

Your Ref:

Our Ref: NmgFRM12

31 July 2024

Communities

Flood Risk Management Team

Cargen Town, Garroch Business Centre

Cargenbridge, Dumfries, DG2 8PN

Any enquiries please contact

Flood Risk Management Team

Direct Dial 030 33 33 3000

Email: newtonstewartFPS@dumgal.gov.uk

Dear

Newton Stewart Flood Protection Scheme Flood Risk Management (Scotland) Act 2009 (the "Act")

I refer to my letter dated 21 September 2023 in respect of the above Scheme and apologise for the delay in replying.

As you will recall, in August 2023 Dumfries and Galloway Council made the preliminary decision to confirm the Scheme without modification and notified Scottish Government of this decision.

The Council were notified by Scottish Ministers on 8 November 2023 that they were not 'calling in' the Scheme (which would have led to Scottish Ministers holding a Public Local Inquiry) but that the matter was being referred back to the Council to hold a hearing to consider the Scheme prior to making a final decision.

Following further preparation work, the Council have appointed a reporter ("the Reporter") to conduct the hearing and issue a report. Although appointed by the Council this Reporter is independent and does not have direct contact with the Council or any Objector until the hearing. All matters prior to the hearing will be dealt through an intermediary Programme Officer, who is a Council contractor but is not part of the Council's Hearing Team and has not been involved in the Scheme. At this early stage, we do not have any details of the Hearing dates or matters to be considered.

The aim of the hearing is to give objectors an opportunity to be heard, and to provide the Reporter with all the information necessary for their Report, but in a more flexible and less formal atmosphere than at a Public Local Inquiry. As you are considered to be a 'relevant objector' for the purposes of section 60 and Schedule 2 Paragraph 5 of the Act the Council has provided the Reporter with copies of your objections. The Reporter has requested that we provide him with a note of your contact details as a "relevant objector", which we are obliged to provide. Section 8 of the Data Protection Act 2018 provides that such disclosure of personal data by the Council is lawful, as it is necessary for the exercise of a function conferred on the Council by an enactment.

The Reporter will be contacting those relevant objectors with unwithdrawn objections in due course through the Programme Officer. The Project Team for the Scheme will continue to consider the issues

raised by objectors and may still contact you direct to discuss your objection but not regarding the Hearing itself.

Once the Hearing has been held and a report submitted to the Council by the Reporter, it will then be submitted to the appropriate Committee of the Council for consideration.

The project webpage is currently being updated and will provide details of the Scheme to date and the ongoing Hearing process. Please see www.dumgal.gov.uk/newtonstewartfloodprotection

Yours sincerely,



James McLeod
Infrastructure Manager