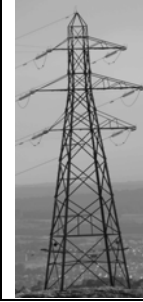


STIRLING BEFORE PYLONS

THE PUBLIC INQUIRY INTO THE BEAULY-DENNY POWER LINE

Strategy Session Wk 5: 6-9th March '07



This note is prepared for the benefit of community groups and their supporters, with an interest in the Beauly to Denny power line public inquiry. It is NOT a press release.

Week 5 saw the completion of SSE's evidence to the Inquiry, apart from providing the additional material on EMF levels, and health & safety, required by the DTI's technical adviser. SSE are still trying hard to avoid providing this information: their Advocate gave notice, late on Friday, that they will be taking legal steps to prevent the Reporters requiring this information. One can only wonder why this issue is of such importance to them?

The issue of data referring to named properties rumbles on too, though more quietly. It turns out that SSE simply guessed what names refer to which properties, on the basis of ambiguous map data, and frequently got it completely wrong. In the Stirling area at least, the results are seriously misleading. SSE have been asked to identify what data in which chapters of the Environmental Statement give the names of properties, but have not indicated whether they will.

The week started with 2 days of cross-examination of the witness on Landscape and Visual Impact issues. She stuck to her guns throughout, even when it looked rather obvious that there was considerable scope for difference of opinion. As with SSE's other key witnesses, the main weakness in her case is the way the SSE team chose to define their own parameters for the assessment of impacts, rather than sticking fully to the Holford Rules, SNH guidance etc. Along with SSE's basic approach, of looking simply to find the least worst route, after having made the decision to put an overhead line between Beauly and Denny (and the various sub-stations), this has led to some highly questionable overlooking of areas of high sensitivity. As always, there was considerable questioning of SSE's determination not to accept any undergrounding along the line, but the witness – as with all others – stuck to the position that none is needed.

There followed four witnesses dealing with issues of trees, birds, bats and bogs, but as we didn't sit through their sessions, we can't report on them. The evidence of all four witnesses was completed in just over a day.

SSE's last witness dealt with Planning issues. His evidence tries to dismiss all the statutory development plans (structure plans and local plans) of the 3 local authorities along the route, as these all contain policies that would deem the line unacceptable. His evidence drew heavily on certain key planning policy documents, notably NPPG6 and Draft SPP6 (on renewable energy). He was challenged regarding these, SPP1, NPPG 14, PAN 58 and the National Parks (Scotland) Act, all of which set the legal and statutory policy framework against which SSE's application has to be considered.

Cross-examination referred back to some basic issues, like the government's policies on climate change, the possibility of other alternatives being better (particularly the sub-sea cable option), the question of whether this is in fact simply a commercial proposal being put forward by a private company with no relationship to public policy (as stated by the Reporters in December), and the evidence of the earliest witnesses. In this way, SSE's evidence came full circle, and we came quite neatly back to Square One, with the lack of, and great need for, a Strategic Environmental Assessment being brought into focus yet again.

Next week sees the start of all the other parties' evidence, starting with four days allocated to the joint evidence of the local authorities and the National Park Authority. As we are only planning to sit in on sessions of particular interest to us, it is unlikely that we will have enough material for further weekly bulletins. We hope that third party organisations, at least, will put together their own summaries of the sessions at which their witnesses appear.

For the latest news on where the Inquiry has got to, and which witnesses are due on in a given week, refer to the public inquiry website being supported by SSE at:

www.beaulydenny.co.uk

The Reporters have started setting out the way in which the first local session, in Inverness, will be conducted. Their preference is for as much as possible of the material to be taken via Hearings, but SSE, the councils and SNH all indicated that they believe the most important issues will require the standard adversarial approach to be used. The difference is that with the adversarial approach, witnesses submit their evidence in writing in advance, along with supporting documents, and are cross-examined on it all at the Inquiry, with the Reporters taking a more or less passive role. With Hearings, no evidence is submitted in writing, no documents are lodged, and the Reporters set out the agenda to be followed, with them deciding which witnesses are asked what. The general belief is that the Hearings system can lead to witnesses having no opportunity to say their piece, and participants having no opportunity to challenge the other side on the weaknesses of their case.

The current situation is that there is likely to be a hybrid system adopted, with some issues being dealt with under the adversarial system, and others using the Hearings approach. The latter is most likely to be used for sessions dealing with the issues pertaining to each local stretch of the line, except where these stretches cover the most controversial issues.

The Strategy session of the Inquiry, dealing with all the over-arching and generic issues (including the need for the line, the health issues, and the principles of undergrounding, as well as a lot of methodological issues) will continue until 11 May, Tuesday to Friday, between 10 am and 5 – 5.30pm, at the Quality Hotel, next to Perth Station. There will be a 2-week break for Easter.

Local issues will be dealt with at four local sessions, starting in Inverness, and reaching Stirling on 20 November. The Stirling session, and the entire Inquiry, will eventually reach its end on 20 December 2007.

For further details, contact Nicki Baker or Peter Pearson on 01786 833399