

COUNCIL: 25 SEPTEMBER 2019

RESPONSES TO SUPPLEMENTARY QUESTIONS

Please find below response to the supplementary questions asked at the last Council meeting held on 25 September 2019:-

- (14) In respect of his question about Hunterston, Councillor Murdoch asked whether the Council, in responding to Marine Scotland, had had regard to paragraph 153 of the EIA regulations, which stated that the significance of any effects must be considered in the context of the existing development.

Councillor Marshall, as Chair of Planning, concluded his response to the supplementary question by undertaking to provide a detailed response to Councillor Murdoch if he wished to put his concerns in writing.

Councillor Murdoch has provided the undernoted concerns in writing:

“When providing the Consultation Response to Marine Scotland, did NAC have regard for the advice set out in the EIA regulations circular, paragraph 153 as per below-

the significance of any effects must be considered in the context of the existing development. For example, even a small extension to an airport runway might have the effect of allowing larger aircrafts to land, thus significantly increasing the level of noise and emissions?”

Response:

“When providing the Consultation Response to Marine Scotland, NAC had regard to the advice set out Paragraph 153 of Planning Circular 1/2017.

With regards to Paragraph 153, this must be read in full. Paragraph 153 states “Development which comprises a change or extension requires EIA only if the change or extension is likely to have significant environmental effects (determined through the screening process).”

It should be noted that the screening process was being carried out by Marine Scotland and for them to consider if any development required an EIA. When the Council carried out EIA screening in 2017, this was carried out with regard to the relevant advice.”

- (15) In respect of his question on tide lines at the Hunterston site, Councillor Murdoch asked how the high-water mark had been measured and if it had been taken from the Ordnance Survey data.

Councillor Marshall, as Chair of Planning, responded by suggesting that Councillor Murdoch write to him on this matter and undertook to provide a detailed response.

Councillor Murdoch has provided the undernoted in writing:

“Now that the Chair of Planning has confirmed that the legal cadastre for NAC is the high water mark. How has the high water mark been measured and was it taken from Ordnance Survey data?”

Response:

“The mean high water mark is taken from Ordnance Survey data.”

- (16) In respect of his question on sand at the Hunterston site, Councillor Murdoch asked if the Leader could confirm who owned the rights to use the sand in question if it was deemed suitable for use and whether it was the property of the company undertaking dredging works or the Crown Estate.

Response:

“The rights to use any sand from this area would depend on land ownership, and those rights would therefore be held by either the Crown Estate or Peel Ports. In addition, the material would require to be tested and its use approved by the Scottish Environmental Protection Agency.”