

# Menie Estate: Systems Failures

## APPENDIX

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# 1 Aberdeenshire Planning

## 1.1 Aberdeenshire Planning to S Kelly on Fri, 1 Mar 2013 14:05

Re: [ACE/482491] Menie Estate - Attn: Anne Ramsay

From fo.planapps

To sgvk27 sgvk27@aol.com

CC A.Ramsay  
B.Stewart  
MStewart  
R.Gray

Dear Ms Kelly

I refer to your email of 18 February 2013 regarding works at the Menie Estate. I note that you have raised concerns regarding works which are currently taking place on the Menie Estate and can confirm that the Planning Inspector visited the site on 19 February 2013 to investigate these matters. The conclusions of this are detailed below.

Firstly with regard to the works in the dune area. It was identified that works to remove a quantity of sand were in progress at the time of the visit in an area between the dunes and the land on the landward side of the dunes at location reference NJ 9830 1910.

This area of land is within the application site approved under planning applications:

- APP/2006/4605 - Golf Course and Resort Development,
- APP/2009/2479 - Marram Grass Planting, Preparatory Earthworks and Chestnut Pale Fencing on the Inner Dunes at Menie Links,
- APP/2010/1535 - Construction of Championship Golf Course including Driving Range, Short Game Area, Putting Green & Turf Nursery

The sand was being removed by a small mechanical excavator and transported to

the golf greens for use in top dressing the course. A quantity of sand had been transported for use in works adjacent to the car park area. The removal of the sand at this location for re-use on the golf course would not require planning permission. However the Planning Service will ensure that routine monitoring of the site is undertaken to assess the extent of the removal of sand and address the matter should it be considered that the sand is being extracted at such a level that it can be classed as a change of use of the land to a 'mineral extraction' use. At the time of writing this letter no formal application for the formation of the second golf course has been submitted.

With regard to the works adjacent to the car park, these are works to reprofile an area of land adjacent to the car park. These works were being undertaken on an area of land which has been set out as the Driving Range. Sand had been deposited on the land from the area previously mentioned and was being profiled prior to being laid with turf. The raising of the land by 400mm – 600mm is not considered to be of such a material nature that planning permission is required. There was no evidence that an area was being created for the purposes of providing additional parking or that any foundations had been formed for the construction or

erection of a building.

I acknowledge that the developer at the Menie Estate has, on a number of occasions, applied for planning permission which has been granted and subsequently the works that have been carried out are not in accordance with the approved plans. In all these instances the Planning Service has sought to address this situation by the submission of retrospective applications. Such applications are, unfortunately, relatively common where it has been identified that works have been undertaken in breach of planning control. Normal practice in such situations to remedy the breach is through the grant of planning permission with any appropriate conditions. Many retrospective applications are submitted following an investigation in relation to a complaint, or to reduce the likelihood of the Local Authority commencing enforcement action.

In the case of this development I can assure you that it has been closely monitored. The Planning Service has followed up on all allegations of breaches of planning control including non-compliance with conditions or development which has been undertaken in breach of permission which has been granted. As previously indicated this may result in a retrospective application being submitted to regularise the works undertaken, or a subsequent application to allow the development to be undertaken without complying with a specific condition(s).

You have highlighted a number of other possible contraventions of planning permission at the Menie Estate and I will comment on these in turn:-

1. Construction of bunds by Munro Home (Leyton Cottage)

Bunds were detailed on the drawings for the access road / car park planning permission which was approved. The bunds that have been formed on site deviated from these and are the subject of a live retrospective planning application which is being considered by the Planning Service.

2. Construction of bunds by Milne Home (Hermit's Point)

This Service is aware that bunds were erected at this point. However these have now been removed.

3. Planting trees on bunds at above locations

Planting of trees is not considered to be development. Therefore no planning permission is required.

4. Planting of Sycamore trees on bunds near Milne home

As outlined above the planting of trees is not considered to be development. Therefore, no planning permission is required. As such the Planning Service cannot control the type of tree which is planted.

5. Planting trees (possibly 100+) by Milne home

As above planting of trees is not development therefore, no planning permission is required. As no planning permission is required, the Planning Service has no remit to consider whether or not any environmental change will take place or any effect on the blockage of light.

6. Allowing construction vehicles to cause deterioration of Leyton Road, improper renovation/temporary resurfacing of same

A complaint was previously investigated on this issue. Following enquiries it was established that the roads referred to were private estate roads over which there is a public access to properties. There had been increased construction traffic etc but also a combination of severe weather which had also taken its toll.

The developer confirmed that remedial works would be undertaken to the roads particularly where property owners require continual access to improve the condition of the roads. In essence this was a private civil matter. The conclusion of this matter was that the breach was resolved and the road damage reinstated and to a better level than previously.

7. Replacement of a traditional outbuilding near Leyton Road with a corrugated metal structure

This matter was also investigated and the works undertaken were considered to be repairs to an existing building with the subsequent use being covered by the overarching permission that was granted for the use of the land as a golf course.

