

**From:** [REDACTED]

**Sent:** 31 August 2018 14:28

**To:** [REDACTED]

**Cc:** [REDACTED]

**Subject:** RE: LAND AT FORMER SHANKS & McEWAN SITE, 251 GLASGOW AND EDINBURGH ROAD, COATBRIDGE - Screening direction

[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]

[REDACTED]

Happy to discuss

[REDACTED]

The Scottish Ministers have revisited the terms of their letter of 2 May 2018 and have subsequently determined to issue the following screening direction in relation to the above proposed development.

### **SCREENING DIRECTION**

The Scottish Ministers, in exercise of the powers conferred on them in terms of regulation 7(4)(a) of the Town and Country Planning (Environmental Impact Assessment (Scotland) Regulations 2017 (“the 2017 Regulations”), hereby direct that the above mentioned proposed development, being development of a description mentioned in Schedule 1 of the 2017 Regulations, is EIA development within the meaning of, and for the purposes of, the 2017 Regulations.

In terms of regulation 6(3) of the 2017 Regulations this direction supersedes the terms of the Council’s screening opinion and it supersedes our previous letter regarding screening of this proposal dated 2 May 2018.

### **Statement of reasons**

The main reason for the Scottish Ministers’ conclusion that the above proposed development is EIA development is that the proposed development is development described in paragraph [ ] of Schedule 1 to the 2017 Regulations and as such is Schedule 1 development within the meaning of the 2017 Regulations. As it is

Schedule 1 development it is also EIA development within the meaning of, and for the purposes of, the 2017 Regulations.

A copy of this Screening Direction and statement or reasons has been sent to the appellant, the planning authority and [ person to whom 2 may letter was sent ].

**From:** [REDACTED]  
**Sent:** 31 August 2018 14:00  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** LAND AT FORMER SHANKS & McEWAN SITE, 251 GLASGOW AND EDINBURGH ROAD, COATBRIDGE - Screening direction

Hi [REDACTED]

[REDACTED] and I are just preparing a submission for the Minister about the screening direction for Energy from Waste site we were discussing yesterday. The Annex to the submission will contain the content of the actual direction letter, which I would be grateful if you would review. As you will note (extract below) it is not an overally wordy letter with most of the important detail in para 3, where I have tried to explain how this has come about. I have aimed to find a form of words that makes sense to me but you may have a different view based on your knowledge and experience.

If possible, it would be great to get this submission up to the Minister today and not waste any more time but appreciate the heavy demands on your time.

Cheers!

[REDACTED]

-----

#### ANNEX – DRAFT SCREENING DIRECTION

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997  
PLANNING APPEAL: ALTERATIONS TO APPROVED PLANS FOR ENERGY  
FROM WASTE (EfW) PROCESSING BUILDING (PLANNING PERMISSION REF.  
09/00675/FUL) ON LAND AT FORMER SHANKS & McEWAN SITE, 251  
GLASGOW AND EDINBURGH ROAD, COATBRIDGE  
SCREENING DIRECTION**

The Scottish Ministers, in exercise of the powers conferred on them in terms of regulation 7(4)(a) of the Town and Country Planning (Environmental Impact Assessment (Scotland) Regulations 2017 (2017 Regulations), hereby direct that the above mentioned proposed development, falls within the descriptions given in Schedule 1 of the above regulations and, as such, consider the proposal to be EIA development within the meaning of the above regulations.

This direction supersedes the terms of the Council's screening opinion (Regulation 6(3)) and our previous letter regarding screening of this proposal dated 2 May 2018.

The reason for this Direction at this stage is due to the fact that it has become clear since we originally considered the request for a ministerial direction that the planning application submitted by the developer, which was to only consider the changes to the original planning permission granted was not feasible. This being the case, the planning permission being sought would be for the whole development not just the changes and would therefore fall within the scope of Schedule 1 of the 2017 Regulations.

A copy of this Direction has been served on the appellant, the planning authority and any other parties as required by Regulation 7(6).

**From:** [REDACTED]  
**Sent:** 13 September 2018 14:27  
**To:** [REDACTED]  
**Subject:** RE: EIA Screening Direction - Recalled Planning Appeal - Proposed EfW building, Coatbridge, North Lanarkshire

Thanks [REDACTED]

As discussed....

