

Pamela Clifford (Manager of Planning and Building Standards)  
West Dunbartonshire Council  
Council Offices  
Clydebank  
G81 1TG

By email to : [Pamela.Clifford@west-dunbarton.gov.uk](mailto:Pamela.Clifford@west-dunbarton.gov.uk)

Your ref: WP/98/076  
Our ref: A5164938  
8 February 2013

Dear Pamela,

## REVIEW OF MINERALS PERMISSION: SHEEP HILL QUARRY, DUMBARTON


I am writing in response to your letter of 14 December regarding the Sheep Hill Quarry ROMP, asking if the Scottish Government would be willing to pay compensation to the operator if the area of Sheephill was excluded from quarrying by the Review of Minerals Permission.

Ministers have carefully considered this request, and acknowledge the contribution Sheephill makes to the landscape character of the local area that, and the concerns about the impact on the areas of archaeological interest.

The effect of paragraph 15(4) of Schedule 9 to the Town and Country Planning (Scotland) Act 1997 is that a ROMP determination is to be treated as an order to modify or revoke planning permission made under section 65 of that Act. Section 76 of the Act provides that where a person incurs loss or damage as a result of a section 65 order the planning authority shall pay compensation. There is nothing in the ROMP statutory framework which gives Scottish Ministers power to pay compensation to an operator who suffers loss as a result of a change in a mineral permission following a review under the 1997 Act.

Ministers have however asked that I offer my service and that of the Scottish Government in a brokerage role, to help progress a way forward. Please get in touch with me if you would find it helpful to take up that offer.

Yours sincerely,



John McNairney  
Chief Planner