8. Construction of parking lot

The car park was constructed other than in accordance with the original approval. However retrospective planning permission has been sought.

9. Entrance sign – larger than originally agreed

Signage was erected other than in accordance with the Advertisement Consent approved. An application for retrospective Advertisement Consent was submitted and has been approved.

10. Temporary clubhouse – was it approved in advance?

The temporary clubhouse was erected other than in accordance with the original approval. However retrospective planning permission has been sought and approved.

11. Vegetation stripped away from area north of Leyton cottage

As part of planning permission environmental monitoring by a third party was undertaken throughout the construction of the golf course. The Ecological Clerk of Works has highlighted no issues. Copies of these reports are available on line via the following link.

[http://www.aberdeenshire.gov.uk/planning/apps/detail.asp?ref\\_no=APP/2006/4605](http://www.aberdeenshire.gov.uk/planning/apps/detail.asp?ref_no=APP/2006/4605)

12. Use of culverts instead of bridges on course

Again the environmental monitoring by the Ecological Clerk of Works has highlighted no issues in this regard.

Finally I note that you have requested a meeting with the Planning Service. However I do not consider that this would be necessary given that the issues you have raised are in the majority of cases historic and the breaches of planning resolved through the submission and approval of applications or indeed the removal of unauthorised works.

I can assure you that Aberdeenshire Council and the Planning Service monitor this site and will continue to do so to ensure that works are carried out in accordance with the permissions granted and to take necessary action where breaches occur. The Service enforces planning and building regulations and access legislation in an equal and fair manner throughout the authority and all situations are dealt with in a consistent manner.

If you require any further information, please feel free to contact me on

Yours sincerely  
Jane White

## 1.2 S Kelly to Aberdeenshire Planning on Mon, 18 Feb 2013 9:52

Dear Ms Ramsay

I telephoned Aberdeenshire Planning on Friday, and was directed to write to you with concerns for building works and unapproved works at the Menie Estate. I stress the contents of this email are my observations and opinions, and I am not a planning professional. However, it seems to me that there are many urgent issues which need to be addressed, and I thank you in advance for your help in doing so.

I visited the estate on Saturday 16 February and noted three areas where earth moving equipment was in use. First, near the parking area a large piece of ground is being scraped and levelled. Second, while walking on the first golf course, a digger was engaged in work of some kind on the east side of the course. Finally, at the far south end of the site, work is also going on; this may be where the second - as yet unapproved and unfiled - course is to be situated. As a matter of urgency, please advise what work is being done and whether this work has planning permission. If it does not, then I request that the work be halted immediately.

If unapproved work is going on, I believe it is not the first time such practice is going on at this site. I request a meeting be arranged on site at the earliest opportunity with representatives of the Planning Department, the local residents, me (I have been asked by residents to arrange such a meeting), and if you wish, representatives from Trump International. The objective would be to look at work that has been done and assess what is outwith the approved scope of work, and to ensure no unauthorised works take place going forward.

To that end, I have compiled a list of issues which I believe were not approved. I would like your comments on these items at your early convenience; they are as follows:-

Possible contraventions of planning permission at Trump International, Menie Estate

1. Construction of bunds by Munro Home (Leyton Cottage) – two sides
2. Construction of bunds by Milne Home (Hermit's Point) – two sides
3. Planting trees on bunds at above locations
4. Planting of Sycamore trees on bunds near Milne home – this is a species which is considered invasive as well as non-native
5. Planting trees (possibly 100+) by Milne home (what species? will they change the environment? will they block Milne's light?)
6. Allowing construction vehicles to cause deterioration of Leyton Road, improper renovation/temporary resurfacing of same
7. Replacement of a traditional outbuilding near Leyton Road with a corrugated metal structure – no permission is thought to have been sought or obtained
8. Construction of parking lot – was it approved in advance?
9. Entrance sign – larger than originally agreed
10. temporary clubhouse – was it approved in advance?
11. Vegetation stripped away from area north of Leyton cottage
12. Use of culverts instead of bridges on course
13. digging (as described in my first paragraph) (no plans were lodged with Aberdeenshire council as at 15/2/13, but earth works had begun, and media had been informed plans were submitted).

As regards the bunds, these may, I understand, have retrospective planning applications filed. It is my observation that these bunds remove light, have caused property damage to Munro property (I am told sand/dirt/silt have damaged property including cars), and seem to serve no useful purpose

other than to intimidate the Munro family and remove the property's historic scenic vistas and access to light. They of course no longer have a view of the coast - just a view of a huge, steep man-made bund. The bund by the Milne property likewise should be removed. I had been given a representation by Gordon Lyon (email 12 August 2011) that the bunds were already removed; I would be happy to share this email with you.

