Edinburgh, EH6 6QQ  
t| [Redacted – Fol Section 38(1)(b) – Personal data]  
e| [Redacted – Fol Section 38(1)(b) – Personal data]  
w| [www.gov.scot/Topics/ArtsCultureSport/arts/Historic-environment](http://www.gov.scot/Topics/ArtsCultureSport/arts/Historic-environment)

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 – FoI 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]

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From: [Redacted – FoI Section 38(1)(b) – Personal data]  
Sent: 01 March 2017 15:41  
To: [Redacted – FoI Section 38(1)(b) – Personal data]  
Subject: FW: Hyndford

[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: 22 November 2016 09:55  
To: [Redacted – FoI Section 38(1)(b) – Personal data]  
Cc: [Redacted – FoI 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

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

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From: [Redacted – Fol Section 38(1)(b) – Personal data]  
Sent: 01 March 2017 15:39  
To: [Redacted – Fol Section 38(1)(b) – Personal data]  
Subject: FW: Hyndford

[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: 28 November 2016 12:40  
To: [Redacted – Fol Section 38(1)(b) – Personal data]  
Subject: RE: Hyndford

Thank you!

[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: 28 November 2016 12:39  
To: [Redacted – Fol Section 38(1)(b) – Personal data]  
Cc: [Redacted – Fol Section 38(1)(b) – Personal data]  
Subject: RE: Hyndford

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

Sorry for the delay.

There are no wider sensitivities at the moment in terms of New Lanark. There are frequent sensitivities with Edinburgh but I don't think that's relevant here. I would go with:

“UNESCO no longer appears to have ongoing concerns over New Lanark. The decision of UNESCO's World Heritage Committee during its 40th session in July 2016 (Istanbul) is attached, and show that UNESCO feels that the state Party has responded appropriately to its requests, and they no longer feel that New Lanark is under threat. UNESCO has stated that as a result, no further report on the state of conservation of New Lanark is required in the future, unless in the event of a new threat or development at the property”.

As broader background, you'll note that UNESCO quotes CEMEX as having stated “CEMEX unequivocally recognizes that World Heritage sites are no go areas for extractive activities, and nothing in either the sites or their Buffer Zones must interfere with their Outstanding Universal Value (OUV) nor impinge in any way on their setting), notes specifically that “Regarding the New Lanark World Heritage site, CEMEX acknowledges the recent decision of Scottish Ministers and is committed to working together with the Ministers, the local authority, relevant NGOs and other interested parties to ensure the ongoing best interests of the World Heritage site, its

OUV and setting.” I don’t know where this precise quote has come from but there are a few internet sources that show CEMEX has worked with UNESCO on treatment of WHS

<http://www.cemex.com/SustainableDevelopment/files/CemexSustainableDevelopmentReport2015.pdf>

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

---

Culture and Historic Environment Division | Scottish Government  
Area 2G North, Victoria Quay, Edinburgh, EH6 6QQ  
t| [Redacted – Fol Section 38(1)(b) – Personal data]  
e| [Redacted – Fol Section 38(1)(b) – Personal data]  
w| [www.gov.scot/Topics/ArtsCultureSport/arts/Historic-environment](http://www.gov.scot/Topics/ArtsCultureSport/arts/Historic-environment)

From: [Redacted – Fol Section 38(1)(b) – Personal data]  
Sent: 28 November 2016 06:40  
To: [Redacted – Fol Section 38(1)(b) – Personal data]  
Cc: [Redacted – Fol 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 – Fol 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

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

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From: [Redacted – Fol Section 38(1)(b) – Personal data]  
Sent: 28 November 2016 13:34  
To: [Redacted – Fol Section 38(1)(b) – Personal data]  
Subject: RE: Hyndford

That is great – thank you!

[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: 28 November 2016 13:31  
To: [Redacted – Fol Section 38(1)(b) – Personal data]  
Subject: RE: Hyndford

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

Sorry meant to say earlier I have nothing to add and was awaiting Andrew's input.  
See you tomorrow!

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

From: [Redacted – Fol Section 38(1)(b) – Personal data]  
Sent: 28 November 2016 06:40  
To: [Redacted – Fol Section 38(1)(b) – Personal data]  
Cc: [Redacted – Fol 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 – Fol 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

L

---

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 – Unrelated to proposal]

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

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 Andrew.

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 – Unrelated to proposal]

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 - Section 42 Application at The Pleasance Kirkfieldbank

[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 – Fol Section 38(1)(b) – Personal data] I think we might want to say something in the Hyndford submission (perhaps in the consideration and/or the presentation sections) about the points raised by [Redacted – Fol Section 38(1)(b) – Personal data] which come from UNESCO's request that Heritage Impact Assessment be carried out both on Hyndford and the Pleasance before permission was granted. Putting the Pleasance to one side, I have had a look at the Hyndford conditions and there is no mention of a Heritage Impact Assessment being required through the AMSC stage. This is perhaps justified because Ministers wish only to approve the southern element, so less or no need for HIA. But I think we should mention what UNESCO and [Redacted – Fol Section 38(1)(b) – Personal data] were seeking and why it is not appropriate, with further input from Andrew Burke if necessary.

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: Chief Planner; [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 – Unrelated to proposal]

Thanks. I'm aware of this. It is for me and Alan in relation to work Andrew Burke 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: [Redacted – Fol Section 38(1)(b) – Personal data]  
Subject: FW: New Lanark WHS Buffer Zone - [Redacted – Unrelated to proposal]

[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 – personal details  
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]  
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 – Unrelated to proposal]

[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 – Unrelated to proposal]

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: 15 July 2015 08:02  
To: [Redacted – Fol Section 38(1)(b) – Personal data]  
Subject: FW: EIA and UNESCO methodology for Heritage Impact Assessment (HIA)

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

Further to my earlier e-mail. For filing too.

Ta

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

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

Sent: 14 July 2015 18:15

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

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

Subject: EIA and UNESCO methodology for Heritage Impact Assessment (HIA)

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

You may be aware that UNESCO issued a decision in summer 2014 (attached) relating to New Lanark WHS, specifically in response to concerns over a housing development proposal and a quarry extension proposal (Hyndford Quarry) within the buffer zone of the WHS. The decision included a number of requests and recommendations. None of these have been taken up, because Hyndford Quarry was called in (due process was ongoing) and outline planning permission had already been given for the Pleasance housing (no opportunity to change or influence).

Culture and Historic Environment Division will need to develop a response to this decision and provide UNESCO (via DCMS as UK State Party) with a report on the state of conservation of the WHS later this year. I have asked Historic Scotland to develop a draft, which will need to address the specific requests and recommendations made by UNESCO. I have had some previous correspondence with HS on points 4 and 5 of the decision, in which UNESCO requests that further Heritage Impact Assessment (HIA) should be undertaken in line with ICOMOS methodology: [http://www.icomos.org/world\\_heritage/HIA\\_20110201.pdf](http://www.icomos.org/world_heritage/HIA_20110201.pdf) . This is a line that is promoted with increasing regularity by UNESCO.

Historic Scotland has advised me “The applications were subject to a full Environmental Impact Assessment (EIA) and therefore incorporated heritage impacts rather than having a separate HIA – to do otherwise would be to breach the law in respect of planning system in the UK and the European Directive on EIA which requires that a single accessible document dealing with all environmental impacts is provided. Historic Scotland advocates the UNESCO methodology for the heritage assessment but cannot compel its use. Historic Scotland, as a statutory consultee for EIA cases, assess the efficacy of the assessment to ensure the impacts on the historic environment, both positive and negative, have been properly considered to inform decisions”.

I would welcome your view on this assertion that requesting a separate HIA from an applicant would be in breach of UK planning law and the European Directive on EIA. Historic Scotland has never raised this point with me before and it is not something that has come up in any previous discussions with DCMS or Historic England. Is this something that I should ask SGLD about?

I should add that I am not concerned either way as to what the answer is here – I simply want to ensure that our response to UNESCO is factually watertight.

More than happy to discuss if this helps,

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

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Culture and Historic Environment Division | Scottish Government  
Area 2H North, Victoria Quay, Edinburgh, EH6 6QQ

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

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

w| [www.gov.scot/Topics/ArtsCultureSport/arts/Historic-environment](http://www.gov.scot/Topics/ArtsCultureSport/arts/Historic-environment)



United Nations  
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منظمة الأمم المتحدة  
للتربية والعلم والثقافة

联合国教育、  
科学及文化组织

## The Culture Sector Division for Heritage

H.E. Mr Matthew Sudders  
Ambassador,  
Permanent Delegate of the United  
Kingdom of Great Britain and  
Northern Ireland to UNESCO  
UNESCO House

Ref.: CLT/HER/WHC/7375/KM/PT

15 July 2014

Subject : **State of conservation of the property "New Lanark"**

Dear Ambassador,

I have the honour to inform you that, at its 38th session (Doha, 2014), the World Heritage Committee examined the state of conservation of the property "New Lanark".

