

At a MEETING of the **POLICY AND RESOURCES COMMITTEE** held at Dundee on 24th January, 2011.

Present:-

Lord Provost John R LETFORD

Depute Lord Provost Ian BORTHWICK

BAILIES

Willie SAWERS

George REGAN  
Roderick A J WALLACE

Derek J SCOTT

COUNCILLORS

Ken GUILD

Jim BARRIE

Jimmy BLACK

David BOWES

Andrew DAWSON

Will DAWSON

Bob DUNCAN

Elizabeth F FORDYCE

Stewart HUNTER

Ken LYNN

Craig MELVILLE

Christina ROBERTS

Alan G ROSS

Kevin KEENAN

Mohammed ASIF

Laurie BIDWELL

Tom FERGUSON

Brian GORDON

Richard McCREADY

Donald HAY

Fraser MACPHERSON

Helen DICK

Councillor Ken GUILD, Convener, in the Chair.

The minute of meeting of this Committee of 10th January, 2011 was held as read.

Unless marked thus \* all items stand delegated.

**I                    PROPOSED RENEWABLE ENERGY PLANT, DUNDEE PORT - CONSULTATION  
BY SCOTTISH GOVERNMENT IN TERMS OF SECTION 36 OF THE ELECTRICITY  
ACT 1989**

Councillor Will Dawson declared a non-financial interest in this item by virtue of his employment with Scottish and Southern Energy and left the Chamber during discussion of this item.

The Committee acceded to requests which had been received for deputations to address the Committee in relation to objections to the application and for a deputation to address the Committee in support of the application. After the deputations had stated their case and answered questions from members of the Committee, they were thanked for their attendance and withdrew.

There was submitted Report No 5-2011 by the Director of City Development seeking the views of the Council in respect of an application served on Scottish Ministers under Section 36 of the Electricity Act 1989 from Forth Energy in respect of a proposed Renewable Energy Plant at Dundee Port.

Councillor Guild, seconded by Councillor Duncan, moved approval of the undernoted:-

That the City Council's response to the application for Section 36 consent is to recommend to Scottish Ministers that, for the reasons outlined in the report, they defer consideration of the application on the grounds that it and the statutory environmental statement is deficient and premature in that the application is not accompanied by comprehensive air quality information demonstrating that the development will not have an adverse impact on air quality and public health. Scottish Ministers should not, therefore, grant either S.36 consent or deemed planning consent unless and until the applicants provide, to the satisfaction of the Council (to be reported back to and determined by the Policy and Resources Committee) in consultation with SEPA, the best air quality information possible and demonstrate that accurate information has been used in the characterisation of the current and likely future receiving environment (including transport pollution impacts) and assessment of the cumulative impact of the plan and informs the level of abatement required to protect public health.

This will include:-

- (a) the entire scheme of monitoring of ambient air quality as set out in Condition 16 of the Schedule of Conditions annexed to the report; and
- (b) the evidence, methodology and scheme of mitigation set out in Condition 17 of the Schedule of Conditions annexed to the report.

And that if Scottish Ministers are not minded to adopt the Council's recommendations, or impose all the conditions in the Schedule of Conditions attached to the report in any S.36 or deemed planning consent, the City Council will wish their response to be regarded as a formal objection to the S.36 application on the grounds set out above and in the report. The decision of Scottish Ministers on the Council's response to be reported to the Policy and Resources Committee.

As an amendment, Bailie Scott, seconded by Councillor Macpherson moved approval of the undernoted:-

Dundee City Council objects to the application on the grounds that firstly, for all of the reasons outlined in the report, neither it nor the environmental statement contains comprehensive air quality information demonstrating that the development will not have an adverse impact on air quality and public health, secondly, the proposed development, by reason of its height, scale and massing, would adversely impact on the visual amenity of the city and would form a discordant feature in the waterfront, and thirdly, the proposed development would result in an unacceptable volume of heavy goods vehicles passing through residential areas to the detriment of residential amenity and, in particular, to the detriment of the air quality enjoyed by those residents.

On a division, there voted for the motion - the Convener, Councillors Barrie, Black, Bowes, Andy Dawson, Duncan, Fordyce, Hunter, Lynn, Melville, Roberts, Ross, Bailie Sawers and Lord Provost Letford (14); and for the amendment - Councillors Keenan, Asif, Bidwell, Ferguson, Gordon, McCready, Hay, Macpherson, Dick, Bailies Regan, Wallace, Scott and Depute Lord Provost Borthwick (13) - Councillor Will Dawson being absent when the vote was taken - whereupon the motion was declared carried.