Considering that particularly in the Munro bund situation utilities such as phone, water and electric are now buried under these bunds, access would be difficult and possibly dangerous should the utilities need to make repairs. Attempts to stabilise the bunds at the Munro and Milne properties with trees are, in my opinion, causing further safety hazards. The trees simply cannot grow at the Milne property (and again, the bund serves no useful purpose but to, in my opinion, intimidate); they are not taking root and as such are unstable and could cause injury and property damage if they fall. These bunds must not be given retrospective planning permission, and they must come down before an accident occurs. I am also told that there may have been retrospective planning permission requested for the bunds; please advise if that is true, and if so, how residents and other concerned parties can make objections as a matter of urgency.

Thank you for your urgent assistance in these matters. I am compiling a report which will be circulated to various regulatory bodies, and I hope that the timely assistance of the Planning Department will help inform this report. Please write to arrange a meeting time and date.

Yours sincerely

Suzanne Kelly

## 2 Scottish Natural Heritage

### 2.1 SNH to S Kelly on 27 February 2013

Scottish Natural Heritage, Inverdee House, Baxter Street, Torry, Aberdeen, AB11 9QA

27 February 2013

Our Reference: SIR121199

Dear Ms Kelly

Information Request – Menie Estate and Trump International Golf Links Scotland  
Thank you for your information request which we received on 18 February. We have considered your request under the Environmental Information (Scotland) Regulations 2004 ('the EIRs').

You asked us for information on the Menie Estate and Trump International Golf Links Scotland (TIGLS). Some of the questions you have asked are not matters for which SNH has responsibility. Where that is the case, we have indicated who we believe will be able to provide the information you have requested.

It may help to begin by explaining our role. Initially we were advisers to Aberdeenshire Council when they were determining the planning application. As you say, we objected to the application. This was due to the impacts the development would have on Foveran Links Site of Special Scientific Interest (SSSI). We provided evidence to that effect at the Public Local Inquiry. Once planning consent was granted, our role changed and we advised the council on compliance with the conditions that were attached to the consent.

We do not have a role in enforcing the conditions of the planning permission or checking that the construction and operation of the golf course complies with them; that lies with Aberdeenshire Council. Ecological Clerks of Works were employed by the developer, as one of the conditions attached to the planning permission, to oversee the construction of the course and try to ensure the works complied with the drawings and plans that were consented. There are a variety of plans that were required as conditions of the consent, for example an Environmental Management Plan and Habitat Mitigation and Compensation Plan etc. which you can see through the following link:

[http://www.aberdeenshire.gov.uk/planning/apps/detail.asp?ref\\_no=APP/2010/0423](http://www.aberdeenshire.gov.uk/planning/apps/detail.asp?ref_no=APP/2010/0423)

We do, however, retain a role in anything not covered by the consent and plans because the course is on an SSSI. We have visited the site once or twice while it was being constructed in response to a request from the Ecological Clerks of Works. We also visited the site last August to take a preliminary look at the SSSI once the course had been completed. We intend to visit it again this summer to study and evaluate the SSSI. That visit will be made by relevant SNH staff and scientific advisers and we do not propose to carry it out with residents or TIGLS personnel.

2 A845002

To answer your other points:

- Bridge over the Blairton burn - we are not aware of this proposal and have not provided advice on it.
- Water quality in pool by a track - we do not know what checks are made on water quality. There is a Site Water Management Plan for the development which you can view through the link above.
- Blue Green dye - this may be a dye that was used to show areas where grass seed had been sprayed. We do not know if it was approved.

I need to advise that we do not hold the specific information you are seeking, and therefore EIRs Regulation 10(4)(a) (Information not held) applies to this part of your request. I suggest that you contact Aberdeenshire Council for advice on these matters as they may be able to help you.

- Translocation - extensive translocation of habitats was planned as part of the proposal. We have seen during a visit that transplanting slabs of marram grass has occurred but do not know what translocation has taken place of other habitats, such as dune slacks.
- Culling of wildlife - we are not aware of any culling.
- Impact on wildlife - if the development complies with the conditions attached to the consent, impacts to protected animals should be minimised.

I need to advise that we do not hold the specific information you are seeking, and therefore EIRs Regulation 10(4)(a) (Information not held) also applies to this part of your request. I recommend that you contact Trump International Golf Links Scotland for information on these subjects.

#### How We Handled Your Request

We believe that the information you have asked for on this occasion is environmental information as defined in the Environmental Information (Scotland) Regulations 2004 ('the EIRs'). We have therefore considered your request under the EIRs. I need to explain that to do this we applied an exemption to your request under section 39(2) of the Freedom of Information (Scotland) Act 2002 ('FOISA'), as recommended by the Scottish Information Commissioner's guidance. This exemption is the formal way for us to consider your request under the EIRs. If you would like to find out more about the access to information legislation there a guidance booklet available on the Scottish Information Commissioner's website, <http://www.itspublicknowledge.info/uploadedfiles/YRTK2012.pdf>.

#### Review and Appeal

I hope this information meets your requirements but if you are dissatisfied with how we have responded to your information request, please write to us within 40 working days at Battleby, Redgorton, Perth, PH1 3EW or email us at [foi@snh.gov.uk](mailto:foi@snh.gov.uk), explaining your concerns. Our Director of Policy and Advice, Susan Davies or her nominated delegate will carry out a review of our response and provide an outcome within 20 working days.