You will find attached in Annex I the Decision **38 COM 7B.37** adopted by the Committee at its 38th session. You will find the full list of Decisions adopted during this session on our website at:

<http://whc.unesco.org/en/sessions/38COM>

Let me draw your attention to the fact that the Committee requested the State Party to submit an updated report on the state of conservation of the property and on the implementation of its recommendations by **1 December 2015**, for consideration at its 40th session in 2016. Moreover, the Committee encouraged the State Party to consider inviting an ICOMOS advisory mission to the property to review the potential adverse impacts of the Pleasance Housing and Hyndford Quarry projects.

Please note that in accordance with the Decision **38 COM 7**, state of conservation reports for properties subject to a 2-year or longer cycle of examination should be submitted by **1 December of the year preceding the examination** by the Committee, and no longer by 1 February of the year of examination.

I would be grateful if you could ensure the timely submission of the requested information to the World Heritage Centre. To help your national authorities in the preparation of the necessary documents, please find enclosed in Annex II an indicative format for the submission of a report on the state of conservation of a property.


Furthermore, the Committee encouraged the States Parties to authorize the upload of their reports for public access on the website of the World Heritage Centre, in order to contribute to improving the transparency of the reactive monitoring process (Decision **38 COM 7**). When submitting your report, I would appreciate if you could indicate whether the report can be made publicly available on the World Heritage Centre's website (<http://whc.unesco.org/en/soc>).

7, place de Fontenoy  
75352 Paris 07 SP, France  
Tél. : +33 (0)1 45 68 14 40  
Fax : +33 (0)1 45 68 55 70

[www.unesco.org](http://www.unesco.org)

- 2 -

Let me take this opportunity to thank you for your continued cooperation and support in the implementation of the *World Heritage Convention* and please accept, dear Ambassador, the assurances of my highest consideration.

Kishore Rao   
Director  
World Heritage Centre

cc: UK National Commission for UNESCO  
National Focal Points for World Heritage  
ICOMOS International  
ICCROM



**ANNEX I**

**Extract of the Decisions adopted the World Heritage Committee at its 38th session (Doha, 2014)**

**New Lanark (United Kingdom of Great Britain and Northern Ireland) (C 429rev)**

**Decision: 38 COM 7B.37**

The World Heritage Committee,

1. Having examined Document WHC-14/38.COM/7B.Add,
2. Notes the report submitted by the State Party on two planning applications for the Pleasance Housing proposals and the extension of the Hyndford Quarry;
3. Expresses its concern about the potential adverse impacts of the Hyndford Quarry extension and Pleasance Housing projects on the Outstanding Universal Value (OUV) of the World Heritage property and its buffer zone;
4. Requests the State Party to suspend any further decisions on the planning applications for Hyndford Quarry and Pleasance Housing to allow for the elaboration of heritage impact assessments for each of the development projects, and also notes the decision of the ministers to call-in the planning application for Hyndford Quarry for scrutiny through an inquiry or hearing before their final decision;
5. Also requests the State Party to submit to the World Heritage Centre as soon as available the Heritage Impact Assessments for the Hyndford Quarry extension and Pleasance Housing projects, elaborated in accordance with the ICOMOS Guidance;
6. Encourages the State Party to take up consultations with the Advisory Bodies and the World Heritage Centre regarding adequate modifications to the projects as currently proposed, and to consider inviting an ICOMOS advisory mission to the property to review the potential adverse impacts of the Pleasance Housing and Hyndford Quarry projects as well as the overall state of conservation of the property and its buffer zone, before further decisions are made;
7. Further requests the State Party to notify the World Heritage Centre of any decision or development on the above matters as soon as available and to submit to the World Heritage Centre, by **1 December 2015**, an updated report, including a 1-page executive summary, on the state of conservation of the property and the implementation of the above, for examination by the World Heritage Committee at its 40th session in 2016.



ANNEX I

**Extract of the Decisions adopted the World Heritage Committee at its 38th session (Doha, 2014)**

**Decision: 38 COM 7B.37**

The World Heritage Committee,

1. Having examined Document WHC-14/38.COM/7B.Add,
2. Notes the report submitted by the State Party on two planning applications for the Pleasance Housing proposals and the extension of the Hyndford Quarry;
3. Expresses its concern about the potential adverse impacts of the Hyndford Quarry extension and Pleasance Housing projects on the Outstanding Universal Value (OUV) of the World Heritage property and its buffer zone;
4. Requests the State Party to suspend any further decisions on the planning applications for Hyndford Quarry and Pleasance Housing to allow for the elaboration of heritage impact assessments for each of the development projects, and also notes the decision of the ministers to call-in the planning application for Hyndford Quarry for scrutiny through an inquiry or hearing before their final decision;
5. Also requests the State Party to submit to the World Heritage Centre as soon as available the Heritage Impact Assessments for the Hyndford Quarry extension and Pleasance Housing projects, elaborated in accordance with the ICOMOS Guidance;
6. Encourages the State Party to take up consultations with the Advisory Bodies and the World Heritage Centre regarding adequate modifications to the projects as currently proposed, and to consider inviting an ICOMOS advisory mission to the property to review the potential adverse impacts of the Pleasance Housing and Hyndford Quarry projects as well as the overall state of conservation of the property and its buffer zone, before further decisions are made;
7. Further requests the State Party to notify the World Heritage Centre of any decision or development on the above matters as soon as available and to submit to the World Heritage Centre, by **1 December 2015**, an updated report, including a 1-page executive summary, on the state of conservation of the property and the implementation of the above, for examination by the World Heritage Committee at its 40th session in 2016.

**Indicative Format for a State(s) Party(ies) Report  
on the state of conservation of a World Heritage property  
inscribed on the World Heritage List**

**Name of World Heritage property (State(s) Party(ies)) (Identification number)**

- 1. Response from the State(s) Party(ies) to the World Heritage Committee's Decision, paragraph by paragraph.**  
*[Note: this information has to refer to developments over the past year or since the last decision of the Committee for this property.]*
- 2. Other current conservation issues identified by the State(s) Party(ies)**  
*[Note: this concerns conservation issues that are not mentioned in the Decision of the World Heritage Committee or in any information request from the World Heritage Centre.]*
- 3. In conformity with paragraph 172 of the Operational Guidelines, please describe any major restorations, alterations and/or new construction(s) envisaged within the protected area and its buffer zone and/or corridors.**

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From: [Redacted – Fol Section 38(1)(b) – Personal data]  
Sent: 02 February 2016 16:54  
To: [Redacted – Fol Section 38(1)(b) – Personal data]  
Subject: FW: Hyndford and UNESCO

Shall we add??????

I do not think it adds any value.

Ta

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

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From: [Redacted – Fol Section 38(1)(b) – Personal data]  
Sent: 02 February 2016 16:49  
To: [Redacted – Fol Section 38(1)(b) – Personal data]  
Subject: Hyndford and UNESCO

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

Having read the State of Conservation Report, I don't think there is much point in going into detail in the sub to Mr Neil. If anything, I would suggest the following, but even then, only include if you think it adds something meaningful.

"UNESCO was informed in December 2015 of Ministers' intention that there should be no quarrying within the buffer zone of New Lanark World Heritage Site. We do not anticipate any response from UNESCO until May, when it publishes its agenda and papers for the annual session of the World Heritage Committee in July 2016".

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

I Policy Manager

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Culture and Historic Environment Division | Scottish Government  
Area 2H North, Victoria Quay, Edinburgh, EH6 6QQ  
t| [Redacted – FoI Section 38(1)(b) – Personal data]  
e| [Redacted – FoI Section 38(1)(b) – Personal data]  
w| [www.gov.scot/Topics/ArtsCultureSport/arts/Historic-environment](http://www.gov.scot/Topics/ArtsCultureSport/arts/Historic-environment)

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

Sent: 02 February 2016 16:59

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

Subject: RE: Hyndford and UNESCO

All good.

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

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Culture and Historic Environment Division | Scottish Government  
Area 2H North, Victoria Quay, Edinburgh, EH6 6QQ  
t| [Redacted – FoI Section 38(1)(b) – Personal data]  
e| [Redacted – FoI Section 38(1)(b) – Personal data]  
w| [www.gov.scot/Topics/ArtsCultureSport/arts/Historic-environment](http://www.gov.scot/Topics/ArtsCultureSport/arts/Historic-environment)

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

Sent: Tuesday, February 2, 2016 16:56

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

Subject: FW: Hyndford and UNESCO

Thanks. I do not think it is worth flagging this up but thanks for checking. I will see what [Redacted – FoI Section 38(1)(b) – Personal data] says.

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

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

Sent: 02 February 2016 16:49

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

Subject: Hyndford and UNESCO

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

Having read the State of Conservation Report, I don't think there is much point in going into detail in the sub to Mr Neil. If anything, I would suggest the following, but even then, only include if you think it adds something meaningful.

“UNESCO was informed in December 2015 of Ministers’ intention that there should be no quarrying within the buffer zone of New Lanark World Heritage Site. We do not anticipate any response from UNESCO until May, when it publishes its agenda and papers for the annual session of the World Heritage Committee in July 2016”.