**From:** [REDACTED]  
**Sent:** 13 September 2018 13:44  
**To:** [REDACTED]  
**Subject:** FW: EIA Screening Direction - Recalled Planning Appeal - Proposed EfW building, Coatbridge, North Lanarkshire

[REDACTED]  
An alternate shorter reply below - content?

■

PS/Minister for Local Government, Housing and Planning

Our position on this has changed following advice from SGLD which highlighted that this planning application would have actually resulted in a new planning permission for the whole development, not just the alterations, as we had been led to believe by the format in which the application had been submitted to the local authority. This now being clear, the development as a whole constitutes Schedule 1 development requiring an EIA. We intend to make the screening direction this week.

We anticipate that the Council and the developer are likely to seek more information on why we have changed our position. In anticipation of this, we will liaise with Comms on draft lines to take.

EIA casework is an increasing area of work for the team and we are considering how we can make improvements to our handling protocol. A separate EIA handling submission will follow in the coming weeks.

[REDACTED] | Senior Planner | Planning & Architecture | Scottish Government | [REDACTED]

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

 | [gov.scot](http://gov.scot)     



**From:** [REDACTED] **On Behalf Of** Minister for Local Government, Housing and Planning

**Sent:** 10 September 2018 11:14

**To:** [REDACTED] Minister for Local Government, Housing and Planning  
<[MinisterLGHP@gov.scot](mailto:MinisterLGHP@gov.scot)>

**Cc:** Cabinet Secretary for Communities and Local Government <[CabSecCLG@gov.scot](mailto:CabSecCLG@gov.scot)>; DG Education, Communities & Justice <[DGECJ@gov.scot](mailto:DGECJ@gov.scot)>; [REDACTED]

[REDACTED] Solicitor to the Scottish Government & PS

<[DLCEAPDLSSGSSGPS@gov.scot](mailto:DLCEAPDLSSGSSGPS@gov.scot)>; Chief Planner <[Chief.Planner@gov.scot](mailto:Chief.Planner@gov.scot)>; [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED] Communications  
CSSE <[CommunicationsCSSE@gov.scot](mailto:CommunicationsCSSE@gov.scot)>; [REDACTED]  
[REDACTED]  
[REDACTED]

**Subject:** RE: EIA Screening Direction - Recalled Planning Appeal - Proposed EfW building, Coatbridge, North Lanarkshire

[REDACTED]

Mr Stewart is content with the recommendation, but would like to know why the advice on this had changed ?

Thanks

[REDACTED]

Assistant Private Secretary  
Office of Minister for Local Government, Housing & Planning  
The Scottish Government  
St Andrews House, Regent Road, Edinburgh, EH1 3DG  
Tel. [REDACTED]

All e-mails and attachments sent by a Ministerial Private Office to any other 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 recipient. Private Offices do not keep official records of such e-mails or attachments.

Scottish Ministers, Special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See [www.lobbying.scot](http://www.lobbying.scot)

**From:** [REDACTED]

**Sent:** 05 September 2018 15:55

**To:** Minister for Local Government, Housing and Planning <[MinisterLGHP@gov.scot](mailto:MinisterLGHP@gov.scot)>

Cc: Cabinet Secretary for Communities and Local Government <[CabSecCLG@gov.scot](mailto:CabSecCLG@gov.scot)>; DG Education, Communities & Justice <[DGECJ@gov.scot](mailto:DGECJ@gov.scot)>; [REDACTED]

[REDACTED] Solicitor to the Scottish Government & PS

<[DLCEAPDLSSGSSGPS@gov.scot](mailto:DLCEAPDLSSGSSGPS@gov.scot)>; Chief Planner <[Chief.Planner@gov.scot](mailto:Chief.Planner@gov.scot)>; [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] Communications

CSSE <[CommunicationsCSSE@gov.scot](mailto:CommunicationsCSSE@gov.scot)>; [REDACTED]

[REDACTED]

[REDACTED]

**Subject:** EIA Screening Direction - Recalled Planning Appeal - Proposed EfW building, Coatbridge, North Lanarkshire

PS / Minister for Local Government, Housing and Planning

**TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017: SCREENING DIRECTION: ALTERATIONS TO APPROVED PLANS FOR ENERGY FROM WASTE (EfW) PROCESSING BUILDING ON LAND AT FORMER SHANKS & McEWAN SITE, 251 GLASGOW AND EDINBURGH ROAD, COATBRIDGE, NORTH LANARKSHIRE.**

**Purpose – to note for information/general awareness**

**Purpose**

1. For the Minister to note that we intend to issue an Environmental Impact Assessment (EIA) Screening Direction advising that an EIA is required for the above, unless otherwise advised by 12<sup>th</sup> September.

