

ANGUS COUNCIL

SCRUTINY AND AUDIT COMMITTEE - 3 DECEMBER 2024

PETITION – PRESERVATION OF LOCHTY WOODLAND

REPORT BY JACKIE BUCHANAN, DIRECTOR OF LEGAL, GOVERNANCE AND CHANGE

1. ABSTRACT

This Report advises members of a Petition received in connection with the preservation of Lochty Woodland.

2. ALIGNMENT TO THE COUNCIL PLAN AND COUNCIL POLICIES

This report contributes to the priorities contained within the Council Plan, which focus on Caring for the Economy, Caring for our People and Caring for our Place.

3. RECOMMENDATIONS

In terms of Standing Order 13(3) the Committee may:

- (i) note receipt of the petition and take no further action;
- (ii) agree that appropriate action has already been taken or is planned and no further action is necessary;
- (iii) request a fuller report from the relevant officer;
- (iv) undertake a detailed scrutiny review, gather evidence and make recommendations to the relevant committee; or
- (v) simply refer the matter to another Committee or to Angus Council where in the view of the Committee, it is significant enough to merit this.

4. BACKGROUND

- 4.1 Members are advised that a Petition of 56 valid names was lodged on 1 November 2024 by residents of Angus highlighting concerns with regards to the SSEN East Coast 400kV Upgrade and the impact the works may have on the native environment.
- 4.2 The Petition lists several threatened, red and amber species that have been recorded in the Lochty Woods and Dunswood area and highlights renaturing work which had been ongoing since 1992 and had created a habitat for a wide range of species – roe deer, badger, otter, red kite, buzzard, sparrowhawk, ospreys and peregrine falcons which have been regularly sighted.
- 4.3 A copy of the Petition is included at Appendix 1 of this report. Elected members will note the points raised in terms of the Petition.

5. CURRENT POSITION

- 5.1 The Petition was received by the Director of Legal, Governance and Change on 1 November 2024 and in accordance with Standing Order 13(3), it is presented to the Scrutiny and Audit Committee for its further consideration.
- 5.2 The Petition has been signed by 56 people. Members should note that Standing Orders 13(1) and (2) detail the requirements in terms of any petition. These requirements have been met and all signatories are from within the Angus area.

- 5.3 The Petition raises concerns about the potential impact on the woodland should the proposed overhead line be approved.
- 5.4 The Petition indicates that Lochty Woods is an increasingly rare example of intact habitat in North Angus and states that there could be a significant threat to a number of species. The Petition goes on to say that if disrupted, the ecological haven could be gone forever, and emphasises that Lochty Woods and the surrounding area is of social, historical and cultural importance.

6. INFORMATION PROVIDED BY THE PLANNING AND SUSTAINABLE GROWTH SERVICE

- 6.1 Angus Council acknowledges the concerns raised by the petitioner and other parties to the petition and those concerns are noted.
- 6.2 The proposals from SSEN for the East Coast 400kV upgrade are at a pre-application stage. The legislation governing the consenting of overhead line projects in Scotland is Section 37 of the Electricity Act 1989. These types of application are submitted to the Scottish Government Energy Consents Unit for determination by Scottish Ministers. This includes the carrying out of external consultations with statutory consultees and other public bodies and all notification procedures to publicise the application in the press and online. Angus Council will be consulted on the proposal as Local Planning Authority and is a statutory consultee.
- 6.3 The petitioner has been advised that all representations including the concerns they have raised within the petition should be submitted at the appropriate time to the Energy Consents Unit for consideration during the determination of the application.
- 6.4 Accordingly, given that this matter is not directly within the remit of the Council, it is suggested that Committee note receipt of the petition and take no further action.

7. FINANCIAL IMPLICATIONS

- 7.1 There are no direct financial implications as a result of this Report, other than officer time. There may be other financial implications depending on the decision taken by the Committee.

8. RISK MANAGEMENT

- 8.1 This Report does not require any specific risk issues to be addressed.

9. ENVIRONMENTAL IMPLICATIONS

- 9.1 There are no direct environmental implications arising from the recommendations of this report.

10. EQUALITY IMPACT ASSESSMENT, HUMAN RIGHTS AND FAIRER SCOTLAND DUTY

- 10.1 A screening assessment has been undertaken and a full Equality Impact Assessment is not required at this time for the following reasons: - There are no direct equality implications in terms of this report as the recommendations within this report are technical.

11. CHILDRENS RIGHTS AND WELLBEING IMPACT ASSESSMENT

- 11.1 A Childrens Rights and Wellbeing Impact Assessment has been undertaken and a full assessment is not required as the "General Principles" do not apply to this proposal.

12. CONSULTATION

- 12.1 The Chief Executive, the Director of Finance, the Director of Vibrant Communities and Sustainable Growth, Director of Infrastructure and Environment and the Chief Planning Officer have been consulted on the terms of this Report.

NOTE: No background papers, as detailed by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to a material extent in preparing the above report.

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List of Appendices:

Appendix 1 Petition with Signatures
Appendix 2 – Email confirming addresses and postcodes