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

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Culture and Historic Environment Division | Scottish Government  
Area 2H North, Victoria Quay, Edinburgh, EH6 6QQ  
t| [Redacted – Fol Section 38(1)(b) – Personal data]  
e| [Redacted – Fol Section 38(1)(b) – Personal data]  
w| [www.gov.scot/Topics/ArtsCultureSport/arts/Historic-environment](http://www.gov.scot/Topics/ArtsCultureSport/arts/Historic-environment)

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

Sent: 28 November 2016 12:39

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

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

Subject: RE: Hyndford

Attachments: Omnibus inc New Lanark - State of conservation of properties inscribed o....pdf

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

Sorry for the delay.

There are no wider sensitivities at the moment in terms of New Lanark. There are frequent sensitivities with Edinburgh but I don't think that's relevant here. I would go with:

“UNESCO no longer appears to have ongoing concerns over New Lanark. The decision of UNESCO's World Heritage Committee during its 40th session in July 2016 (Istanbul) is attached, and show that UNESCO feels that the state Party has responded appropriately to its requests, and they no longer feel that New Lanark is under threat. UNESCO has stated that as a result, no further report on the state of conservation of New Lanark is required in the future, unless in the event of a new threat or development at the property”.

As broader background, you'll note that UNESCO quotes CEMEX as having stated “CEMEX unequivocally recognizes that World Heritage sites are no go areas for extractive activities, and nothing in either the sites or their Buffer Zones must interfere with their Outstanding Universal Value (OUV) nor impinge in any way on their setting), notes specifically that “Regarding the New Lanark World Heritage site, CEMEX acknowledges the recent decision of Scottish Ministers and is committed to

working together with the Ministers, the local authority, relevant NGOs and other interested parties to ensure the ongoing best interests of the World Heritage site, its OUV and setting.” I don’t know where this precise quote has come from but there are a few internet sources that show CEMEX has worked with UNESCO on treatment of WHS

<http://www.cemex.com/SustainableDevelopment/files/CemexSustainableDevelopmentReport2015.pdf>

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

---

Culture and Historic Environment Division | Scottish Government  
Area 2G North, Victoria Quay, Edinburgh, EH6 6QQ  
t| [Redacted – Fol Section 38(1)(b) – Personal data]  
e| [Redacted – Fol Section 38(1)(b) – Personal data]  
w| [www.gov.scot/Topics/ArtsCultureSport/arts/Historic-environment](http://www.gov.scot/Topics/ArtsCultureSport/arts/Historic-environment)

From: [Redacted – Fol Section 38(1)(b) – Personal data]  
Sent: 28 November 2016 06:40  
To: [Redacted – Fol Section 38(1)(b) – Personal data]  
Cc: [Redacted – Fol 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 – Fol 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

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

**[Attachment below]**

## **II. OMNIBUS**

As part of its functions and within the Reactive Monitoring process, each year the World Heritage Committee examines the state of conservation of a number of selected properties, inscribed on the World Heritage List and on the List of World Heritage in Danger, and

those that are under threats (see Paragraph 169 of the *Operational Guidelines*). To this effect, the World Heritage Centre and the Advisory Bodies prepare detailed reports on the state of conservation ( “SOC reports” ) of those properties which are presented for examination to the Committee (see Documents WHC/16/40.COM/7A, 7A.Add, 7B and 7B.Add). On the basis of these reports, the World Heritage Committee decides, in consultation with the State Party concerned and as per Paragraph 24 of the *Operational Guidelines*, whether additional measures are required to protect the property.

However, after a careful review of the state of conservation reports submitted by the States Parties concerned, the World Heritage Centre and the Advisory Bodies are of the view that, in a number of cases, the requests made by the World Heritage Committee to the State Party have been responded to in a satisfactory manner by the authorities concerned and/or adequate measures have been taken (for example, a comprehensive Management Plan for the property has been finalized or a development project potentially affecting the Outstanding Universal Value of the property has been cancelled) and that the property can therefore no longer be considered under threat. In this sense, and in the context of the ever-growing workload of the World Heritage Committee, the World Heritage Centre and the Advisory Bodies consider that it is not necessary to present yet another detailed SOC report for examination by the World Heritage Committee but rather a brief summary of the progress achieved for the conservation of such properties, which can therefore be removed from the Reactive Monitoring process.

With Draft Decision **40 COM 7B.105** proposed below, the World Heritage Committee is therefore invited to note with satisfaction that its requests have been addressed by the States Parties concerned and that in the judgment of the World Heritage Centre and the Advisory Bodies, the Outstanding Universal Value of the properties listed below is no longer under threat. As a result, no further report on the state of conservation of these properties is required in the future, unless in the event of a new threat or development at the property.

## **CULTURAL PROPERTIES**

### **EUROPE AND NORTH AMERICA**

#### **Walled City of Baku with the Shirvanshah's Palace and Maiden Tower (Azerbaijan) (C 958)**

The State Party submitted a state of conservation report on 10 December 2015, a summary of which is available at <http://whc.unesco.org/en/list/958/documents/>. The report provides information on measures implemented by the Administration of the State Historical-Architectural Reserve “Icherisheher” (SHAHAR) in response to the decisions of the World Heritage Committee as follows:

- Formulating and adopting guidance for a consistent conservation and maintenance approach to the buildings within the property through development and adoption of relevant rules and guidelines;
- Improvement of the management model and development of the Integrated Area Management Action Plan (IAMAP) and General Detailed Conservation Master Plan of the Historical Centre of State of conservation of properties WHC/16/40.COM/7B, p. 193  
Inscribed on the World Heritage List Baku (CMP), thereby maintaining the adequate state of conservation of historical-architectural monuments. SHAHAR is collaborating with other state agencies on the “Greater Baku Regional Development Plan” project, which is informed by the Historic-Urban Landscape approach;
- Strengthening of the effective implementation of the moratorium on further construction, elevation and inappropriate transformation of historical buildings within the property by undertaking regular inspections and monitoring, as well as by upgrading



24/7 CCTV control and security service on the territory. SHAHAR is also working closely with local residents to facilitate voluntarily removal of illegal constructions;

- The “Living City” approach has successfully been applied to improve and maintain better living conditions within the Walled City of Baku, and necessary actions to initiate and support rehabilitation of decayed historic buildings are being taken.

The World Heritage Centre and the Advisory Bodies are of the view that the state of conservation of the property is being adequately addressed by the State Party. The State Party is encouraged to continue with the implementation of all relevant measures and plans, defining appropriate degrees of intervention for each element of the property, and giving consideration to defining a larger protection zone, in order to prevent any threats to its Outstanding Universal Value.

### **Bolgar Historical and Archaeological Complex (Russian Federation) (C 981rev)**

On 30 November 2015, the State Party submitted a state of conservation report, which is available at <http://whc.unesco.org/en/list/981/documents/>, and addresses the progress made in the implementation of the Decision adopted by the World Heritage Committee at its 38th session (Doha, 2014).

The report provides information on measures implemented in response to the decisions of the Committee as follows:

- *The development of the management plan* has been carried out on the basis of the concept as presented in the nomination dossier. On 15 February 2016, the State Party submitted the management plan to the World Heritage Centre for review by the Advisory Bodies. It includes strategic objectives for the integrated plan of preservation and management of the Bolgar Historical and Archaeological Complex and highlights some gaps in legal and regulatory protection for parts of the property (the Island) and for the buffer zone;
- *A system of monitoring* has been developed on the assumption of the main objective of preservation of the Outstanding Universal Value of the Bolgar Historical and Archaeological Complex. This system includes precise indications to observe and document the state of conservation of the property;
- *The relocation of the tent village set up for pilgrims* was completed in 2014. As from summer 2015, the camp has been functioning on its new location;
- *In 2015, the work has begun to establish a comprehensive site archive and store* in order to collect all data, reports and archaeological finds, in a centralized facility in the vicinity of the property;
- *The treatment of surfaces of historical materials* has been reduced and minimized in order to make a clear distinction between historic and added materials. Newly revealed archaeological objects undergo consolidation after their excavation in order to provide constructive stability of the elements of the ruins.

On 11 November 2015, the State Party informed the World Heritage Centre of the intention to develop the Bolgar Islamic Academy as a spiritual and educational centre to serve the increasing number of pilgrims to the property following its inscription on World Heritage List. The letter also announces the possibility to build additional training facilities and a dormitory 300-400m away from the White Mosque.

State of conservation of properties WHC/16/40.COM/7B, p. 194 Inscribed on the World Heritage List Taking into account ICOMOS recommendations regarding this project, on 14 March 2016, the State Party submitted to the World Heritage Centre the Heritage Impact Assessment of the project for review by ICOMOS.

The World Heritage Centre and the Advisory Bodies are of the view that the Committee's recommendations are being addressed continuously by the State Party and no further reporting is required in the short term. The State Party is encouraged to continue with

the implementation of the measures requested by the Committee and with those envisaged in the Management Plan, notably the establishment and enforcement of legal and regulatory protection measures for the part of the property not yet protected and for the buffer zone, in order to ensure an appropriate state of conservation and to prevent threats from affecting its Outstanding Universal Value, in particular from activities outside the boundaries of the World Heritage property.