**Background**

2. On 9 February 2018, North Lanarkshire Council concluded that an EIA was not required for this development. On 20 February 2018, PAD received a request from a third party [REDACTED] seeking Ministers to direct that an EIA was required. Following a note to Mr Stewart (on 19 April 2018), PAD declined that request (2 May 2018) stating we were satisfied that the issues raised did not call into question the validity of the view reached by the planning authority that an EIA was not required. North Lanarkshire Council have since refused this application, and on 15 May 2018, the developer, (North Lanarkshire Bio Power Ltd) submitted an appeal to DPEA. On 26 June 2018, a recall direction was made and the Minister will take the decision on this appeal at the relevant time. The appeal is at an early stage in the appeal process.

**Reasoning**

3. We have reviewed this case, and in screening the proposed development, account should have been taken of the entire development, not just the variations proposed in this application, and; [REDACTED]

[REDACTED]

**Presentation**

4. Any future decision to grant this development in the absence of an EIA, would be in breach of the European Directive, and subject to potential challenge. A screening direction is therefore considered necessary at this point. DPEA/the reporter would then request the developer to carry out an EIA before the appeal can be progressed. This screening direction would supersede the terms of North Lanarkshire Council's screening opinion that EIA is not required; and previous correspondence from PAD which declined to direct that EIA was required. We will prepare lines to take in liaison with communications colleagues.

### **Recommendation**

5. That we issue the Environmental Impact Assessment (EIA) Screening Direction, as attached, advising that an EIA is required copied to the appellant, the planning authority, [REDACTED] and DPEA.

[REDACTED] | Senior Planner | Planning & Architecture | Scottish Government | [REDACTED] |  
Working days: Wed, Thurs, Fri.

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

**From:** [REDACTED]

**Sent:** 26 September 2018 11:24

**To:** [REDACTED]

**Cc:** [REDACTED]

**Subject:** RE: EIA Screening Direction - Recalled Planning Appeal - Proposed EfW building, Coatbridge, North Lanarkshire (PPA-320-2125)

Hi [REDACTED]

Apologies but I cannot access the eRDM link to the document.

Can you confirm who should all get a copy of this – that info is maybe contained within the direction.

Cheers

[REDACTED]

**From:** [REDACTED]

**Sent:** 26 September 2018 11:14

**To:** [REDACTED]

**Cc:** [REDACTED]

**Subject:** FW: EIA Screening Direction - Recalled Planning Appeal - Proposed EfW building, Coatbridge, North Lanarkshire (PPA-320-2125)

**Importance:** High

Please see [REDACTED] e-mail and attachment. I suggested to [REDACTED] that we ask DPEA to issue the attached direction on our behalf as you issued the recall Direction and will have the direct names and addresses of the main parties involved with the appeal. I presume that you will have [REDACTED] address as I am certain that he will be on the Council 3<sup>rd</sup> party list. If not his electronic address is [REDACTED]. Can you please advise if DPEA will carry out this task hopefully today if possible for PAD. Please copy the other parties into your response please. I have not saved the Direction into the DPEA objective file.

Much appreciated.

[REDACTED] | Planning & Architecture | Scottish Government | [REDACTED]



**From:** [REDACTED]

**Sent:** 26 September 2018 10:33

**To:** [REDACTED]

**Cc:** [REDACTED]  
[REDACTED]

**Subject:** FW: EIA Screening Direction - Recalled Planning Appeal - Proposed EfW building, Coatbridge, North Lanarkshire

[REDACTED]

Grateful if you could arrange for the EIA screening direction to be made today.

Link to the direction attached.

Many thanks

[REDACTED]

**From:** [REDACTED]

**Sent:** 26 September 2018 10:27

**To:** [REDACTED]

**Cc:** [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**Subject:** RE: EIA Screening Direction - Recalled Planning Appeal - Proposed EfW building, Coatbridge, North Lanarkshire

[REDACTED]

Many thanks. We will arrange for the screening direction to be issued today. I'll update my copy list now. cc's please also note for info.

