

Concern over advice given to councillors over battery site

Concerns over East Lothian Council's role as a landowner of a site earmarked for a controversial Battery Energy Storage Site (BESS) are being raised with Scottish Ministers.

Members of Cockenzie and Port Seton Community Council have written to the Scottish Government to question the local authority's position as a consultee on the plans for the BESS near housing in the town, given it owns the land involved.

And they have raised further concerns that members of the council's planning committee may have been 'misdirected' over their ability to object to the application at a meeting earlier this month.

The BESS is proposed for agricultural land next to a brownfield site at Inglis Farm, Cockenzie.

Members of the public attended a meeting of the community council's BESS sub group last week to call for more action to try and halt the proposals.

It came after East Lothian Council's planning committee voted by seven members to four not to object to an amended application for the site.

The BESS application will be decided by the Scottish Government's Energy Consent Unit (ECU) but came before the

council as the planning authority for comment.

The original application for the BESS was put before the committee last summer and initially members voted to object but after discussions between the developer and council officers the objection was withdrawn.

At a meeting of the committee earlier this month members were told the original application had been amended into two separate applications – Parcel A and Parcel B – with the same proposals.

But while they were asked to consider a response on one of them councillors were told they could not return to the original application to comment further and were not asked to respond on the second application.

That advice has been questioned by the community council after its chairperson Ben Morse wrote to the ECU for clarification and was told it was the council who decided no further comment would be made.

In a letter to Mr Morse, the ECU said: “East Lothian Council advised that since no physical changes were proposed to the original application, it would not make a further consultation response relating to Parcel A and did not intend to take Parcel A back to the Planning Committee.

“It went on to advise the recommended conditions agreed at the planning committee meeting held on the 4th June 2024 be applied to Parcel A.”

The public meeting last week heard local concerns about the site; its proximity to housing, a lack of national guidance for the site, fire risks and response plans, and the council’s role as the landowner and a planning authority being a clash of interests.

The meeting agreed to write to planning committee members

raising concerns about the 'discrepancy' in information given to them, raise the landowner concerns with Scottish Government and encourage the ECU directly with objections to the site.

An East Lothian Council spokesperson said: "Democratic procedures were followed correctly at planning committee. Members were only able to comment on the application that was before them at that particular meeting.

"Standing Orders do not allow for an application previously discussed to be raised again at committee without set criteria being met, for example a material change being made to that application or a motion being brought forward by an elected member.

"It is also important to emphasise that East Lothian Council is not the Planning Authority in this application. We are a consultee and the application will be determined by Scottish Ministers via the Energy Consents Unit. Representations from groups and individuals can be made directly to the ECU on this application."

By Marie Sharp Local Democracy Reporter