### **New Lanark (United Kingdom of Great Britain and Northern Ireland) (C 429rev)**

On 10 December 2015, the State Party submitted a state of conservation report (available at <http://whc.unesco.org/en/list/429/documents>), which addresses progress made in the implementation of World Heritage Committee Decision **38 COM 7B.37**, adopted at its 38th session (Doha, 2014) regarding the potential adverse impacts of the Hyndford Quarry extension and Pleasance Housing projects on the Outstanding Universal Value (OUV) of the property and its buffer zone.

The State Party responded that on the Hyndford Quarry, following a Public Inquiry, the proposed extension of the quarry within the buffer zone of the property was referred to Scottish Ministers and has been turned down. Furthermore, the World Heritage Centre and the Advisory Bodies note that following the negative outcome of the Inquiry, the CEMEX company, which had submitted the application, announced a new commitment related to all World Heritage sites. This commitment specifically mentions this property in addition to its general commitment to World Heritage, which states that *“CEMEX unequivocally recognizes that World Heritage sites are no go areas for extractive activities, and nothing in either the sites or their Buffer Zones must interfere with their Outstanding Universal Value (OUV) nor impinge in any way on their setting*), *notes specifically that “Regarding the New Lanark World Heritage site, CEMEX acknowledges the recent decision of Scottish Ministers and is committed to working together with the Ministers, the local authority, relevant NGOs and other interested parties to ensure the ongoing best interests of the World Heritage site, its OUV and setting.”*

The stopping of the Hyndford Quarry development in the buffer zone and the unequivocal abovementioned new commitment given by the developer are to be welcomed.

Regarding the Pleasance Housing development, the State Party responded that approval in principle was given for this development in 2012. Although the local council has stipulated that detailed plans will be scrutinized by Historic Environment Scotland, these may not come forward as formal planning applications. If they do, a Heritage Impact Assessment (HIA) will be carried out before final approval is given, in which event the State Party will submit the HIA to the World Heritage Centre, for review by the Advisory Bodies.

The State Party further noted that funding recently awarded to New Lanark Trust will go towards restoration works within the property that address key conservation issues identified in the management plan.

The setting of the property is however still vulnerable as the Pleasance Housing development has been given approval in principle on a landscape site visible from the property without a detailed HIA being undertaken. It is noted that HIAs will not necessarily be required for the detailed plans for this development, unless they are submitted for full planning.

The outcome of these two developments suggests that the setting of the property needs to be more adequately defined, particularly in relation to how it supports the OUV of the property, so that HIAs are undertaken well in advance of development projects in the setting being considered for approval. State of conservation of properties WHC/16/40.COM/7B, p. 195 Inscribed on the World Heritage List

### **Monumental Earthworks of Poverty Point (United States of America) (C 1435)**



On 24 November 2015, the State Party submitted a state of conservation report, which is available at <http://whc.unesco.org/en/list/1435/documents/> and addresses the progress made in the implementation of World Heritage Committee Decision **38 COM 8B.39**, adopted at its 38th session (Doha, 2014), when Monumental Earthworks of Poverty Point was inscribed on the World Heritage List on the basis of criterion (iii). The Committee recommended the State Party to pay attention to the following matters:

- Continuing its policy of land acquisition in parallel with scientific investigations with a view to establishing favorable conditions to enlarge the limits of the property in case research results would suggest doing so;
- Continuing to implement and assess best management practices that have been successful in minimizing the impact of Highway 577 on the visitor experience at the site;
- Continuing to build capacity and expertise within the management system to profit from the existing Geographical Information Systems (GIS) approach.

The State Party reported on all three items. Following initial research covering about 12% of the Poverty Point Compatible Use Zone (PPCUZ) which was established in 2014 in a 5km radius around the property, acquisition of the privately owned land is not envisaged as research has not identified any significant attributes that enhance the Outstanding Universal Value. Some research is ongoing and some land acquisitions are envisaged for future visitor facilities. Furthermore, measures have been taken in terms of road signage, speed limits and traffic monitoring to minimize the impacts of the Highway 577 on the site visitors' overall experience. Finally, the State Party expanded the use of the Geographical Information Systems (GIS) as a tool for site management.

The World Heritage Centre and the Advisory Bodies are of the view that the Committee's recommendations are being addressed continuously by the State Party and no further reporting is required in the short term. The State Party is encouraged to continue with the implementation of the measures requested by the Committee, in order to ensure an appropriate state of conservation and to prevent threats from affecting its Outstanding Universal Value, in particular from activities outside the boundaries of the World Heritage property.

**Draft Decision: 40 COM 7B.105**

*The World Heritage Committee, 1. Having examined Document WHC/16/40.COM/7B, 2. Takes note with satisfaction of the measures taken by the States Parties concerned to address its previous requests to mitigate the threats on the Outstanding Universal Value of the following World Heritage properties:*

- **Walled City of Baku with the Shirvanshah's Palace and Maiden Tower (Azerbaijan),**
- **Bolgar Historical and Archaeological Complex (Russian Federation),**
- **New Lanark (United Kingdom of Great Britain and Northern Ireland),**
- **Monumental Earthworks of Poverty Point (United States of America);**

*3. Encourages the States Parties concerned to pursue their efforts to ensure the conservation of World Heritage properties;*

*4. Recalling the benefits to States Parties of systematically utilizing Heritage Impact Assessments (HIAs) and Environmental Impact Assessments (EIAs) in the review of State of conservation of properties WHC/16/40.COM/7B, p. 196*

Inscribed on the World Heritage List



H. E. Mr Matthew Sudders  
Ambassador, Permanent Delegate  
Permanent Delegation of the United  
Kingdom of Great Britain and Northern  
Ireland to UNESCO  
Maison de l'UNESCO  
Bureau M3.06  
1, rue Miollis  
75732 PARIS Cedex 15

Our Ref. GB/MA 1485

Charenton-le-Pont, 17 December 2014

World Heritage List 2015

**The Forth Bridge (United Kingdom)**  
**- Additional information II**

Dear Sir,

ICOMOS is currently assessing the nomination of The Forth Bridge as a World Heritage property. We thank you for the additional information you provided on 4 October 2014 and 24 October 2014.

As part of our evaluation process, the ICOMOS World Heritage Panel has now reviewed this nomination, including the additional information received, and has identified areas where it considers further information is needed.

**Buffer Zone**

ICOMOS understands the contention that the nominated property's surroundings are protected by means of the local planning system and existing heritage designations. We welcome the proposal to consider the suite of existing cultural and natural heritage designations that are described and mapped in a document submitted in October 2014 entitled "Forth Bridge Bridgehead Zone" as forming the basis of a *de facto* buffer zone for the nominated property. For the purposes of effective protection of the nominated property, as outlined in paragraphs 103 and 104 of the *Operational Guidelines*, the relevant marine (water) area of the estuary should also be included. This suite of designations along with the relevant marine (water) area now need to be officially confirmed and submitted by the State Party as constituting the *de facto* buffer zone.

We believe that a consolidated map and description of the suite of cultural and natural heritage designations and the chosen marine area that collectively comprise this "Bridgehead Zone" should be created and disseminated for the benefit of stakeholders, regulatory and planning officials, and interested parties.

A limited number of key viewsheds and views of the bridge also need to be selected, mapped, and included in the appropriate planning instruments and Property Management Plan, with the objective of ensuring their protection.

**Management System**

ICOMOS considers that the authority or authorities responsible for the relevant marine (water) area of the estuary need to be included in the management system for the property, and should be involved in the identification of the key viewsheds mentioned above.

The institutionalization of the current Steering Group needs to be clarified, and the presence of the Forth Bridge Partnership Management Agreement Group as a technical body for managing and monitoring the property needs to be confirmed.

We believe that a clearer presumption against the construction of wind turbines within the key viewsheds of the bridge needs to be made in the appropriate planning instruments and the Property Management Plan.

## Interpretation and Tourism Plan

An interpretation and tourism plan that fully respects the proposed Outstanding Universal Value of the nominated property needs to be developed in full consultation with local residents. This plan should be included as part of the Property Management Plan, or as an adjunct to it.

Could a timetable please be provided that indicates when each of these recommended improvements will be undertaken and when each is expected to be completed.

We look forward to your responses to these points, which will be of great help in our evaluation process.

We would be grateful if you could provide ICOMOS and the World Heritage Centre with the above information by **28 February 2015** at the latest.

We thank you in advance for your kind cooperation.