[REDACTED]

[REDACTED] | Senior Planner | Planning & Architecture | Scottish Government | [REDACTED] | [REDACTED]

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



**From:** [REDACTED]

**Sent:** 26 September 2018 10:17

**To:** [REDACTED]

**Cc:** Communications CSSE <[CommunicationsCSSE@gov.scot](mailto:CommunicationsCSSE@gov.scot)>; [REDACTED]

[REDACTED]  
[REDACTED]  
**Subject:** FW: EIA Screening Direction - Recalled Planning Appeal - Proposed EfW building, Coatbridge, North Lanarkshire

Hi [REDACTED]

These lines look fine thanks. Also just to advise that [REDACTED] has moved to a different team, so could you take her off your copylists?

Thanks  
[REDACTED]

**From:** [REDACTED]  
**Sent:** 19 September 2018 12:10  
**To:** Communications CSSE <[CommunicationsCSSE@gov.scot](mailto:CommunicationsCSSE@gov.scot)>; [REDACTED]  
[REDACTED]  
[REDACTED]

**Cc:** [REDACTED]  
**Subject:** FW: EIA Screening Direction - Recalled Planning Appeal - Proposed EfW building, Coatbridge, North Lanarkshire

Comms

Further to the below, we propose the following lines be used as a response to any queries received regarding the Scottish Government making this screening direction (note – direction not yet issued).

Grateful for Comms views. Also grateful for any views you may have in terms of the best timing of issuing the screening direction.

Happy to discuss.

[REDACTED]

[REDACTED] | Senior Planner | Planning & Architecture | Scottish Government | [REDACTED] | [REDACTED]

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

 |     



**From:** [REDACTED]  
**Sent:** 14 September 2018 17:32  
**To:** Minister for Local Government, Housing and Planning <[MinisterLGHP@gov.scot](mailto:MinisterLGHP@gov.scot)>  
**Cc:** Cabinet Secretary for Communities and Local Government <[CabSecCLG@gov.scot](mailto:CabSecCLG@gov.scot)>; DG Education, Communities & Justice <[DGECJ@gov.scot](mailto:DGECJ@gov.scot)>; [REDACTED]

[redacted] Solicitor to the Scottish Government & PS  
<[DLCEAPDLSSGSSGSPS@gov.scot](mailto:DLCEAPDLSSGSSGSPS@gov.scot)>; Chief Planner <[Chief.Planner@gov.scot](mailto:Chief.Planner@gov.scot)>; [redacted]  
[redacted]  
[redacted]  
[redacted]  
[redacted]  
[redacted]  
[redacted]  
[redacted] Communications  
CSSE <[CommunicationsCSSE@gov.scot](mailto:CommunicationsCSSE@gov.scot)>; [redacted]  
[redacted]

**Subject:** RE: EIA Screening Direction - Recalled Planning Appeal - Proposed EfW building, Coatbridge, North Lanarkshire

PS/Minister for Local Government, Housing and Planning

Our position on this has changed [redacted]  
[redacted]  
[redacted] This now being clear, the development as a whole constitutes Schedule 1 development requiring an EIA. We intend to make the screening direction this week.

We anticipate that the Council and the developer are likely to seek more information on why we have changed our position. In anticipation of this, we will liaise with Comms on draft lines to take.

EIA casework is an increasing area of work for the team and we are considering how we can make improvements to our handling protocol. A separate EIA handling submission will follow in the coming weeks.

[redacted] | Senior Planner | Planning & Architecture | Scottish Government | [redacted] |  
[redacted]  
General Planning Decisions enquiries should be directed to: [planning.decisions@gov.scot](mailto:planning.decisions@gov.scot)



**From:** [redacted] **On Behalf Of** Minister for Local Government, Housing and Planning  
**Sent:** 10 September 2018 11:14  
**To:** [redacted] Minister for Local Government, Housing and Planning  
<[MinisterLGHP@gov.scot](mailto:MinisterLGHP@gov.scot)>  
**Cc:** Cabinet Secretary for Communities and Local Government <[CabSecCLG@gov.scot](mailto:CabSecCLG@gov.scot)>; DG Education, Communities & Justice <[DGECJ@gov.scot](mailto:DGECJ@gov.scot)>; [redacted]  
[redacted] Solicitor to the Scottish Government & PS  
<[DLCEAPDLSSGSSGSPS@gov.scot](mailto:DLCEAPDLSSGSSGSPS@gov.scot)>; Chief Planner <[Chief.Planner@gov.scot](mailto:Chief.Planner@gov.scot)>; [redacted]

[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted] Communications  
CSSE <[CommunicationsCSSE@gov.scot](mailto:CommunicationsCSSE@gov.scot)>; [Redacted]  
[Redacted]  
[Redacted]

**Subject:** RE: EIA Screening Direction - Recalled Planning Appeal - Proposed EfW building, Coatbridge, North Lanarkshire

[Redacted]

Mr Stewart is content with the recommendation, but would like to know why the advice on this had changed ?