3 A845002

If you are not satisfied following this, you can make an appeal to the Scottish Information Commissioner. The Scottish Information Commissioner can be contacted at:

Telephone: mmmmmmm

<http://www.itspublicknowledge.info/>

Yours sincerely

## 2.2 S Kelly to SNH Monday 18 February

Dear Sir or Madame

I have visited the Menie Estate twice in the past 4 weeks, and have concerns about environmental issues. Can you please advise whether SNH, which objected to the golf course when it was before the Scottish Government, has visited the area since planning was granted?

Some of my areas of concern are these:

Part of the course washed into the sea as I discovered in mid January. A bridge is being constructed at the area of collapse, the Blairton Burn. I am not certain if the work or the manner in which it is being carried out has any environmental risks.

I noted in January and February a small pool by a track running through the course on the north which is both rust-red in colour and which has an oily sheen. Are any checks being made as to pesticides/fertilisers being used?

Do you know what wildlife has been culled? Some residents believe burrowing animals may have been / are being gassed.

There was meant to be a 'translocation' of several species. What has taken place? How is the success of this translocation being monitored?

A blue-green dye is being used on the course; I wonder whether it has been approved.

What is the impact on wildlife in the area since the construction began?

I hope that you will be able to help with these issues at an early opportunity, and I strongly suggest a visit be made to walk the site with some of the residents as well as Trump personnel. Please advise if this will be done.

Again, I hope for an early response to these questions, and to hear any other comments SNH cares to make on the development. If an early answer is not possible, and for the record, I am requesting this information under environmental freedom of information legislation.

Thank you for your assistance.

Yours faithfully

## 3 MEMAG

### 3.1 S Kelly to MEMAG 25 February 2013 (awaiting reply as at 8 March)

Dear Ms Gray

Tomorrow will be four weeks since I first wrote with questions to MEMAG. As well as awaiting answers to my original questions, I would like to report that there are now additional works taking place at 3 locations which seem outside of approved planning. Gorse is being planted which might obstruct paths, non-native species considered 'invasive' by the Forestry Commission are being planted near the Milne home. As the grass is being dyed/sprayed blue-green in places, and as there is a small pool of water which is red in colour with oily sheen, I would also like to ask what other chemicals are being used on site and what oversight MEMAG is exercising over the various elements of the Menie Development.

In the absence of any reply from MEMAG, I am publishing an article on Aberdeen Voice about the environmental issues noted by myself and others. Any reply MEMAG cares to make to this article will be welcome, but in any event, I hope that your organisation will let me know as soon as possible the answers to my questions and advise how it is filling its remit, which I understand is in part a preventative, proactive role.

Yours sincerely  
Suzanne Kelly

### 3.2 S Kelly to MEMAG 11 February 2013

Dear Ms Gray (CC Bill Ritchie)

I wonder if there has been any progress on my questions as yet. I will be writing about the environmental impact of the Trump development shortly. Even if there is not time to answer my questions, if I could have a statement of MEMAG's position this week, that would be most helpful. Particularly as a second course has been applied for, MEMAG's input will be of interest to Aberdeen Voice readers.

Thank you in advance for your assistance.

yours sincerely  
Suzanne Kelly

### 3.3 S Kelly to MEMAG 29 January 2013

Dear Ms Gray

Thank you for your acknowledgement; I hope my questions can be dealt with at an early convenience. However, I do have four more questions to add to the list; the first I hope can be answered fairly quickly.

1. how often are environmental monitoring visits being carried out?
2. The Trump organisation has made several failed attempts to plant conifers in sandy man-made bunds (which do not seem to have planning permission) on a border with property owned by David Milne. Now there is an attempt to plant non-native Sycamore trees in this same area. Was any consultation with MEMAG undertaken as to environmental impacts of trying to plant on this bund?
3. Was any consultation taken with MEMAG about introducing non-native Spruce trees, and what is MEMAG's position on this introduction of such species to the site?
4. The Scottish Government planning documents refer (see Chapter 3 - the case against) to species relocation. Please advise what plants and animals have been relocated, what monitoring is being done on the relocated species, where is the new location, and is it working.

Many thanks.  
Yours sincerely

### 3.4 MEMAG to S Kelly 23 January 2013

Dear Ms. Kelly,

I acknowledge receipt of your email below which will be referred to the full MEMAG committee for consideration.

Regards

Sandra Gray

MEMAG Secretariat

### 3.5 S Kelly to MEMAG 23 January 2013

The Menie Estate / Trump International

From sgvk27

To info i

bill.ritchie

Dear Sir or Madame

I have recently visited the Estate; I have looked at some of your organisation's minutes. Can you please help me with the following questions:-

1. your most recent minutes available on your website is 31 June 2012. Please confirm whether there are more recent minutes pending.

2. when did your team last visit Menie?

