

TOWN AND COUNTRY PLANNING (APPEALS) (SCOTLAND) REGULATIONS 2013

**APPEAL UNDER SECTION 47(2) OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT
1997 BY DART ENERGY (FORTH VALLEY) LTD CONCERNING COAL BED METHANE PRODUCTION,
INCLUDING DRILLING, WELL SITE ESTABLISHMENT AT 14 LOCATIONS AND ASSOCIATED
INFRASTRUCTURE AT LETHAM MOSS, FALKIRK, AND POWDRAKE ROAD, NEAR AIRTH, PLEAN
(REFERENCES PPA-240-2032 AND PPA-390-2029)**

PRECOGNITION BY ALISON DOYLE

ON BEHALF OF

**CONCERNED COMMUNITIES OF FALKIRK
(AND SUPPORTERS)**

1. My name is Alison Doyle. I am a Registered Midwife and work full time. I am a member of The Royal College of Midwives. I am a resident of Kinnaird Village, Larbert, a core group member of CCoF, a mother of 3 and a grandmother of 2.
2. Whilst as a midwife I have an interest in the health aspects of the case, it is in my capacity as a resident, member of the community, mother and grandmother that I appear as a witness. Although it is not comfortable to me to reveal aspects of my personal history, I feel its important to do so to explain why the sense of “home” is so important to me and why I feel Dart Energy’s proposals, if carried out, risks taking away all that I have struggled to create through having a secure sense of home. It also helps explains why I have made such efforts to try to satisfy my concerns about Dart’s proposals.
3. At the age of 5 my father left our home. Now a single mother, tough back in 1966, our Mum struggled to raise us alone and, for many different reasons, we had to move around a lot. To put into context - I attended 10 different schools from aged 5 until age 17. I grew up in some of the most deprived areas of Glasgow. I found it hard to settle. I never put down roots or allowed myself to settle, as I always knew that another move was coming We lived mostly with relatives who agreed to take us in which meant that I never had a space of my own. I was always searching for somewhere to call home.
4. At the age of 18, I left home to move in with my boyfriend who would become my first husband. Unfortunately after only 2 years we separated. I left with my 18 month old child. I again found myself living in a deprived area with my small daughter, myself now a single parent. I had moved 5 times in 5 years (from the age of 18 - 24). I was still searching for home.
5. I then met Jim, my husband of 25 years. We had our first child and I was determined that our two girls would not have the educational chaos that I had experienced, so I sought to put down roots. We started our own business and life was hard work but good. However,

during the 1980's the business failed. Our son was born a few months later needing open heart surgery the day he was born, we almost lost him. Over the next few years, as we struggled following the loss of our business, a further 3 house moves followed, although my children stayed at the same school despite the travelling involved. Jim decided to apply to a local college to try to re-train and, on being awarded the college's Student of the Year went onto University, studying for 6 years and achieving a Masters Degree. When Jim had completed his studies, I then went to University for 3 years and qualified as a Registered Midwife. During this time, although we were busy raising a family, working and studying, I never felt settled. We were living in a council house in a poor area. I had moved house 7 times in 11 years and my struggle for a place to call home continued. My one saving grace was that my children were all at the same school and had long-term friends.

6. 9 years ago, a sectarian attack on our house meant we had to abandon it and move into a rented flat. With both of us now in careers and working, we finally bought a house on a new development in Bonnybridge, not far from Kinnaird Village. I loved that house however something was still missing. There were no open spaces for recreation and the public transport for work was a huge problem. My daughter, now studying to be a Teacher at Strathclyde University was struggling with the travelling and I was still searching for a place to put down roots.
7. One afternoon, whilst reading the newspaper, I saw an advert for a new concept - a new village in Larbert with a school at its heart, a small high street, a pond, woodland walks, cycle paths, healthy living, a community and, within close proximity, a train station for commuting. I suddenly felt that this was it, finally a place that I could call home. It felt to me as though a whole village were 'being born' and that it could signify a new 'birth' for me, finally a place of newness and rebirth. Jim and I went to see the plans. Within a year building had started and we had reserved our plot!! However, our own house sale fell through and we had to withdraw losing some money but, more importantly, losing my dream. I tried to settle where I was, but again and again I visited the Kinnaird Village site. Another few years and we reserved a second plot. However the market had begun to crash and again our house did not sell and we had to withdraw a second time. Yet again I tried to settle myself where I was, told myself that I just had to be content, that Bonnybridge was our home - but it didn't feel like it and I found that I could not help myself visiting the Kinnaird Village site time and time again. I could not shake that feeling that my beginnings lay in Kinnaird Village.
8. Finally, in March 2011, we reserved for a third time. This time there were no hiccups, we finally had our home!! We moved in on September 1st 2011 and I finally felt that I had come home. A beautiful house, in a beautiful village - safe, secure, warm, clean, fresh, growth, wellness, completeness for the first time in 45 years!! Not only that, we now had a grandchild, and now have another, who would thrive in this place. A grandchild who would know where Granma 'belongs'. A blessing that my children did not have, but that my grandchildren would.
9. In that first year I was no longer closing my door to the world, I was flinging it open. Within the first 6 months of living in the village, on chatting to neighbours I discovered that the bus service within the village was woefully inadequate. Some of our elderly