Thanks

[Redacted]  
Assistant Private Secretary  
Office of Minister for Local Government, Housing & Planning  
The Scottish Government  
St Andrews House, Regent Road, Edinburgh, EH1 3DG  
Tel. [Redacted]

All e-mails and attachments sent by a Ministerial Private Office to any other 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 recipient. Private Offices do not keep official records of such e-mails or attachments.

Scottish Ministers, Special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See [www.lobbying.scot](http://www.lobbying.scot)

**From:** [Redacted]  
**Sent:** 05 September 2018 15:55  
**To:** Minister for Local Government, Housing and Planning <[MinisterLGHP@gov.scot](mailto:MinisterLGHP@gov.scot)>  
**Cc:** Cabinet Secretary for Communities and Local Government <[CabSecCLG@gov.scot](mailto:CabSecCLG@gov.scot)>; DG Education, Communities & Justice <[DGECJ@gov.scot](mailto:DGECJ@gov.scot)>; [Redacted]  
[Redacted] olicitor to the Scottish Government & PS <[DLCEAPDLSSGSSGPS@gov.scot](mailto:DLCEAPDLSSGSSGPS@gov.scot)>; Chief Planner <[Chief.Planner@gov.scot](mailto:Chief.Planner@gov.scot)>; [Redacted]

[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted] Communications  
CSSE <[CommunicationsCSSE@gov.scot](mailto:CommunicationsCSSE@gov.scot)>; [Redacted]  
[Redacted]  
[Redacted]

**Subject:** EIA Screening Direction - Recalled Planning Appeal - Proposed EfW building, Coatbridge, North Lanarkshire

PS / Minister for Local Government, Housing and Planning

**TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017: SCREENING DIRECTION: ALTERATIONS TO APPROVED PLANS FOR ENERGY FROM WASTE (EFW) PROCESSING BUILDING ON LAND AT FORMER SHANKS & McEWAN SITE, 251 GLASGOW AND EDINBURGH ROAD, COATBRIDGE, NORTH LANARKSHIRE.**

**Purpose – to note for information/general awareness**

**Purpose**

1. For the Minister to note that we intend to issue an Environmental Impact Assessment (EIA) Screening Direction advising that an EIA is required for the above, unless otherwise advised **by 12<sup>th</sup> September**.

**Background**

2. On 9 February 2018, North Lanarkshire Council concluded that an EIA was not required for this development. On 20 February 2018, PAD received a request from a third party [REDACTED] seeking Ministers to direct that an EIA was required. Following a note to Mr Stewart (on 19 April 2018), PAD declined that request (2 May 2018) stating we were satisfied that the issues raised did not call into question the validity of the view reached by the planning authority that an EIA was not required. North Lanarkshire Council have since refused this application, and on 15 May 2018, the developer, (North Lanarkshire Bio Power Ltd) submitted an appeal to DPEA. On 26 June 2018, a recall direction was made and the Minister will take the decision on this appeal at the relevant time. The appeal is at an early stage in the appeal process.

**Reasoning**

3. We have reviewed this case, and in screening the proposed development, account should have been taken of the entire development, not just the variations proposed in this application, and; [REDACTED]

**Presentation**

4. Any future decision to grant this development in the absence of an EIA, would be in breach of the European Directive, and subject to potential challenge. A screening direction is therefore considered necessary at this point. DPEA/the reporter would then request the developer to carry out an EIA before the appeal can be progressed. This screening direction would supersede the terms of North Lanarkshire Council's screening opinion that EIA is not required; and previous correspondence from PAD which declined to direct that EIA was required. We will prepare lines to take in liaison with communications colleagues.

**Recommendation**

5. That we issue the Environmental Impact Assessment (EIA) Screening Direction, as attached, advising that an EIA is required copied to the appellant, the planning authority, [REDACTED] and DPEA.