3. The minutes referred to above include the following paragraphs; I have highlighted areas I am interested in, and would like to ask questions as follows, in order of appearance:-

The

**Chairman** had visited the site several times since the last meeting in April 2011 which included assessing the implications for the Coastal Dune Ridge at the natural erosive area east of the hole 4 fairway.

members of the public to enter and leave the site and a car park. This could be a legal issue and/or one for MEMAG to consider its impact on the monitoring framework e.g. how does the absence of a suitably surfaced car park and access road, connected to the public road impact on compaction, run off and landscape?"

**KN**

CC commented that Reserved Matters Consent and Full Planning Consent were in place for the operation of the championship golf course. He added that full planning consent was in place for the roadway and that this was now at an advanced stage.

**AG** agreed that the works

on the road were well advanced and he could now see that the roadway should be complete by the opening of the golf course.

The

**Chairman** noted that the access road might become a point of interest if the run-off cause any problems.

**DO** advised that SEPA monitoring would continue, but the situation is different to that anticipated as the hotel complex and housing plans are currently 'on hold'.

22. The

**Chairman** tabled some early thoughts on what monitoring projects could be taken forward as follows:

- Translocation of wetlands habitat. Reference to be made to the ECoW reports.

- Coastal Dune Ridge (CDR). Focusing on sensitive areas.

- Hydrological data gaps and definition of monitoring requirements.

**DO**

suggested that MEMAG needed to now focus on developing and taking the monitoring process forward.

8. 39 – Otter Reports – status – The Chairman explained that Esie O'Mahonay was to provide the otter report and noted that this had been sent to ECoW on 19/07/2011, but had not been copied to MEMAG which was the original agreement. The Chairman agreed to follow up.

1. The coastal dune ridge has eroded and is being repaired. What are the environmental implications? Is your organisation satisfied with the pipes/ drainage system put in place by Trump International at this site and on the whole site?

2. Compaction, run off and landscape - the car park has been built (its exact in advance planning approval is unclear to me) - there is clearly run off, there is bad erosion to the access road by Susan Munro's cottage, and there is continuing landscape impact caused by the use of bunds on two sides of Ms Munro's property. I would like you to comment on these matters in terms of frequency of monitoring, when you last visited the roads to check for impaction, run off run off. Run off and construction vehicle traffic is, in my opinion and that of many residents, responsible for the serious deterioration of the road surface of the road Ms Munro's home is on. The bunds were meant to be temporary; they are still up despite Mr Lyons of Aberdeenshire Council writing to me in May 2011 these structures were temporary. Ms Muro's property many negative impacts as a result of the bunds. Has your organisation indicated that these need to come down?

3. What has been done regarding translocation of wetlands habitat?

4. Your minutes indicate you are to focus on the coastal dune ridge ' sensitive areas' - please explain what has been done in this regard.

5. Have these data gaps been addressed? What was the cause?

6. Has the otter report been delivered yet? This action was outstanding from the previous meeting held 11/4/11.

7. Have all of the otter mitigation and management actions been completed to MEMAG's satisfaction?

My other questions are:-

8. I note in the minute a reference to the lack of any Trump organisation representation at your meetings. Please advise which meetings have had a Trump representative present. Is there no provision for any of the pre-existing area residents to be involved in your organisation?

9. How many times have you consulted with residents other than Trump? Have you addressed any of their concerns?

10. I noted several patches of water on my walk around the course; several were very much rust red in colour. This might indicate either a great deal of fertilizer, iron, and/or bacteria. Have you found such areas, and if so have they been tested? What were the results? I can tell you where to find such a pool.

11. I note your organisation is meant to be an independent body. How do you reconcile this stance with the presence and funding from Trump International, and the exclusion of local residents?

12. Is your body satisfied with the state of the Trump-owned property environmentally speaking at this time? If no, why not?

Thank you in advance for addressing these questions at your early opportunity.

Yours faithfully

Suzanne Kelly

## 4 Scottish Enterprise

### 4.1 Scottish Enterprise to S Kelly 18 February 2013

Dear Ms Kelly

Thank you for your request for information under the Freedom of Information (Scotland) Act 2002 (FOISA) of 20 January 2013, regarding Trump / Menie Estate.

A response to your specific questions is provided below.

**1. Copies of correspondence to and from VisitScotland and Scottish Enterprise on the one part and Trump International (including Donald Trump, Trump International Golf Links Scotland, Trump International, and The Trump Organization) on the other part, pertaining to the Menie Estate, Balmedie, SSSIs, setting up business in Scotland, environmental laws, finance available for golfing ventures in Scotland).**

We have carried out a search of our files and can advise, in accordance with Section 17(1)(b) of FOISA, that Scottish Enterprise holds no information within the scope of your request.

**2. Details of any funding applied for, granted, or rejected for Trump International (including Donald Trump, Trump International Golf Links Scotland, Trump International, and The Trump Organization) which pertains to the Menie Estate, Balmedie, SSSIs, setting up business in Scotland, environmental laws, finance available for golfing ventures in Scotland) by VisitScotland and Scottish Enterprise.**

I can confirm, in accordance with Section 17(1)(b) of FOISA, that Scottish Enterprise holds no information within the scope of your request. SE has not received any applications for funding, and has not granted, or rejected any applications for funding for Trump International, or the other related parties listed.