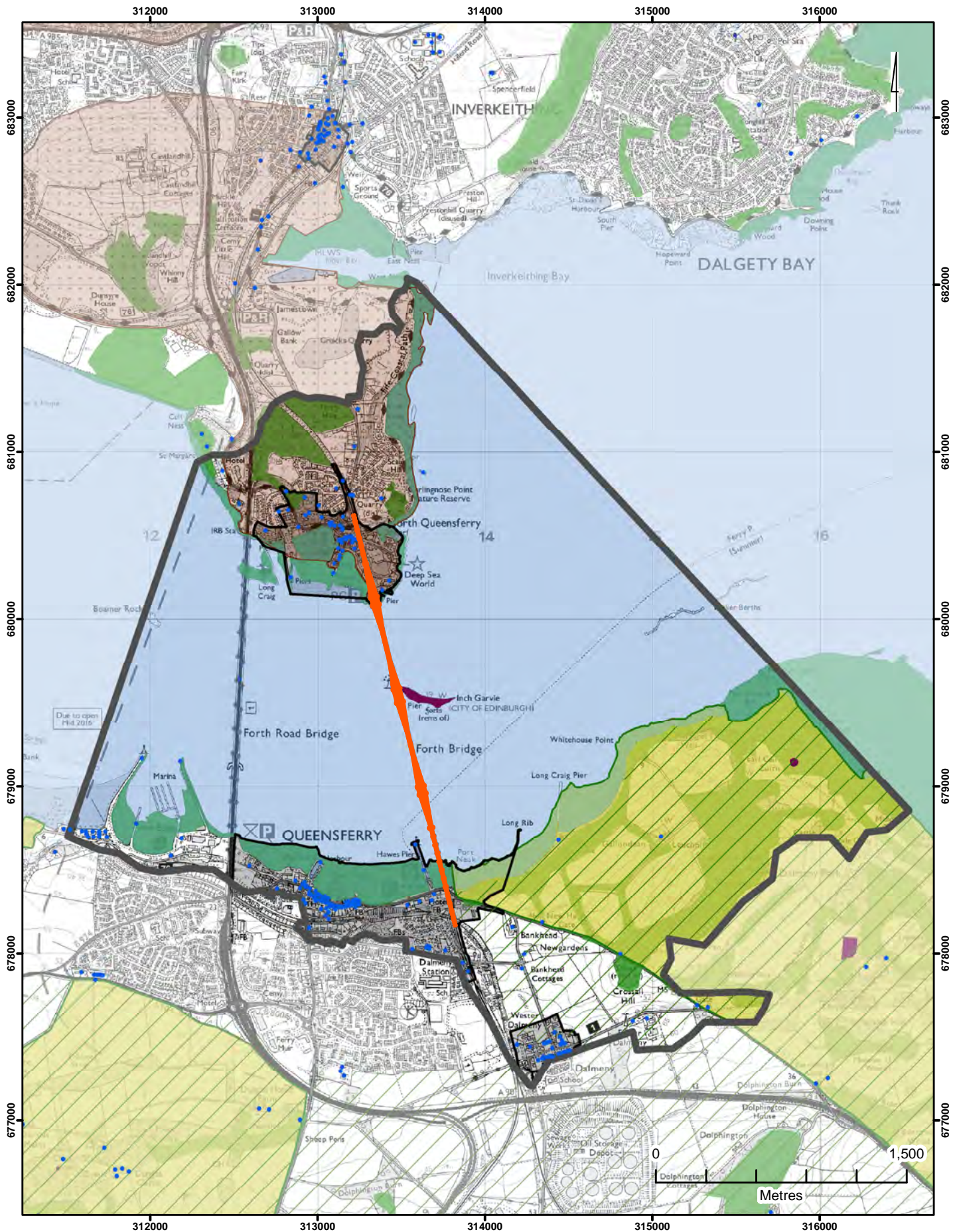
Yours faithfully

*[Signature]*

Regina Durighello  
Director  
World Heritage Programme

Copy to Historic Scotland  
UNESCO World Heritage Centre





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# Title:

The Forth Bridge: Bridgehead Zone

## Scale:

1 : 30,000 @ A4

## Projection:

British National Grid

# Key

- Nominated Property
- Bridgehead Zone Boundary
- Inventory Battlefield
- Conservation Area
- Gardens and Designed Landscape

- Listed Building
- Scheduled Monument
- Natural Heritage Protected Sites
- Marine Planning Area
- Green Belt



Document 22: Relates to Forth Bridge and consists of information in scope from the following communications:

Note:

Communications are presented in chronological order, from earliest to latest. However, as email chains are presented with the most recent at the top, each separate email chain is separated by a double horizontal line in order to help the reader identify the order of communications.

Where email communications have attachments, these are appended below the main text of the email, prefaced by **[attachment below]**.

Where attachments to communications are not included in this document because they have already been included elsewhere, this is also explained in square brackets. For example - **[attachment already supplied elsewhere in this document]**

#### Attachments supplied separately

Email	Document type	Attachment reference
[redacted name] Sent: 24 Feb 2015 10:19	Word Document	Forth Bridgehead Designations ICOMOS
[redacted name]Sent :24 Feb 2015 10:19	PDF	UK additional information
[redacted name]Sent: 25 February 2015 16:26	Word Document	Forth Bridge WH Nomination
[redacted name] Sent: 25 February 2015 16:26	PDF	Bridgehead Zone Map

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From: [redacted name]  
Sent: 20 February 2015 15:05  
To: [redacted 2 names]  
Subject:RE: Risk Matrix and Timeline  
Attachments: Forth Bridge nomination risk matrix - 20 Feb 2015.docx; FORTH BRIDGE WORLD HERITAGE NOMINATION 2015 TIMELINE LW&ADPB.DOCX

Thanks for this [redacted name], some further comments in the attached timetable, and also to note that some of the points in the timeline refer to 5 Feb as still in the future. We've consolidated the matrix following your comments and included a RAG rating. We've also suggested current 'holder' of activity and next steps, and I should stress that beyond initiation by HEPU, much of the activity will fall to HS going forward.

We will use the timetable matrix to seek updates from HS as to progress from here on in, and will update following phone call with [redacted name] next week (now moved to Friday morning).



Subject to any final comments you have we'll share the matrix and timeline with senior folk.

Best wishes,  
[redacted name]

PS current Edinburgh media interest is now at Piloti level, as you probably know, but pasted below for interest).

## NOOKS and CORNERS

**T**HE former new home for Edinburgh's 'ancient' High School stands on a magnificent site on the side of Calton Hill overlooking the city. It was designed by Thomas Hamilton and, after much debate and considerable expense, built in fine Craigleith stone in 1825-29. Ever since it has been recognised as a monument of exceptional quality; a masterpiece of Greek Revival architecture and one of the principal glories of the "Athena of the North".

John Summerson thought it "the noblest monument of the Scottish Greek Revival"; while for Alexander "Greek" Thomson it was one of "unquestionably the two finest buildings in the kingdom" (the other was St George's Hall in Liverpool). So it is extraordinary that such a monument is threatened with being prostituted by its guardians, but so it is.

The school itself moved to the suburbs in 1968. A decade later, with a referendum planned on Scottish devolution, the Royal High School building was chosen as the home of the proposed Scottish parliament. Given its commanding site and proximity to St Andrew's House, and its impressive architectural authority, this was an admirable choice. The interior of the central block was then converted into a debating chamber – but no parliament arrived.

When Scottish devolution was revived in the 1990s, Donald Dewar, Tony Blair's secretary of state for Scotland, was determined the parliament should be elsewhere. He dismissed the High School as a "nationalist shibboleth" and chose a low-lying, symbolically unfortunate site opposite Holyrood Palace for the new parliament.

Thanks to Dewar's neophobic prejudice, Hamilton's masterpiece remained empty and redundant. In 2003 it was proposed to house the Scottish National Photography Centre here, but this was scuppered by Jack McConnell, the first minister (Lab), who declined to match the funding offer from the Heritage Lottery.

In 2008 Edinburgh city council began a marketing exercise to find a new use for the High School, with a development brief to ensure its architectural integrity and the views to and from it were respected. The following year Historic Scotland insisted that "any alterations or additions to the Hamilton building must be minimally scaled, discrete, clearly differentiated from the original and justified by absolute functional need."

The council's choice fell on Duddingstone House Properties, which wants to turn the High School into a five-star luxury hotel. Proposals were then worked up by Gareth Hoskins, an ambitious architect who has been flavour-of-the-month for far too long (*Eyes passim*). To make the hotel viable, Hoskins proposed adding two large and conspicuous, symmetrical detached wings to contain 150 rooms placed at an angle to the listed building – faced, needless to say, largely with glass.

It had always been recognised that a modest new structure could be built to the east on the site of later school extensions, but any development to the west would destroy the High School's splendid isolation on the flank of Calton Hill. So Edinburgh's own development team was moved to "express our strong initial concerns with the emerging designs..." and Historic Scotland said it "would be unable to support the proposed scheme."

But Duddingstone House Properties carried on, ignoring advice from Historic Scotland, from the Architectural Heritage Society of Scotland and others – Edinburgh World Heritage considering that "the development team was simply asking too much of the site."