██████████ | Senior Planner | Planning & Architecture | Scottish Government | ██████████ |

Working days: Wed, Thurs, Fri.

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

**From:** [REDACTED] **On Behalf Of** Minister for Local Government, Housing and Planning

**Sent:** 24 September 2018 11:59

**To:** [REDACTED] Minister for Local Government, Housing and Planning  
<MinisterLGHP@gov.scot>

**Cc:** Cabinet Secretary for Communities and Local Government <CabSecCLG@gov.scot>; DG  
Education, Communities & Justice <DGECJ@gov.scot>; [REDACTED]

[REDACTED] Solicitor to the Scottish Government & PS

<DLCEAPDLSSGSSGPS@gov.scot>; Chief Planner <Chief.Planner@gov.scot>; [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] Communications

CSSE <CommunicationsCSSE@gov.scot>; [REDACTED]

[REDACTED]

**Subject:** RE: EIA Screening Direction - Recalled Planning Appeal - Proposed EfW building, Coatbridge,  
North Lanarkshire

[REDACTED]

Thanks for this update which Mr Stewart noted.

[REDACTED]

[REDACTED]

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

[REDACTED]

[REDACTED]

Please see the [Ministerial preferences](#) which may be of assistance to you.

All e-mails and attachments sent by a Ministerial Private Office to any other 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 recipient. Private Offices do not keep official records of such e-mails or attachments.

Scottish Ministers, Special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See [www.lobbying.scot](http://www.lobbying.scot)

**From:** [REDACTED]

**Sent:** 14 September 2018 17:33

**To:** Minister for Local Government, Housing and Planning <[MinisterLGHP@gov.scot](mailto:MinisterLGHP@gov.scot)>

**Cc:** Cabinet Secretary for Communities and Local Government <[CabSecCLG@gov.scot](mailto:CabSecCLG@gov.scot)>; DG  
Education, Communities & Justice <[DGECJ@gov.scot](mailto:DGECJ@gov.scot)>; [REDACTED]

[REDACTED] Solicitor to the Scottish Government & PS

<[DLCEAPDLSSGSSGPS@gov.scot](mailto:DLCEAPDLSSGSSGPS@gov.scot)>; Chief Planner <[Chief.Planner@gov.scot](mailto:Chief.Planner@gov.scot)>; [REDACTED]

[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED] Communications

CSSE <[CommunicationsCSSE@gov.scot](mailto:CommunicationsCSSE@gov.scot)>; [REDACTED]  
[REDACTED]  
**Subject:** RE: EIA Screening Direction - Recalled Planning Appeal - Proposed EfW building, Coatbridge, North Lanarkshire

PS/Minister for Local Government, Housing and Planning

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

We anticipate that the Council and the developer are likely to seek more information on why we have changed our position. In anticipation of this, we will liaise with Comms on draft lines to take.

EIA casework is an increasing area of work for the team and we are considering how we can make improvements to our handling protocol. A separate EIA handling submission will follow in the coming weeks.

[REDACTED] Senior Planner | Planning & Architecture | Scottish Government | [REDACTED] | [REDACTED]

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



**From:** Gibson M (Mark) (MPO) **On Behalf Of** Minister for Local Government, Housing and Planning  
**Sent:** 10 September 2018 11:14  
**To:** Smith J (Jane) <[Jane.Smith@gov.scot](mailto:Jane.Smith@gov.scot)>; Minister for Local Government, Housing and Planning <[MinisterLGHP@gov.scot](mailto:MinisterLGHP@gov.scot)>  
**Cc:** Cabinet Secretary for Communities and Local Government <[CabSecCLG@gov.scot](mailto:CabSecCLG@gov.scot)>; DG Education, Communities & Justice <[DGECJ@gov.scot](mailto:DGECJ@gov.scot)>; Gallagher S (Stephen) <[Stephen.Gallagher@gov.scot](mailto:Stephen.Gallagher@gov.scot)>; Solicitor to the Scottish Government & PS <[DLCEAPDLSSGSSGPS@gov.scot](mailto:DLCEAPDLSSGSSGPS@gov.scot)>; Chief Planner <[Chief.Planner@gov.scot](mailto:Chief.Planner@gov.scot)>; Wood HB (Helen) <[Helen.Wood@gov.scot](mailto:Helen.Wood@gov.scot)>; Simpson F (Fiona) <[Fiona.Simpson@gov.scot](mailto:Fiona.Simpson@gov.scot)>; Stephen S (Suzanne) <[Suzanne.Stephen@gov.scot](mailto:Suzanne.Stephen@gov.scot)>; Carlin WR (William) <[William.Carlin@gov.scot](mailto:William.Carlin@gov.scot)>; Henderson D (David) (DPEA) <[David.Henderson3@gov.scot](mailto:David.Henderson3@gov.scot)>; Murray LMA (Lyndsey) <[Lyndsey.Murray@gov.scot](mailto:Lyndsey.Murray@gov.scot)>; Evans