**3. Details of any hospitality (event, gift, accommodation, etc.) offered to any member of Scottish Enterprise or VisitScotland from Trump International (including Donald Trump, Trump International Golf Links Scotland, Trump International, and The Trump Organization) which pertains to the Menie Estate, Balmedie, SSSIs, setting up business in Scotland, environmental laws, finance available for golfing ventures in Scotland).**

In accordance with Section 17(1)(b) of FOISA, I can confirm that Scottish Enterprise holds no information relating to any gifts or money received from Trump International, or the other related parties listed. To comply with Scottish Enterprise's Code of Conduct, the organisation maintains a register of gifts and hospitality received by employees from companies. I confirm that a search of the register has been undertaken and no entries relating to gifts or hospitality from Trump have been registered.

Please note that we can only provide information as it relates to Scottish Enterprise. If you require information from VisitScotland, you should send your request to the VisitScotland FOI mailbox at [foirequests@visitscotland.com](mailto:foirequests@visitscotland.com).

I trust that this information has satisfactorily answered your questions. However, should you require anything further, please get back in touch.

If you are dissatisfied with this response / how your request has been handled you have the right under the Freedom of Information (Scotland) Act 2002 to request a review. A request for review must be submitted in writing or other permanent form within 40 working days of the date of this letter and should be addressed to:

Lena Wilson  
Chief Executive  
Scottish Enterprise  
Atrium Court  
50 Waterloo Street  
Glasgow G2 6HQ

It must include your name and an address for correspondence, and specify the request for information to which the requirement for review relates and the matter which gives rise to your dissatisfaction with the decision.

Scottish Enterprise will respond to any request for review within 20 working days of receipt.

#### **Your right to apply to the Information Commissioner under FOISA**

If you are dissatisfied with the outcome of the review you have the right under FOISA to apply to the Scottish Information Commissioner within six months following the date of receipt of the review notice.

The Commissioner's contact details are:

mmmmmmmm  
Yours sincerely  
N McInnes, Head of Communications

## 4.2 S Kelly to Scottish Enterprise 20 January 2013

Dear Sir or Madame

Under the provisions of Freedom of Information legislation, I would like to request the following:-

1. Copies of correspondence to and from VisitScotland and Scottish Enterprise on the one part and Trump International (including Donald Trump, Trump International Golf Links Scotland, Trump International, and The Trump Organization) on the other part, pertaining to the Menie Estate, Balmedie, SSSIs, setting up business in Scotland, environmental laws, finance available for golfing ventures in Scotland).
2. Details of any funding applied for, granted, or rejected for Trump International (including Donald Trump, Trump International Golf Links Scotland, Trump International, and The Trump Organization) which pertains to the Menie Estate, Balmedie, SSSIs, setting up business in Scotland, environmental laws, finance available for golfing ventures in Scotland) by VisitScotland and Scottish Enterprise.
3. Details of any hospitality (event, gift, accommodation, etc.) offered to any member of Scottish Enterprise or VisitScotland from Trump International (including Donald Trump, Trump International Golf Links Scotland, Trump International, and The Trump Organization) which pertains to the Menie Estate, Balmedie, SSSIs, setting up business in Scotland, environmental laws, finance available for golfing ventures in Scotland).
4. Regarding No. 3 above, a list of any hospitality accepted and its approximate value.

For all of the above requests, the time to be covered will be from 2008 to the current date.

If this request is unclear, please contact me at your early opportunity for clarification. Thank you in advance for your assistance.

Yours faithfully

### 4.3 Scottish Enterprise to S Kelly 23 October 2007

(Scottish Enterprise in blue; my questions in **black, bold**)

Dear Ms Kelly

Thank you for your request for information under the Freedom of Information (Scotland) Act 2002.

I have provided responses to each of your questions below.

**1) Who at Scottish Enterprise was consulted and agreed to Ms Craw's video endorsement of the proposal?**

Neither SE, nor Ms Craw, has endorsed the Trump planning application. SE Grampian is supportive of the proposals but they have no role or remit in terms of the planning decision.

Ms Craw gave an interview to STV in relation to a documentary on the Trump International plans for a golf leisure development on 26 June 2006. Ms Craw was not made aware that the clip would be used as part of the Trump presentation at the public meeting.

**2. How much of Ms Craw's time was needed to create the film and was it during office hours (and therefore funded by the Scottish Executive)**

The interview from 26 June 2006 took 30 mins of Ms Craw's time during office hours.

**3) If Scottish Enterprise endorses Trump's development plan and Scottish Enterprise is funded by the Scottish Executive, does it not follow that the Scottish Executive also endorses the plan?**

As 1 above, SE has not endorsed the planning application. Any endorsement by Scottish Enterprise would not bind the Scottish Government.

