

## DONALD TRUMP'S PROPOSED GOLF RESORT: MENIE ESTATE

### Lines to take

- I understand that a planning application is likely to be lodged with Aberdeenshire Council in the very near future. It will be a matter for the Council to consider, at least in the first instance, although it is possible that the application will come before Scottish Ministers at some point.
- It is not appropriate for me to pass comment on the merits of the proposal at this time, [nor have I done so].

### Background

Donald Trump has announced plans for a development comprising two golf courses and a golf academy at Menie Estate, Aberdeenshire. The development would also involve a five-star hotel and housing, along with a turf grass research centre. The Trump Organisation intends to lodge a planning application with Aberdeenshire Council during May. We have not yet seen any firm plans for the proposed development.

Donald Trump's representatives have been reported as claiming that work will start on the development by September 2006. However, given the probable complexities of the case and the sensitive nature of the area (Menie Links is a Site of Special Scientific Interest), it is highly unlikely that planning permission can be secured within that timescale. In particular, an Environmental Impact Assessment will need to be carried out as part of the planning process; and we are not aware of any movement on this. This can add significantly to the timescale.

It will fall to Aberdeenshire Council, at least in the first instance, to reach a decision on the planning application. However, there are a number of reasons why applications may come before Ministers, such as significant departures from the structure plan or where SNH objects due to potential impact on designated natural heritage areas; or in the event of an appeal against refusal of planning permission (or against the Council's failure to reach a decision). Given the circumstances of this case, there is a very strong possibility that Mr Trump's proposal will come before Ministers at some point in the future for one or more of these reasons.

Under accepted practice, the decision-making role on this would fall to the Planning Minister alone, rather than Scottish Ministers collectively. This is necessary to ensure planning decisions cannot be successfully challenged in the Courts. This approach has been explained and published in both the *Scottish Ministerial Code* and the *Guide to Collective Decision Making*.

Recent reports in the media have involved accusations that the First Minister has breached the Ministerial Code by enthusiastically backing these proposals for a golf resort, or at least discussing the detail of the project with Mr Trump – thereby breaking rules which require Ministers to remain neutral about planning applications before they are decided.

## Q&A

### **Do you support Mr Trump's proposal? Will it be good news for the north-east?**

I am, of course, always keen to support investment in Scotland. But it has to be right for Scotland and development has to be right for the area. That is why we have a planning system. I welcome Mr Trump's stated commitment to invest in Scotland and we await his detailed plans with interest. But I cannot and will not pass any comment on the possible merits of his proposal in advance of the formal planning process.

### **Have you already made any agreements with Mr Trump?**

It is perfectly reasonable for any Minister to discuss potential investment in Scotland. We cannot simply ignore any person who may or may not lodge a planning application at some point in the future. But what we must ensure is that we do not allow ourselves to be lobbied and we do not state a view on any particular development proposal before it has been properly considered through the planning process.

I have spoken to Mr Trump and I am aware of his proposals for the Menie Estate. But our discussions have been of a very general nature and have not gone into particular details. I have certainly not said anything to Mr Trump, or anyone else, that might suggest that I support development at this specific location.

### **What role will you have personally in handling the planning application?**

Firstly, it will be a matter for Aberdeenshire Council to consider, although there is some prospect that it will come before Ministers at a later stage. Under established and accepted practice, should this proposal come before us, the decision-making role will fall to the Planning Minister alone, and not to Scottish Ministers collectively. [I will have no personal involvement in a planning decision.]

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