residents and families with children were having to walk lengthy distances in order to get to the nearest bus stop to access public transport. I felt a deep sense of protectiveness for my neighbours and also felt that our village deserved to be the best that we could make it. With my roots now beginning to be finally planted, I discovered a new found strength and wanted to protect what I had for myself, my family and for my neighbourhood. I successfully fought for a community bus service which now runs half hourly through the village. Had I not been required to concentrate on the Dart Energy issue for the past 16 months I had intended to become further involved in other community issues. I am extremely proud of our eco-friendly school at the centre of the village and had intended to find out what I could do to contribute to its success.

10. Just over a year from moving in, we received the Notification of Planning Application from Falkirk Council and my seemingly settled life fell apart. When I think of Dart being successful I think of the loss of all I have fought so hard to achieve.....the safe, healthy, fresh, spiritual place that I finally can call home. The uplifting walks with my grandchildren.....will the swans stay? will the air be okay for my grandchildren to breathe? is the water in my tap clean? I work nightshift, will the noise keep me awake? Will this be a safe community to live in, to bring up children in? What about our eco-school? Even with all the fancy graphs and toxic measurements that Dart produce, the doubt over whether the contaminants are there will always be in the back of my mind. The questions were piling up.....who will monitor the development? How is it regulated? Could there be an emergency, an accident? What if there is a leak? Who will be responsible to clean it up? How do we clean it up? How do we recover? Could we recover? What about the value of my newly bought home? We had put any savings we had into the purchase, was this now under threat?
11. If my questions were found to be valid and the answers were not reassuring, then my ideal of finally being able to put down roots was gone, I would have to begin again. Now reaching my 50's and finally feeling settled I could not conceive of this and so I began my own investigations in order to get answers to my questions.

My Investigations

12. My initial thoughts were to contact our neighbours, our local Councillor, Community Council and our local Council's Planning Department and to try to ascertain if the proper steps had been taken prior to the Planning Application being admitted. I was confused that I hadn't heard anything prior to the Notification of Planning Application. We had only moved into our house 12 months ago. I could not understand why the developer, Charles Church, had not advised us of these plans and why our searches as part of our legal purchase had not indicated something as huge as this proposal seemed. Replies from the local council planning department did not allay any of my fears, so I found out the date of the next local Community Council meeting and planned to attend.
13. On further searching we noted that Dart Energy had carried out a Public Consultation and again were puzzled as to why no one seemed to know about it. On further investigation we found that the Public Consultation had taken place in June 2012 in 5 local areas and that these consultations had been advertised in local Community Council offices and in the local newspaper. Although I have been told that that is all an applicant

needs to do to advertise its public consultation, I was puzzled as to why not in local supermarkets and schools if Dart genuinely wished to reach residents.

14. Dart Energy's Public Consultations were, to me, hugely telling of their attempt to engage with the local community – a total of 42 attendees from 5 meetings with only 17 questionnaires completed in an area of population of around 240,000 people beggars belief. I would seriously contest this being described as a Public Consultation, it might be according to law but not in the spirit of the law. In addition, the fact that LST CC were omitted from the Public Consultation by way of missing documentation, and their subsequent refusal to address this by presenting to the residents at a later meeting on, despite being invited, did not give me confidence that the company were open and transparent about their activities. I was also disappointed by their reference to all in attendance as being 'activists' when they spoke to LST CC at the closed door meeting, as documented in the minutes of that meeting.
15. I then contacted our local Community Council, Larbert, Stenhousemuir and Torwood, and, between emails sent to and from them and Falkirk Council's Planning Department, my understanding was that Larbert, Stenhousemuir and Torwood Community Council had not been properly included in the Public Consultation. Given that this was one of the most closely affected areas, I was shocked. It transpired that they had been sent a letter from Dart Energy regarding the Public Consultation meeting but that it had been missing its attachments, which included the letter of invite to take part., it only contained a map. Given this, I then asked the Community Council to request that Dart Energy come along to the next LST Community Council meeting to give their presentation and to answer the many questions of the local people. I was informed that Dart Energy had refused, saying that they would only meet with the members of the LST Community Council board behind closed doors in the 15 minutes prior to the scheduled meeting.
16. It was at this point that I began to really worry about the transparency and visibility of Dart Energy's proposals and was determined to research some more. I visited the Falkirk Council planning website and was dismayed to find that the maps submitted by Dart Energy in support of their application showed the area of Kinnaird Village, where I and numerous other families lived, as unoccupied. There was nothing added in the legend to say that there were already houses there and that there were many more being built at that time, and even still, to this day.
17. The more I learned the more nervous and concerned I became. Through discussing with some neighbours and meeting Miss Maria Montinaro at a local Community Council meeting, a loose group of concerned residents was formed and our fight for our community began. Shortly after forming, our group requested that SEPA attend a LST community council meeting to try to allay some of the fears of the local residents. On later examining the minutes of the meeting I was struck by how little knowledge of the proposed development that SEPA appeared to have. Their participation in the meeting did not serve to lessen my concerns about the application, concerns which have grown, not diminished, in the 18 months since the Notification of Planning Application arrived.