**4. How much money, consultation, and other forms of support have Donald Trump's organisation and representatives received from Scottish Enterprise, and what would the monetary value of such funding and services be?**

Donald Trump's organisation has not received any funding from SE Grampian. A Preliminary Feasibility study along with a promotional DVD in relation to the Menie Estate Golf Resort was commissioned by SE Grampian in line with support for inward investment activity. The cost of this was £30,285.

SE Grampian PR support around the project announcement was given to the Trump Organisation in keeping with support offered to potential inward investors. Please note there is no monetary value placed on staff time spent on projects.

**5) I believe that Ms Craw's endorsement of the Trump development plan constitutes Scottish Enterprise - and by implication a Scottish Executive - pressure on the Aberdeenshire Council to proceed with Craw's recommendation.**

As no endorsement has been made by Scottish Enterprise, there is no evidence to support the suggestion that there is pressure on Aberdeenshire Council.

If I can be of any further assistance please let me know.

Regards

#### 4.4 Scottish Enterprise to S Kelly 8 October 2007

**Subject:** FW: Operational question/Freedom of Information Request - Trump and golf courses

Dear Ms Kelly

I acknowledge receipt of your request for information under the Freedom of Information (Scotland) Act 2002.

A response will be provided promptly; and in any event not later than 25 October 2007. Please allow postal time.

Regards

#### 4.5 S Kelly to Scottish Enterprise 27 September 2007

Dear Sir or Madame

Please direct this Freedom of Information request to the relevant party; I would like an answer as a matter of some urgency, thank you.

Jennifer Crow, head of Scottish Enterprise Grampian, appears twice in a video shown this evening by the Donald Trump organisation at a public hearing held by the Aberdeenshire Council. Her segments feature the Scottish Enterprise logo, and she endorses the proposal the Trump Organisation has to develop a golf resort and hundreds of homes in Aberdeenshire (on environmentally sensitive land, which would, as all parties recognise, damage the existing dunes and SSIs).

The purpose of the meeting was to hear representations for and against the proposal. The elected Aberdeenshire Council is to deliberate on whether this development should go ahead.

I would like information as follows:-

- 1) Who at Scottish Enterprise was consulted and agreed to Ms Crow's video endorsement of the proposal?
- 2) How much of Ms Crow's time was needed to create the film, and was it during office hours (and therefore funded by the Scottish Executive)?
- 3) If Scottish Enterprise endorses Trump's development plan, and Scottish Enterprise is funded by the Scottish Executive, does it not follow that the Scottish Executive also endorses the plan?
- 4) How much money, consultation, and other forms of support have Donald Trump's organisation and representatives received from Scottish Enterprise, and what would the monetary value of such funding and services be?
- 5) I believe that Ms Crow's endorsement of the Trump development plan constitutes Scottish Enterprise - and by implication a Scottish Executive - pressure on the Aberdeenshire Council to proceed with Crow's recommendation. Please advise.

I await your early comments.

Yours faithfully

## **5 Outdoor Access Officer**

### **5.1 Aberdeenshire - new access officer to S Kelly 1 March 2013**

Hi Suzanne,

Thank you for the email stating the concerns of yourself and the local residents.

As I am sure you are aware there have been a number of access concerns over the past number of years in regard to the Menie Estate, which Aberdeenshire Council has been active in trying to resolve.

This work has to date been undertaken by my colleague, Kevin Wright, who has been in contact with both local residents and the Trump organisation to try and find solutions to the issues. I have not had a chance to meet with Kevin yet to discuss the issues and see what progress has been made. Unfortunately he is currently away on annual leave and therefore I will not have the opportunity to see him until he returns. Until this time I am unsure of the current discussions taking place with all of the interested parties.

Thanks for the invite for a site visit this coming Monday but I am already busy on that day. I assure you that I will be undertaking a site visit soon and be speaking to all of the people that have concerns in the area.

Please bear with me and as soon as I have more information I will be able to relay this to yourself and other interested parties.

Regards

### **5.2 SNH to S Kelly 18 February 2013**

Dear Ms Kelly

To my knowledge the access officer north Aberdeenshire position is vacant however this is the contact telephone number for said post

01467 628481 You could also try the officer in post who covers the south of Aberdeenshire, Kevin Wright on the same number.

Many apologies that our map doesn't work - this is due to a flash plug-in conflict with our systems. I believe it's a common fault with 'Flash' these days.

Kind regards

Recreation and Access  
Scottish Natural Heritage  
Inverness

### **5.3 S Kelly to Various 17 February 2013**

Menie Estate Access and the Scottish Outdoor Access Code

From sgvk27 stails

To recreatioss@snh.gov.uk

Dear Sirs

I wish to contact Aberdeenshire's relevant Local Outdoor Access Officer / group with concerns about hindered access at the Menie Estate.

I write on behalf of local residents, and on my own behalf. When I visited in January and again on 16 February, two roads on the estate were padlocked shut. I was able to go around one gate, but the other would have been problematic. If I had a person with me with mobility issues, then we would not have been able to exercise our access rights.