Back in 2004, when a conservation plan was drawn up for the photography museum project, it was stated that "the exterior of the High School should be treated as a work of art. It should not be altered or extended in any way that changes its appearance, form, or massing." It is indeed a brilliant composition of entrances and doors on different levels, projecting pavilions and colonnades with, in the centre, rising unconventionally above a bare wall, a grand Doric portico. But Hoskins proposes to add a staircase, cut in new windows and add conservatory-style extensions, although, as Historic Scotland points out, "these blank areas of elevation are of great importance to the integrity and significance of the building."

After publishing misleading and inadequate perspective sketches and after minimal public consultation, and ignoring the results of "workshops" with interested parties, the developers are now applying for planning permission and listed building consent for their £55m scheme. Meanwhile, it has emerged that although Edinburgh council was committed to maintaining the empty building, it is now in disgracefully poor condition. And when, in 2012, it was proposed to add it to the public Buildings at Risk Register, the council successfully asked that it be removed from the website as "its inclusion could influence potential buyers." Such devious secrecy raises the question of why the council is so keen to oblige this developer when others were seriously interested back in 2008.

Last year, before the independence referendum, it was often claimed that Scotland was more egalitarian, less in thrall to free-market ideology than England. Yet the capital of Scotland seems prepared to surrender this noble monument to the demands of cynical plutocratic capitalism, acquiescing in a gratuitously excessive scheme which will require the spoiling and demeaning of a supreme masterpiece of architectural and landscape art, a symbolic monument which represents the ideals of the Scottish Enlightenment. This is not just hypocrisy; it is real barbarism.

*'Piloti'*

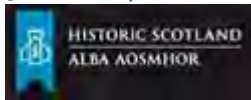


**From:** [redacted name]  
**Sent:** 18 February 2015 17:42  
**To:** [redacted 2 names]  
**Subject:** Risk Matrix and Timeline

[redacted name], [redacted name],  
Please find attached an amended timeline and the risk matrix. There are hardly any changes to the matrix, which seems good to me. The timeline has some red bits showing a few alterations. Again, it has not changed hugely.  
Let me know if you see any gaps or any serious issues that I need to address, or if you want to discuss some of the content.  
Many thanks,  
[redacted name]

[redacted name]  
Head of Industrial Heritage and Digital  
Conservation Directorate  
Historic Scotland  
Longmore House  
Salisbury Place  
Edinburgh EH9 1SH  
Scotland

[redacted personal details]



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From: [redacted name]  
Sent: 23 February 2015 09:35  
To: [redacted name]  
Cc: [redacted 5 names]  
Subject: ICOMOS letter response Feb 2015 (2)  
Attachments: ICOMOS letter response Feb 2015 (final).docx; Forth Bridgehead Designations ICOMOS Supplementary Response Feb 2015 final.docx

Importance: High

Hello [redacted name],

Very many thanks for checking through these documents so carefully. Given the end-of-the-week deadline, I have attempted to address your points and have edited the letter and Annex into a state in which they are almost ready to go. I have also attempted to provide answers to your questions below, beneath the general points. Let me know if there's anything outstanding that needs to be addressed.



## GENERAL POINTS

- Overall, the letter comes across as a bit light on confirmed buy-in on the part of the marine authorities. The assurance to ICOMOS is that Marine Scotland and Forth Ports are copied in to Steering Group papers, and CE has been invited onto the Steering Group. Is that as far as the engagement has reached and is there anything further that can be said to strengthen the response to this point? **We are constrained by the fact that the Marine Planning System is not yet in place, but it will be soon. This explains the light touch. Note that we received the direct of Philip Robertson with this.**
- Annex A comes across as a bit light on protection of setting of the FB as an A Listed building. ICOMOS is seeking specific assurances in relation to a presumption against wind turbines. While it may not be possible to give that assurance (see comments in document), and while every planning application must be judged on its own merits, should we seek to bolster the response by reassuring ICOMOS that setting can be protected under existing planning policies? The nomination dossier covers this in relation to DMPR (5.b) – worth reiterating? **OK, I have added a reference to pp. 88-90 in the context of the wind farms.**
- Last, we are mindful that commitments / statements made in the context of securing inscription may be used against HS / Ministers in coming years. While my comments above are aimed at bolstering and clarifying the response, we would strongly recommend a final sense-check that everybody is happy that the content of this does not leave future hostages to fortune.

**We can safely say the following:**

- **We have consulted all our key stakeholders in the latest phase**
- **From the outset of the Nomination process, we have set about ensuring that we minimise the burden of World Heritage listing, first by nominating (against the wishes of many in the heritage community, one of whom wanted us to include a colony of gannets) only the Bridge, and then by relying upon the existing protective designations and the Partnership Management Agreement to oversee the property.**
- **We have also taken advantage of the existence of the Forth Bridges Forum, and will use it to provide a streamlined system of governance which involves all the key stakeholders**
- **Finally, we have taken a stand and chosen to resist ICOMOS and some World Heritage Committee members' explicitly stated view that all World Heritage properties should have a Buffer Zone. This is probably the biggest risk to a clear run at inscription, and has created a lot of work. We know this is the right thing to do, but there is a possibility that we will have to yield at the World Heritage Committee, should it prove to be a major sticking point. Fingers crossed!**

## ICOMOS LETTER

**1. Bridghead Zone:** **We can confirm[LW1] that this is being disseminated to stakeholders, regulatory officials and planners through the Forth Bridges Forum and its network of interested parties . We can provide evidence of this in emails and minutes.**

[ADPB2]Does the table at the end include / cover the timescale for this provision of material to stakeholders et al? **yes - item 1.1 - they have already been involved in this process**

**2. Nine Key Viewsheds:** [LW1]Would be good to see timescale for this? **This is 1.2 in the table**

[ADPB2] ICOMOS specifically asked that this exercise should include marine authorities also. **Good point - I have added marine into the paragraph** Can we give that assurance? Also, does table include timescale? **yes, 1.2**

3. **Scotland National Marine Plan:** [LW1]Does this apply to St Kilda? Sentence also quite hard to wade through... I assume so. We crafted the wording relating to marine issues with Philip Robertson, and it's a little tricky because the system is not quite in place yet, which is one explanation for the light touch... For this reason, my preference is not to tamper with it.

4. **Wind Turbines:** [ADPB1]Is there a presumption against wind turbines? If so, where? In the vicinity of World Heritage Sites? I don't know that this sentence will be reassuring enough to satisfy ICOMOS, who as seeking presumption against wind turbines specifically within viewsheds, to be expressed in planning instruments and Management Plan. Is this as much as we can say? All the Local Authorities have a presumption against wind turbines near to the Bridge as part of their planning policies. I have changed the wording to reflect this

5. **Partnership Management Agreement (PMA):**

[LW1]Suggest refer to relevant section of the management plan where this is discussed. We did not state this explicitly in the Management Plan (chicken/egg – worry about being presumptuous about inscription at the time). So I have left this as it stands

## Annex A

2. **Listed Buildings:** [ADPB1] Should this section include LDP policies for setting of LBs / ref to DMPPR? We are trying to keep this annex as simple as possible as it is a summary, especially as they already have most of the information they need in the dossier. Happy to discuss if you think otherwise

3. **Wind Farms:** And a further question resulting from the LDP2 discussion this week, do we know the extent of planned/consented wind farms likely to be deemed to have an impact on the setting (as per risk matrix)? we understand that there are currently no proposed wind farms in the vicinity of the property.

Thanks once again for all your help with this. Two 'final' versions of the documents are attached. Let me know if you need anything more before they go off to London.

All the very best,

[redacted name]

**From:** [redacted name]

**Sent:** 19 February 2015 16:32

**To:** [redacted name]

**Cc:** [redacted 4 names]

**Subject:** FW: ICOMOS letter response Feb 2015 (2)

Hello [redacted name],

Please see attached our comments on the draft ICOMOS response. Most of these are not formal requests for changes but are simply to highlight points / ask questions that the nomination team might want to double-check (i.e. have these points been

considered fully and is the nomination team comfortable that the letter says exactly what is intended and that no opportunities are being missed?). And a further question resulting from the LDP2 discussion this week, do we know the extent of planned/consented wind farms likely to be deemed to have an impact on the setting (as per risk matrix)?

We also have a few general observations for you to consider:

- Overall, the letter comes across as a bit light on confirmed buy-in on the part of the marine authorities. The assurance to ICOMOS is that Marine Scotland and Forth Ports are copied in to Steering Group papers, and CE has been invited onto the Steering Group. Is that as far as the engagement has reached and is there anything further that can be said to strengthen the response to this point?
- Annex A comes across as a bit light on protection of setting of the FB as an A Listed building. ICOMOS is seeking specific assurances in relation to a presumption against wind turbines. While it may not be possible to give that assurance (see comments in document), and while every planning application must be judged on its own merits, should we seek to bolster the response by reassuring ICOMOS that setting can be protected under existing planning policies? The nomination dossier covers this in relation to DMPR (5.b) – worth reiterating?
- We have not checked the maps so offer no comment in respect of these.
- Last, we are mindful that commitments / statements made in the context of securing inscription may be used against HS / Ministers in coming years. While my comments above are aimed at bolstering and clarifying the response, we would strongly recommend a final sense-check that everybody is happy that the content of this does not leave future hostages to fortune.

