

Cameron, Zara

From: Bain, Peter (Planning)
Sent: 24 January 2021 17:12
To: Cameron, Zara
Subject: FW: Postponement of Virtual hearing [NOT PROTECTIVELY MARKED]
Attachments: Postponement.docx

Classification: NOT PROTECTIVELY MARKED

Zara – please add to 20/00094/PP on Civica as a further 3rd party representation from Portincaple Residents Association – no acknowledgement required as it's been responded to by Governance.

Sandra – content is included within SR4 under section relating to requests for postponement.

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From: Ron Fletcher [mailto:r_fletcher1@btinternet.com]
Sent: 17 January 2021 13:43

Subject: Postponement of Virtual hearing

Dear Sirs, Madams,

Please find attached my letter reference the “Virtual” pre determination hearing for application 20/00094/PP.

Respectfully yours,

R. Fletcher
Chair – Portincaple Residents Association.

Argyll and Bute Council classify the sensitivity of emails according to the Government Security Classifications. The adopted classifications are:

NOT PROTECTIVELY MARKED

Non public sector business i.e. does not require protection.

OFFICIAL

Routine public sector business, operations and services.

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Particularly sensitive information that can be shared on a need to know basis, where inappropriate access or release could have damaging consequences. Disclosure in response to FOISA should be verified with the data owner prior to release.

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Particularly sensitive information that can be shared on a need to know basis relating to an identifiable individual, where inappropriate access or release could have damaging consequences. For example, where relating to investigations, vulnerable individuals, or the personal / medical records of people.

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Commercial or market-sensitive information, including that subject to statutory or regulatory obligations, that may be damaging to Argyll and Bute Council, or to a commercial partner if improperly accessed. Disclosure in response to FOISA should be verified with the data owner prior to release.

Portincaple Residents Association

17th January 2021.

Reference 20/00094/PP

Head of Legal and Regulatory Support

David Logan

Dear Sir,

I write as chair of the Portincaple Residents Association, with regard to the above application.

I note that the Garelochhead Community Council (a Statutory Consultee), have recently submitted a request for the “virtual pre determination public hearing” scheduled for Tuesday 26th January at 10.30 hrs, be temporarily postponed until such times as the current Coronavirus restrictions are relaxed. I would agree with that proposal, for the reasons set out below. However, I note that their request has not yet appeared on the public portal as a representation.

Despite the best efforts of the community, it has proved very difficult, if not impossible, in the circumstances currently pertaining, to put together a concise presentation which adequately expresses the views of the residents regarding this proposal. We cannot use the justification of a business meeting to get together as other parties would be able to, nor has every resident got the necessary technical skill set or indeed software to meet via video link.

I note that in the Procedure Note attached to the Notification for the meeting, it states:

2 Virtual meetings are those that will **not** involve a physical location. However, should circumstances dictate, the Chair (and if appropriate) Vice Chair along with Relevant officers will be located in a single venue.

3 Sentence two of this point confirms that the Council has the power to decide whether the hearing will take place on that day.

4 While reasonable efforts will be made to ensure all interested parties can attend the virtual discretionary hearing on request, there may be exceptional circumstances, given technological capacity, which may limit the numbers attending.

With over 1100 submissions in opposition to this proposal, any effort to restrict access to observe proceedings, would seem to be a deprivation of democratic rights, for each of those persons. Of course, not everyone is likely to attend, but to quote that other

virtual pre determination hearings have been concluded successfully, where the numbers of members of the public involved have been probably between 50 and 100 at best, is not a justification for proceeding with this one.

Scottish Planning Policy 2014 states in item 4 that one of it's core values is to ensure that:

- decisions are made in a **timely, transparent and fair way** to provide a supportive business environment **and engender public confidence in the system:**

In light of the current enhanced restrictions, but with the roll out of the vaccine offering the chance of a return to something approaching normality, I would respectfully request that this hearing be paused until such times that it can be held in a physical environment.

Yours faithfully,

R. J. Fletcher

Chair – Portincaple Residents Association