I am more concerned however at how private security firm Izon, who seem to be managing the estate, are stopping area visitors and even well-known local residents. ID is demanded, people have been taken to the club house to seek permission from security to walk, and local photographer Alicia Bruce was so threatened (by greens staff) that she was compelled to call the police.

Clearly the Code is not being respected.

May I suggest a meeting with the Trump Organisation is called for, asking for security and staff to cease any further such actions. I also think that frequent visits by the Access Officer might help identify and correct any future actions contrary to the Code.

The experiences of some of the people who have been so hindered can be found at <http://aberdeenvoice.com/2013/01/menie-estate-no-3-love-thy-neighbour-trump-style/> - but this is by no means the only such record.

Thank you for your assistance.

Yours faithfully

## 6 Izon Security

### 6.1 S Kelly to Izon 31 January 2013

Dear Ms McGregor

Thank you for your email. However, while I accept that your operatives do not carry weapons as you assured me this is the case, I am afraid I disagree with your other conclusions, and will therefore be contacting the SIA.

Yours sincerely

Suzanne Kelly

### 6.2 Izon to S Kelly

-----Original Message-----

From: L McGregor < >

To: sgvk27 < >

Sent: Thu, 31 Jan 2013 11:24

Subject: RE: Thank you for contacting Izon

Dear Suzanne,

Thank you for your email.

Izon Security Ltd is an SIA Approved Contractor and operates to fully comply with this standard. All our officers are fully licenced and trained. They operate to the highest professional standards and do not carry weapons of any description.

As I am sure you can appreciate, due to reasons of customer confidentiality, we are unable to answer the other questions.

We do however thank you for your enquiry, we attempt at all times as an SIA Approved Contractor to provide full satisfaction to both clients and members of the public.

Kind Regards

Izon Security Ltd  
Braidhurst Business Centre  
Davaar Drive  
Motherwell, ML1 3TW

### 6.3 S Kelly to Izon

**From:**sgvk27]

**Sent:** 24 January 2013 19:19

**To:** L McGregor

**Subject:** Re: Thank you for contacting Izon

Dear Ms McGregor

Thank you for your email. It is a bit strange that after filling out your online contact form and receiving a receipt acknowledging same that you don't have my questions, but I am happy to send them again. I need the answers or a reply at your early convenience, thank you. Questions are as follows:-

I would like answers to the following questions, please for an article which will be published Friday:-

1. how many times have Menie Estate residents been stopped by your operatives in the last month? In the last year?
2. Do your guards wear clearly visible security badges? Do they carry identification?
3. For what reasons are local residents stopped? Are you aware of who the local residents are?
4. Countryside Access - do your guards stop residents or visitors who wish to walk on Trump-owned land?
5. Photographer Alcia Bruce had been stopped by an operative who was so aggressive she felt the need to call the police. Would you care to comment on that incident? Are incident reports filed by your employees when a situation like that occurs?
6. Do your operatives ever jump in front of vehicles when they are on foot, demanding people stop?
7. Do your operatives monitor any of the residents' homes? If so, do they ever explain why they are doing so, or ask permission first? What would be the reason for watching residents' homes?
8. Are any form of weapons - tasers, air guns, pellet guns, other types of guns carried by your operatives when they patrol the Menie Estate?

Thank you in advance for your prompt reply.

Yours sincerley

Suzanne Kelly

## 6.4 Izon to S Kelly

-----Original Message-----

From: L McGregor < >

To: sgvk27 <[s](#)>

Sent: Thu, 24 Jan 2013 17:57

Subject: FW: Thank you for contacting Izon  
Suzanne

Thank you for your email below, unfortunately we have no record of your questions being emailed to our company, therefore, could you resend your questions to  
Under our commercial confidentiality responsibilities to our clients we may not be in a position to reply positively, but we will reply within the next three days.

Kind Regards

Izon Security Ltd  
Braidhurst Business Centre  
Davaar Drive  
Motherwell, ML1 3TW

## 6.5 S Kelly to Izon

**From:]**  
**Sent:** 23 January 2013 13:30  
**To:** Email  
**Subject:** Re: Thank you for contacting Izon

Dear Izon

Thank you for your acknowledgement of my questions emailed to you last week. I would be grateful for your response to my questions at an early opportunity.

As well as writing a series of articles on the Menie Estate, I am preparing a report which will be sent to the press, Aberdeenshire Council, The Standards Commission and other relevant agencies. It will include security operations. Your input will be important.

Yours faithfully

Suzanne Kelly

## 6.6 S Kelly to Izon

-----Original Message-----  
From: Izon <>  
To: sgvk27 <>  
Sent: Wed, 16 Jan 2013 19:54  
Subject: Thank you for contacting Izon  
Dear Suzanne Kelly,

Thank you for visiting the Izon website and taking the time to fill in our contact form.

Your email has been received by our staff and is being read now. If appropriate someone will be in touch regarding your query.

Many thanks for your interest.

Izon