A (Andrew) <[Andrew.Evans@gov.scot](mailto:Andrew.Evans@gov.scot)>; Johnston L (Leigh) <[Leigh.Johnston@gov.scot](mailto:Leigh.Johnston@gov.scot)>; Ramsay E (Elaine) <[Elaine.Ramsay@gov.scot](mailto:Elaine.Ramsay@gov.scot)>; Lawson P (Paul) <[Paul.Lawson@gov.scot](mailto:Paul.Lawson@gov.scot)>; Hunt M (Marion) <[Marion.Hunt@gov.scot](mailto:Marion.Hunt@gov.scot)>; Kerr A (Alex) <[Alex.Kerr@gov.scot](mailto:Alex.Kerr@gov.scot)>; Macleod NT (Norman) <[Norman.Macleod@gov.scot](mailto:Norman.Macleod@gov.scot)>; Jamieson K (Kirsty) <[Kirsty.Jamieson@gov.scot](mailto:Kirsty.Jamieson@gov.scot)>; Communications CSSE <[CommunicationsCSSE@gov.scot](mailto:CommunicationsCSSE@gov.scot)>; Bowman K (Katy) <[Katy.Bowman@gov.scot](mailto:Katy.Bowman@gov.scot)>; Brown L (Lesley) (Comms) <[Lesley.Brown@gov.scot](mailto:Lesley.Brown@gov.scot)>; Campbell J (Jeanette) <[Jeanette.Campbell@gov.scot](mailto:Jeanette.Campbell@gov.scot)>; McCaig C (Callum) <[Callum.Mccaig@gov.scot](mailto:Callum.Mccaig@gov.scot)>

**Subject:** RE: EIA Screening Direction - Recalled Planning Appeal - Proposed EfW building, Coatbridge, North Lanarkshire

Jane

Mr Stewart is content with the recommendation, but would like to know why the advice on this had changed ?

Thanks

**MARK GIBSON**

Assistant Private Secretary  
Office of Minister for Local Government, Housing & Planning  
The Scottish Government  
St Andrews House, Regent Road, Edinburgh, EH1 3DG  
Tel. [REDACTED]

All e-mails and attachments sent by a Ministerial Private Office to any other 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 recipient. Private Offices do not keep official records of such e-mails or attachments.

Scottish Ministers, Special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See [www.lobbying.scot](http://www.lobbying.scot)

**From:** Smith J (Jane)

**Sent:** 05 September 2018 15:55

**To:** Minister for Local Government, Housing and Planning <[MinisterLGHP@gov.scot](mailto:MinisterLGHP@gov.scot)>

**Cc:** Cabinet Secretary for Communities and Local Government <[CabSecCLG@gov.scot](mailto:CabSecCLG@gov.scot)>; DG

Education, Communities & Justice <[DGECJ@gov.scot](mailto:DGECJ@gov.scot)>; Gallagher S (Stephen)

<[Stephen.Gallagher@gov.scot](mailto:Stephen.Gallagher@gov.scot)>; Solicitor to the Scottish Government & PS

<[DLCEAPDLSSGSGPS@gov.scot](mailto:DLCEAPDLSSGSGPS@gov.scot)>; Chief Planner <[Chief.Planner@gov.scot](mailto:Chief.Planner@gov.scot)>; Wood HB (Helen)

<[Helen.Wood@gov.scot](mailto:Helen.Wood@gov.scot)>; Simpson F (Fiona) <[Fiona.Simpson@gov.scot](mailto:Fiona.Simpson@gov.scot)>; Stephen S (Suzanne)

