

Your Ref:

Our Ref: NMG/FRM/12

21 September 2023

Communities

Flood Risk Management

Cargen Tower

Garroch Business Centre

Cargenbridge

Dumfries DG2 8PN

Any enquiries please contact

Flood Risk Management Team

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Email newtonstewartfps@dumgal.gov.uk

Dear

Newton Stewart Flood Protection Scheme – Text for emails/letter to Objectors re Council Preliminary Decision to Confirm without Modifications.

I refer to previous correspondence following your representation/objection submitted in response to the publication of the Newton Stewart Flood Protection Scheme.

A report was presented to the meeting of the Council's Communities Committee on 22 August 2023 and a preliminary decision, following consideration of the objections received, was made by Members at the meeting to **confirm the scheme without modifications**. Details of the report and draft minutes of this meeting are now available at the following link

<https://dumfriesgalloway.moderngov.co.uk/ieListDocuments.aspx?CId=148&MId=5754&Ver=4>.

Having reached its preliminary decision, Schedule 2 paragraph 5(3) of the Flood Risk Management (Scotland) Act 2009 ("the Act") requires the Council to inform all of those who have made an objection of the decision; hence this letter.

In terms of the next stages of the process, Schedule 2 paragraph 5(5) of the Act requires us to advise Scottish Ministers of this decision. In doing so we will provide them with Scheme documents, a summary of the objections received by the Council, copies of all objections, and copies of any other material considered by the Council when making its decision, after which Scottish Ministers must decide whether they will consider (or 'call-in') the Scheme. If they choose to consider the proposed Scheme, they must hold a Public Local Inquiry. If they choose not to consider the Scheme, the Council are required to hold a Hearing before making a final decision on the Scheme. The Public Local Inquiry or Hearing, as applicable, would examine the evidence in relation to any remaining objections. In the case of a Public Local Inquiry, the Scottish Ministers will ultimately decide whether to confirm, with or without modifications or reject the Scheme. If they appoint a reporter to conduct the Inquiry, that reporter will produce a report which will inform the Ministers' decision. In the case of a Hearing, a report will be prepared and passed to the Council to make its final decision. As soon as we are notified by the Scottish Government of their decision, we will contact you again.

Ahead of any Public Local Inquiry or Hearing, the Council will continue to respond to and seek to address concerns and objections where practicable. The Project Team are currently reviewing the outstanding actions following our previous email/letter to objectors and we will be in touch again with those who responded in the near future.

If you have any queries or comments, please let me know – the Project website <https://www.dumgal.gov.uk/newtonstewartfloodprotection> will be updated shortly to reflect the current position and to provide detail on the next stages.

Yours sincerely