Hope this helps and as ever happy to discuss

All best,  
[redacted name]

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**From:** [redacted name]  
**Sent:** 23 February 2015 13:42  
**To:** [redacted name]  
**Subject:** UK Delegation in Bonn

Hello [redacted name],  
I have a question for [redacted name] relating to what is expected of the UK generally when it comes to a physical, visual presence. As we know, quite a lot of the other

countries put on exhibitions or have a stand of some sort. I get the impression that the Brits don't do that sort of thing, but it would be useful to know if something might be expected of us in connection with the nomination. We could, for example, manufacture a Forth Bridge pull-up stand, if need be, but on the grounds of sheer laziness, I'm hoping nothing is required...

All the best,

[redacted name]

[redacted name]

Head of Industrial Heritage and Digital

Conservation Directorate

Historic Scotland

Longmore House

Salisbury Place

Edinburgh EH9 1SH

Scotland

[redacted personal details]



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From: [redacted name]

Sent: 24 February 2015 10:19

To: [redacted name]

Cc: [redacted 2 names]

Subject: Forth Bridge Nomination Reply to ICOMOS

Attachments: Forth Bridgehead Designations ICOMOS Supplementary Response Feb 2015

final.docx; ICOMOS letter response Feb 2015 (final).docx;

UK\_Additional\_information\_17122014 17-12-14.pdf

[redacted name]

I attach the final reply to ICOMOS (international council on monuments and sites) to their most recent request for further information for the Forth Bridge nomination (their letter also attached for reference). We have worked with the nomination team on the draft. They have taken our comments on board and we feel it is as good as it can be. It has been cleared by Ian and Diana.

This needs to be with DCMS tomorrow for onward transmission to ICOMOS by their deadline of the end of February. I'd be grateful if you could let me know if you are content for us to send on.

Also to note our conversation with the ambassador was rescheduled to Friday morning and I will report back after that.

Thanks,  
[redacted name]

**[attachment below]**

[redacted name]  
Director, World Heritage Programme  
ICOMOS  
[redacted personal details]  
??<sup>th</sup> February 2015

Your Ref.: GB/MA 1485

Dear [redacted name],

**The Forth Bridge (United Kingdom) -- Additional information II**

Thank you for your letter of 17<sup>th</sup> December 2014, and for the opportunity to provide further information in support of the Forth Bridge World Heritage nomination.

You requested information in relation to the 'Bridgehead Zone', the Management System, and plans for Interpretation and Tourism. I hope that the information provided in the paragraphs and table below meet with the requirements of your evaluation team.

**1. Buffer Zone**

We have prepared a summary description of the suite of designations in a separate document accompanying this letter (see Annex A). With the exception of the projected marine planning area, all of these designations are already explained in more detail in the Nomination Dossier (Nomination Document, pp. 88 to 96, and Management Plan pp. 26 to 37).

We have also included in the attached document and also separately a consolidated map of the 'Bridgehead Zone' depicting the cultural and natural heritage designations, together with the marine planning area. We can confirm that this is being disseminated to stakeholders, regulatory officials and planners through the Forth Bridges Forum and its network of interested parties.

Similarly, we are in the process of finalising with the planning authorities, City of Edinburgh and Fife Councils, the selection of the nine key viewsheds from those provided in the Nomination Dossier. These will be mapped and included in the appropriate local authority and marine planning instruments in order to ensure their protection.

The Steering Group acknowledges the desirability of incorporating the relevant marine and estuary management systems into the management of the property's

setting. These systems are undergoing a strengthening process, and the resulting 'Scottish National Marine Plan' is currently before parliament and about to be implemented. We will therefore work directly through Marine Scotland as the Marine Planning Authority, and liaise with Forth Ports as the navigation authority, and the owner of the seabed, the Crown Estate (see Annex A).

## 2. Management System

Since the Technical Evaluation Mission in October, the Steering Group has contacted all the relevant organisations involved in the regulation of the Marine Planning Area around the Property. These include the owners of the sea bed, Crown Estates, the regulators of the main harbour, Forth Ports, and the government regulator, Marine Scotland. As a consequence, we are including these organisations in the business circulation of the Steering Group, and have invited Paul Bancks, the local Coastal Development Manager for The Crown Estates to join the Steering Group.

At the same time, as stated in Item 1 above, we have explicitly included marine protection in the suite of designations included in the Bridgehead Zone, and have depicted this on the revised map (see Annex A). 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. Scottish Marine Regions and Marine Planning Partnerships are to be established to address matters at a local level. Marine protection will also be included in an updated version of actions contained within the Management Plan, and will be co-ordinated with the key viewsheds. We will also monitor the existing local authorities' presumption against the construction of large wind turbines whether onshore or offshore. Information on the statutory protection of the setting of the property, which includes potential wind farm developments, can be found pages 88-90 in the Nomination Dossier.

Whilst not being presumptuous about inscription, we acknowledge the need to institutionalise the existing Steering Group. Indeed, the Group, and its parent organisation, the Forth Bridges Forum, will be discussing this issue at its next meeting. At the same time, the property's **Partnership Management Agreement (PMA)**, which is reviewed and renewed annually, will formally incorporate World Heritage into its remit. The PMA Group's work will routinely feed into the management and monitoring of the property, and be fed back to the Steering Group.

## 3. Interpretation Plan

The Management Plan cited several opportunities and actions focused on the development of an 'Audience Development Plan', but we recognise that the development of separate Interpretation and Tourism Plans is more practical.

Several interpretation activities were included in the Management Plan's actions, and progress is already being made with a number of these. Perhaps the most significant of these is the 3D digital documentation of the property using laser scanning technologies, a pilot project having been successfully completed last year.

Funding for a full digital documentation project has now been secured, and work will commence in April 2015.

The resulting data will provide a valuable resource from which a wide range of interpretation applications can be developed. Some of these will have great education potential. The project has already engaged third-year engineering students at Edinburgh Napier University, and will link up with the Institution of Civil Engineers.

We agree that this, and other interpretation projects, need to be co-ordinated within an Interpretation Plan. For this reason, the Steering Group decided to commence the process of developing an Interpretation Plan at its most recent meeting (5 February). This task is now added to the updated list of actions in the Management Plan, and will also involve the local communities.

#### **4. Tourism Plan**

The need for the development of a Tourism Plan plan that fully respects the proposed Outstanding Universal Value of the nominated property has been recognised for some time, and was one of the reasons for the creation by the Forth Bridges Forum of its 'Tourism Project Group' last year, led by VisitScotland, the national tourism organisation for Scotland. The group is working with the local communities, stakeholders and all partners, including Transport Scotland and the owners of the Property, Network Rail, and seeks to co-ordinate and manage the impact of tourism in the area around the property through the creation of a Tourism Marketing Strategy. This will then be used to develop a Tourism Plan and has been added to the updated list of actions in the Management Plan.

A number of initiatives have already commenced, including consultancy work around facilities, signage, visitor access, marketing, retail and potential income generation from tourism in the area around the Forth Bridges. Furthermore, work is under way on the development of a proposed *Forth Bridge Experience* project which hopes to see the introduction of visitor centres at each end of the Bridge. The intention is that these will provide exhibition space and education facilities as well as public access to the nominated property, and will be a major contributor to the development of a sustainable tourism offering and a major education asset in the region.

Proposals for the visitor centres are being progressed with sensitivity towards the nomination process and the views of local residents and will be put out to public consultation later this year. Meanwhile, the two local authorities, Fife and City of Edinburgh Councils, have already embarked upon the collection of traffic data in the areas around the property with the aim of reviewing road traffic patterns and intensity, public transport and local infrastructure. The local communities regularly contribute to progress on this.

