

Dear Councillor Nicholson,

I am writing to you as Chair of an organisation called DumGal Against Pylons (or DGAP) that has the backing of 49 Community Councils throughout Dumfries and Galloway; all of whom have branded SPEN's plans for pylons and an overhead line as totally unacceptable, particularly when there are viable alternatives that minimise the blight this proposal will create. I attach a link below to a copy of the Community Council joint objection in case you have not seen it already. <http://dumgalagainstpylons.org/community-council/>

D&G Regional Council, and their officials, must surely respect this democratic expression of opinion, and give effect to it. To this end we endorse Carol Halliday's e-mail which she sent you recently in which she expresses her concern for the proposal entitled (SPEN Strategic Reinforcement Project – Council Response Programme) to be discussed at the meeting of the Economy, Environment and Infrastructure Committee on Tuesday 10 November 2015.

In essence, we agree with her that Clause 3.7 of the proposal, as it stands, fails to reflect public opinion and the strength of opposition that has been expressed by members of the public, by Community Councils, and by MSPs and MPs of all parties alike, to SPEN's proposal by which to upgrade the transmission network. We agree too, that to wait until the second and third rounds of consultation in 2016 and 2017 before the matter is discussed by the Planning Applications Committee is too late because it reinforces a number of key messages to SPEN that include but are not limited to:

- a) such quiescence reinforces the belief within their organisation that the basis of the project as proposed is sound.
- b) the proposed corridor is the correct one from which to select a route and
- c) the low-cost option of using an overhead line and pylon solution has been endorsed by Dumfries & Galloway Council.

We urge you, as Members of D&G's Economy, Environment and Infrastructure Committee to reject the argument that it is too late to respond to the first round of consultation as set out in SPEN's document, Powering Your Future. We therefore strongly suggest that on the 10 November 2015 you and other members of this Committee vote against the present proposal in Clause 3.7 which delays any response by the Planning Applications Committee to SPEN's proposals until stages 2 and 3 of the consultation process. We urge you instead to vote to amend Clause 3.7 to allow the Planning Applications Committee to provide feedback to SPEN on the first round of consultation when all options are open for discussion, including an alternative proposal that we, DGAP, have developed. Finally, we urge Members of your Committee to further seek to amend Clause 3.7 so that the Planning

Applications Committee does not comment on the second round of consultation in 2016 until SPEN have issued their detailed Needs Case.

I should also advise that we met with Steve Rogers and David Suttie, along with Joan McAlpine, Elaine Murray, Alex Fergusson and David Mundell on Friday 6 November 2015 and during a wide-ranging discussion on SPENs Strategic Reinforcement Project we proposed that the Council should state their views on the first round of consultation. However, this was discounted by the planning officials. Having taken legal advice from a lawyer, Lyall Moodie, he advises that a continued refusal to adopt a reasonable position in this matter, and especially one that that could prejudice future discussion on a), b) or c) above or other matters that influence SPENs actions going forward could be open to legal challenge in the form of a Judicial Review citing Associated Provincial Picture Houses Ltd v. Wednesbury Corporation [1948].

We have no wish to take such action and would hope that a sensible decision, along the lines we propose above, can emerge from your meeting on the 10 November 2015.

Yours sincerely,

Alan Jones