17. The group of residents which formed in response to Dart's application, met regularly and it became apparent very quickly how much pride we had in our community. There was a deep sense of unfairness about how little attempt had been made by Dart to engage with us and also a frustration in us not knowing how we could get our strong feelings, values, aims and beliefs regarding the integrity and importance of our community across. From this intense feeling came a meeting of community members whom we asked to write down the best things about their community and also the things which made them fearful should the Dart application come to fruition – this became our 2 visions for our community in our Community Mandate. The Mandate was signed by over 2500 people and these were handed over to Falkirk Council's Planning Department in support of our community's objection to Dart's application. Following on from the Mandate came the Community Charter which looked more deeply into the vision for what we residents care about. The things which create pride in our community and respect for ourselves and each other, the things which make for successful and healthy community living, things that cannot always be described but are, rather, felt and cherished by the people. Things which allow growth, harmony, well-being and allow a community to thrive. It is through the Charter that our community demands the right to protect itself from any development which threatens these precious things.
18. Although I have a full time job I have tried to be as pro-active as I can to get the information I felt would help allay my concerns which were raised by the lack of any real communication from Dart in consulting on its proposals, its refusal to engage with the public through the community council, and the lack of any real comfort being obtained through dialogue with SEPA. I want to feel that I am living in a safe place so that I can live here and so that I can feel safe in inviting my grandchildren over. I now go on to speak about the main concerns I have which need to be met in order to continue feel safe living here.

Undisclosed chemicals

19. As well as the disclosed chemicals, my understanding is that there are an unknown amount of other chemicals which could be used in the operation which are being claimed to be 'commercially sensitive' and their names are, therefore, not required to be disclosed to the local residents or wider public. This gives me much concern as I cannot be sure if they are being tested for if I do not know what they are. I do not feel it is enough to say that this is SEPA's responsibility and that we as residents don't need to be concerned and are just being busy bodies. My grandchildren come to visit me here and can you imagine how distraught I would be if I had not taken all steps I could to make sure that I was inviting them to a safe place? My trust in SEPA's ability to regulate needs to be earned.

Dumping of waste water

20. At the Public Meeting held by the group of concerned residents at Kinnaird Village Primary School on 22nd November 2012, it was disclosed that 73,000 litres of waste water per well, per day would be discharged into the Firth of Forth. I understand that their CAR licence allows them to extract water at approx 830,000 litres per day. As per

my comments above, I am hugely concerned about this waste water, how it is treated, how that treatment is regulated and monitored and by the effects on the local environment that it might have.

SUDS Pond

21. Following the meeting in Kinnaird Primary School, which Dart attended, a conversation took place in the yard outside between myself, Douglas Bain (Dart) and Claudius Voelker (Dart) where we discussed the possibility of the residents being involved in the monitoring of the water in the SUDS pond. One of the underground trajectories (4 horizontal drill lines) ends right at the edge of the SUDS pond, which is within the 20m zone around our home. The residents who are required to part pay for the pond's maintenance and upkeep were particularly concerned regarding the integrity of the pond. Residents were worried that they would be liable for the clean up costs should a leak or an incident occur. We parted company having agreed to discuss but there has been no satisfactory resolution to this matter.

22. To sum up, Kinnaird Village has given me a secure sense of home that I didn't have when I grew up, something that I cherished and want to give onwards to my children and grandchildren. I felt a renewed sense of community because of the sense of belonging I had. Dart's proposals have put me in fear of losing all that.

18 December 2014