

## Robertson J (Jane)

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**From:** Telfer, Sandy [REDACTED]  
**Sent:** 22 January 2020 10:59  
**To:** Robertson J (Jane)  
**Cc:** [REDACTED]

**Subject:** RE: Ineos Appeal

**Categories:** Dart PPA-240-2032

Dear Jane

I refer to our previous correspondence regarding the subject appeals which rests with your email to me of 3 December 2019.

I have now had the opportunity to discuss the terms of the response which I received from the Chief Planner to the enquiry that I sent to him on 19<sup>th</sup> November with INEOS. The Chief Planner has confirmed my own understanding of the position, as outlined in my letter, that the Scottish Ministers will require to determine the appeals in accordance with the law and policy in force at the point in time when the Reporters' recommendation report is submitted to them. He has also confirmed that the new national policy of "no support" will be a material consideration.

As the Reporters will appreciate, the next issue for the appellant would be the likely costs associated with providing the Reporters with any further information that they were of the view that they would require to see ahead of finalising their recommendation report. Towards this I should be grateful if the Reporters could scope out the matters that they would see as being needed to be covered in order to place them in a position where they were satisfied that they had sufficient information before them to allow them to come to a considered final position. It would very much assist the appellant too, if the Reporters could provide the parties with an indication as regards the procedure they would propose to adopt in relation to their assessment of the matters they identify ie whether they wished to deal with an identified matter by way of written submission or an inquiry or hearing session. In asking this question, INEOS appreciates that the other parties will have their own views on this scoping issue.

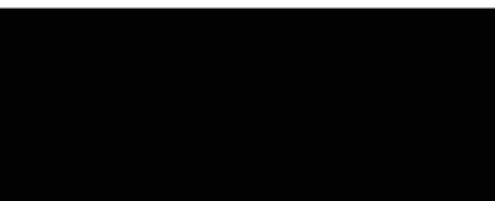
For its part, in addition to a review of the conclusions set out in the environmental statement, INEOS would anticipate that the Reporters will wish to test the continuing validity too of the basis of the Scottish Ministers' policy of no support as outlined in the Chief Planner's letter taking account of the specific mitigation measures that have been proposed.

I should be grateful if you would kindly acknowledge safe receipt of this email and confirm that it will be forwarded on to the Reporters for their information and attention.

Kind regards,

Sandy

**Sandy Telfer**  
Consultant



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www.dlapiper.com

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**From:** Jane.Robertson@gov.scot [REDACTED]  
**Sent:** 03 December 2019 17:02  
**To:** Telfer, Sandy [REDACTED]

[REDACTED]  
Subject: Ineos Appeal

Our refs: PPA-240-2032 & PPA-390-2029

3 December 2019

Dear Mr Telfer

I refer to your letter of 19 November to the Scottish Government's Chief Planner . In order to allow time for him to respond and for your client to reflect upon that (and bearing in mind the holiday period), the reporters have advised me that they will hold the appeals in sist until 1 February, at which point I will contact you again. Obviously, if you are in a position to advise me of your client's intentions before then, that would be appreciated.

Kind regards,

*Jane Robertson*

**Specialised Case Officer**

Planning and Environmental Appeals Division

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