<[Suzanne.Stephen@gov.scot](mailto:Suzanne.Stephen@gov.scot)>; Carlin WR (William) <[William.Carlin@gov.scot](mailto:William.Carlin@gov.scot)>; Henderson D (David)

(DPEA) <[David.Henderson3@gov.scot](mailto:David.Henderson3@gov.scot)>; Murray LMA (Lyndsey) <[Lyndsey.Murray@gov.scot](mailto:Lyndsey.Murray@gov.scot)>; Evans

A (Andrew) <[Andrew.Evans@gov.scot](mailto:Andrew.Evans@gov.scot)>; Johnston L (Leigh) <[Leigh.Johnston@gov.scot](mailto:Leigh.Johnston@gov.scot)>; Ramsay E

(Elaine) <[Elaine.Ramsay@gov.scot](mailto:Elaine.Ramsay@gov.scot)>; Lawson P (Paul) <[Paul.Lawson@gov.scot](mailto:Paul.Lawson@gov.scot)>; Hunt M (Marion)

<[Marion.Hunt@gov.scot](mailto:Marion.Hunt@gov.scot)>; Kerr A (Alex) <[Alex.Kerr@gov.scot](mailto:Alex.Kerr@gov.scot)>; Macleod NT (Norman)

<[Norman.Macleod@gov.scot](mailto:Norman.Macleod@gov.scot)>; Jamieson K (Kirsty) <[Kirsty.Jamieson@gov.scot](mailto:Kirsty.Jamieson@gov.scot)>; Communications

CSSE <[CommunicationsCSSE@gov.scot](mailto:CommunicationsCSSE@gov.scot)>; Bowman K (Katy) <[Katy.Bowman@gov.scot](mailto:Katy.Bowman@gov.scot)>; Brown L

(Lesley) (Comms) <[Lesley.Brown@gov.scot](mailto:Lesley.Brown@gov.scot)>; Campbell J (Jeanette) <[Jeanette.Campbell@gov.scot](mailto:Jeanette.Campbell@gov.scot)>;

McCaig C (Callum) <[Callum.Mccaig@gov.scot](mailto:Callum.Mccaig@gov.scot)>

**Subject:** EIA Screening Direction - Recalled Planning Appeal - Proposed EfW building, Coatbridge, North Lanarkshire

**TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017: SCREENING DIRECTION: ALTERATIONS TO APPROVED PLANS FOR ENERGY FROM WASTE (EfW) PROCESSING BUILDING ON LAND AT FORMER SHANKS & McEWAN SITE, 251 GLASGOW AND EDINBURGH ROAD, COATBRIDGE, NORTH LANARKSHIRE.**

**Purpose – to note for information/general awareness**

**Purpose**

1. For the Minister to note that we intend to issue an Environmental Impact Assessment (EIA) Screening Direction advising that an EIA is required for the above, unless otherwise advised by **12<sup>th</sup> September**.

**Background**

2. On 9 February 2018, North Lanarkshire Council concluded that an EIA was not required for this development. On 20 February 2018, PAD received a request from a third party (Mr John Morris) seeking Ministers to direct that an EIA was required. Following a note to Mr Stewart (on 19 April 2018), PAD declined that request (2 May 2018) stating we were satisfied that the issues raised did not call into question the validity of the view reached by the planning authority that an EIA was not required. North Lanarkshire Council have since refused this application, and on 15 May 2018, the developer, (North Lanarkshire Bio Power Ltd) submitted an appeal to DPEA. On 26 June 2018, a recall direction was made and the Minister will take the decision on this appeal at the relevant time. The appeal is at an early stage in the appeal process.

**Reasoning**

3. We have reviewed this case, and in screening the proposed development, account should have been taken of the entire development, not just the variations proposed in this application, and; [REDACTED]

**Presentation**

4. Any future decision to grant this development in the absence of an EIA, would be in breach of the European Directive, and subject to potential challenge. A screening direction is therefore considered necessary at this point. DPEA/the reporter would then request the developer to carry out an EIA before the appeal can be progressed. This screening direction would supersede the terms of North Lanarkshire Council's screening opinion that EIA is not required; and previous correspondence from PAD which declined to direct that EIA was required. We will prepare lines to take in liaison with communications colleagues.

**Recommendation**

5. That we issue the Environmental Impact Assessment (EIA) Screening Direction, as attached, advising that an EIA is required copied to the appellant, the planning authority, Mr Morris, and DPEA.

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