#### **5. Improvement Timetable**

We will take action to implement these improvements as follows:

Actions	Comment	Start	Deadline
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	Actions	Comment	Start	Deadline
1.1	<b>Setting - Bridgehead Zone:</b> adoption and assimilation into local authority Development Plans and planning guidance	<b>In progress:</b> New consolidated map completed and attached to this submission. Marine planning included. Bridgehead Zone map circulated to key stakeholders, including Planning Authorities. Summary description of suite of designations in <b>Annex A</b> .	07-10-2014	31-12-2015
1.2	<b>Setting – Viewshed:</b> agree selection of the 9 key viewsheds with the planning authorities. These will be mapped and included in the appropriate planning instruments, ensuring their protection.	<b>In progress</b> , using the viewsheds defined in the Nomination Dossier. Linkages will be made with supplementary guidance to the relevant Local Development Plans	07-10-2014	31-12-2015
2.1	<b>Management System: Marine management.</b> Marine protection will also be included in an updated version of actions contained within the Management Plan, and will be co-ordinated with the key viewsheds.	<b>In progress</b> - completion awaiting implementation of new marine legislation and the establishment of Scottish Marine Regions and a Marine Planning Partnership.	07-10-2014	31-12-2015
2.2	<b>Management System: Institutionalisation of the current Steering Group</b>	<b>In progress:</b> is being addressed by the Steering Group	07-10-2014	31-12-2015
2.3	<b>Management System: formalising the Partnership Management Agreement (PMA)</b>	<b>In progress:</b> PMA to be reviewed and renewed, and more formal ties with the World Heritage Steering Group established through PMA Group	07-10-2014	30-09-2015
2.4	<b>Management System: Wind Turbines</b>	<b>In progress:</b> we will ensure that any proposed onshore or offshore wind turbines are given full assessment in terms of potential impacts on the setting of the bridge.	05-02-2015	31-12-2015
3.	<b>Interpretation Plan</b>	<b>In Progress:</b> Steering Group has agreed to commence work on the Plan, including existing actions relating to Audience Development, all of which will involve the local communities.	05-02-2015	31-12-2015
4.	<b>Tourism Plan</b>	<b>In Progress:</b> Tourism Group established and already working on Tourism Strategy. Steering Group has started work on the Tourism Plan in consultation with the local	05-02-2015	31-12-2015



	Actions	Comment	Start	Deadline
		communities.		
5.	<b>Management Plan: Actions update</b>	<b>In progress:</b> the lists of Actions outlined in the Management Plan will be updated and refreshed for 2015-16 issued later this year, together with a progress report	05-02-2015	31-08-2015 ongoing annually to 2021

We hope very much that the additional information we have provided answers your questions. If, however, you require further information or clarification, please do not hesitate to let us know.

Yours sincerely,

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Department of Culture, Media & Sport  
4<sup>th</sup> Floor, 100 Parliament Street  
London SW1A 2BQ  
[redacted personal details]

**[attachment word document reference: Forth Bridgehead Designations ICOMOS]**

**[attachment PDF reference: UK additional information]**

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From: [redacted name]  
Sent: 24 February 2015 11:53  
To: [redacted name]  
Cc: [redacted 2 names]  
Subject: RE: Forth Bridge Nomination Reply to ICOMOS

Thanks [redacted name], we'll remove that reference ([redacted name] was keen to emphasise that the area is well regulated, but agree on reflection it does look a bit odd. We can always clarify the roles further if asked.

[redacted name]

**From:** [redacted name]  
**Sent:** 24 February 2015 11:49  
**To:** [redacted name]  
**Cc:** [redacted 2 names]  
**Subject:** RE: Forth Bridge Nomination Reply to ICOMOS

Thanks, [redacted name]. Looks good to me. (Only question concerns the description of Marine Scotland as “government regulator” which struck as a little odd?)

[redacted name]



[redacted name]  
Acting Deputy Director, Culture and Historic Environment Division  
The Scottish Government  
[redacted personal details]

**From:** [redacted name]  
**Sent:** 24 February 2015 10:19  
**To:** [redacted name]  
**Cc:** [redacted 2 names]  
**Subject:** Forth Bridge Nomination Reply to ICOMOS

[redacted name]

I attach the final reply to ICOMOS (international council on monuments and sites) to their most recent request for further information for the Forth Bridge nomination (their letter also attached for reference). We have worked with the nomination team on the draft. They have taken our comments on board and we feel it is as good as it can be. It has been cleared by [redacted name] and [redacted name].

This needs to be with DCMS tomorrow for onward transmission to ICOMOS by their deadline of the end of February. I'd be grateful if you could let me know if you are content for us to send on.

Also to note our conversation with the ambassador was rescheduled to Friday morning and I will report back after that.

Thanks,  
[redacted name]

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From: [redacted name]  
Sent: 25 February 2015 16:26  
To: [redacted name]  
Cc: [redacted name]  
Subject: FW: Forth Bridge nomination  
Attachments: Forth Bridge nomination letter - Feb 2015.docx; Forth Bridge WH Nomination Supplementary Information.docx; Forth Bridge nomination - Evaluation - Bridgehead Zone Map - annex to letter.pdf

[redacted name]

Please note email below. Will let you know if / when receipt acknowledged.

[redacted name]

[redacted name] | Policy Manager

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Historic Environment Policy Unit | Culture and Historic Environment Division | Scottish Government,  
Victoria Quay, Edinburgh, EH6 6QQ  
[redacted personal details]

**From:** [redacted name]

**Sent:** Wednesday, February 25, 2015 15:55

**To:** [redacted 2 names]

**Subject:** Fwd: Forth Bridge nomination

For information

 <b>Department for Culture Media &amp; Sport</b>	<p>[redacted name] World Heritage Site and Underwater Policy Advisor</p> <p>[redacted personal details]</p> <p> @dcms  /dcmsgovuk   <a href="http://www.gov.uk/dcms">www.gov.uk/dcms</a></p>
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----- Forwarded message -----

From: [redacted name]

Date: 25 February 2015 at 15:54

Subject: Forth Bridge nomination

To: [redacted name]

Cc: [redacted 4 names]

Dear [redacted name],

Please find attached a letter with further information regarding the nomination for the Forth Bridge. Do let me know if you require further information at this point.

Kind regards,  
[redacted name]

 <b>Department for Culture Media &amp; Sport</b>	<p>[redacted name] World Heritage Site and Underwater Policy Advisor</p> <p>[redacted personal details]</p> <p> @dcms  /dcmsgovuk   <a href="http://www.gov.uk/dcms">www.gov.uk/dcms</a></p>
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[attachment already supplied elsewhere in this document see: UK Additional information].

[attachment word document reference: Forth Bridge WH Nomination]

[attachment pdf reference: Bridgehead Zone Map]

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From: [redacted name]  
Sent: 27 February 2015 14:45  
To: [redacted name]  
Cc: [redacted 3 names]  
Subject: Note of telephone meeting with Matthew Sudders - 27 Feb 2015  
Attachments: Note of telephone meeting with Matthew Sudders - 27 Feb 2015.docx

[redacted name],

Here is a note of our conversation with Mr Sudders this morning for info. Wanted to let you have sight of this fuller description, though and am going to do a slimmed down version for sharing with [redacted name], ExA colleagues and HS.

Thanks  
[redacted name]

[attachment below]

**Note of telephone meeting with Matthew Sudders, UK Ambassador to UNESCO, 27 February 2015 (SG representatives [redacted name] and [redacted name])**

1. We discussed our preparations for the UNESCO World Heritage Committee meeting in Bonn in late June and early July, describing some of the work we have been doing to minimise risk to the success of the Forth Bridge nomination, particularly in relation to keeping UNESCO informed about potential World Heritage issues in Scotland. Mr Sudders thanked us for our efforts.
2. We asked Mr Sudders if there was anything in particular that he would want us to do in preparation for the publication of ICOMOS's report and recommendation on inscription in May. He took the view that there is probably not much we can do to prepare for that except be ready to work quickly with him to agree our answers to any queries raised in the report. He also seemed comfortable that we already have our thinking prepared for the most likely issues (visitor centre proposals, the electrification of the line, the lack of a buffer zone).

3. We also asked if he had any suggestions on contacting UNESCO over the ongoing media attention to Edinburgh's World Heritage site, particularly given the stated intention of one campaigner to contact UNESCO asking for WH status to be stripped. He mentioned that we are in a strong position if we have already reported any potential developments to UNESCO (which we have) but could see the value in alerting UNESCO if we are aware that a campaigner is planning to get in touch with them.
4. We advised Mr Sudders that we expect Ministers to reach a decision on Hyndford Quarry planning application (New Lanark) some time in April or May. He advised that if ICOMOS / UNESCO does delay FB inscription for any reason, we would then be looking at returning at the 2016 committee. If other Scottish WHS have attracted UNESCO attention (New Lanark is already on the 2016 agenda and UNESCO will undoubtedly be interested in Edinburgh too) we could potentially be looking at the Forth Bridge, New Lanark and Edinburgh all appearing on the committee agenda. Mr Sudders seemed keen to maintain a low profile for potential issues with other WHS in Scotland until the Forth Bridge inscription is complete.
5. Scottish representation on the UK delegation – Mr Sudders wants to keep the numbers to a minimum. We will need to provide an expert to answer expert questions about the nomination. [redacted name] is already attending and we are giving thought to whom from HEPU might attend.
6. Mr Sudders suggested that if we are confident of achieving inscription, we might seek to send a Scottish VIP. He was keen for the VIP 'accepting the honour' to be Scottish Govt rather than UK Govt – the expectation from UNESCO would be for a local VIP, not national.
7. We also discussed stakeholders, with Mr Sudders observing that the heritage stakeholder sector can be quite challenging. We briefly discussed the activities of ICOMOS UK but without any clear conclusion. Luke described

#### **Next steps:**

We have assured Mr Sudders that the comms handling will be closely managed across the various Scottish nomination partners and DCMS. **ACTION – HS to arrange meeting of comms**

We will maintain contact with Hilary Izon over the next few weeks in order to ensure that we can continue our discussions with Mr Sudders as early as possible once the ICOMOS report on FB inscription is published. **ACTION: HEPU**

We will send Mr Sudders a copy of Our Place in Time. **ACTION: HEPU**

Historic Environment Policy Unit  
27 February 2015