



for people
for ever

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Your ref: CIN/ABS/001

24 April 2008

Dear Mr. Bell,

CIN-ABS-001: Land at Menie House, Balmedie, Aberdeen - Letter from Cllr Ford, commenting on Mr. Agnew's legal submission - 18 April 2008 and CIN-ABS-001: - Land at Menie House, Balmedie, Letter of representation from Ellis Thorpe - 21 April 2008.

Thank you for your email and copy letters of 23 April to Anne McCall. I am replying on her behalf. As with Mr. Agnew's letters, the RSPB and SWT have no comments on the matters raised in the letter from Councillor Ford. However, with regard to the point made by Mr. Ellis Thorpe in his letter of 21st April, relating to the validity of the 'call-in' and Inquiry proceedings, the RSPB and SWT do have an observation to make. It is our understanding that it is open to the Scottish Ministers to require an application to be referred to them, for their own determination, unless the document granting planning permission has been signed and dispatched by the authorised officer. We understand that the document had not been signed and dispatched in this case, albeit the Council's relevant committee had made its decision. Consequently, there is no planning decision, with the reasons for refusal on it, that the applicants could appeal against. It is our opinion, therefore, that the call-in procedure is valid and the present Inquiry procedures remain appropriate.

I hope this is helpful.

Yours sincerely



Ian Francis
Area Manager, NE Scotland

cc. all Relevant Persons by email & post