

Roseanna Cunningham MSP
Cabinet Secretary for the Environment,
Climate Change and Land Reform
The Scottish Government
St. Andrew's House
Regent Road
Edinburgh
EH1 3DG

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LSE
Houghton Street
London WC2A 2AE

+44 (0)20 7107 5027
+44 (0)20 7107 5440

gri@lse.ac.uk

**[lse.ac.uk/
granthaminstitute](http://lse.ac.uk/granthaminstitute)**

Chair:
**Professor Lord Stern
of Brentford**

Dear Cabinet Secretary,

I am writing to ask you to investigate whether Trump International Golf Links Scotland in Balmedie has broken the law by causing environmental damage to the Site of Special Scientific Interest at Foveran Links in Aberdeenshire.

Foveran Links was designated a Site of Special Scientific Interest on 14 February 1984. The Site contains a remarkable collection of blown sand landforms, comprising Foveran Links, Drum Links and Menie Links. The Site's citation noted its value as a geological site and that it was "of exceptional importance for the study of a wide variety of coastal landforms and processes and its value is enhanced by the availability of extensive research results in other disciplines which provide much additional and complementary evidence relevant to solving a broad range of geomorphological problems". The Site is also important for its vegetation and birds.

As a Fellow of the Geological Society and a Fellow of the Royal Geographical Society, I recognise the great importance of the UK's Sites of Special Scientific Interest, such as Foveran Links. The loss of such a Site would deprive future generations of students and researchers from studying their unique features.

It was, therefore, a great disappointment that the Scottish Government gave permission in November 2008 to Trump International Golf Links Scotland to develop a golf resort at Balmedie, despite objections, from individuals and organisations such as the Scottish Natural Heritage, that it would damage the Foveran Links Site.

During the public inquiry in summer 2008, Mr Donald J. Trump provided a precognition in which he insisted that he should be allowed to develop on the southern end of the Site, but stated that he was "fully committed to mitigating the effects of the course on the environment". He indicated that he would set up a Menie (Links) Environmental Management Advisory Group (MEMAG) to "give advice on how to minimize adverse

changes and facilitate good management practices". Mr Trump stated: "We will work with the MEMAG group to ensure that any environmental effects are minimized and to fully achieve the environmental benefits of the development".

The Report to the Scottish Ministers following the public inquiry noted that the development would cause damage to the Site. It stated:

"The loss of dynamism in the SSSI cannot be mitigated against; the proposals for mitigation would thus be better described as compensation, albeit with the possibility of creating good quality dune habitats. The council's support for the development is not conditional on significant mitigation or enhancement, but it sees very real prospects of significant and material mitigation taking place and it would have the responsibility for ensuring that this is so as planning authority with responsibility for enforcement. In that role it would be assisted by the comprehensive range of planning conditions that have been agreed with the applicant; the prospective agreement under section 75 of the Act; and the establishment of Menie (Links) Environmental Management Advisory Group."

However, media reports in November 2017 suggested that Scottish Natural Heritage was reviewing the status of the Foveran Links SSSI because the damage caused by the golf course has been so severe that its official designation may be no longer justified. The reports indicated that the review was due to be completed by the end of 2017. However, Scottish Natural Heritage has still not made public any information about the review.

It should also be noted that although MEMAG appears to have been set up in 2009, it was unilaterally disbanded by Mr Trump in 2013. Its website no longer exists.

Given these facts, I believe there is strong evidence that Mr Trump has not abided by his commitment to minimise the adverse impacts of the golf course development at Balmedie, and that this may have resulted in greater damage to the Foveran Links SSSI than was absolutely necessary. As you know, it is an offence under the Nature Conservation (Scotland) Act 2004 for any person to "intentionally or recklessly damages any natural feature specified in an SSSI notification". Section 19(2) of the Act states that such an offence does not occur if the damage was the result of a lawful operation and "that person took such steps as were reasonably practicable in all the circumstances to minimise the damage caused".

I urge you to examine this case and to take advantage of Mr Trump's expected visit to the UK later this month to find out if Trump International Golf Links Scotland has taken sufficient care to minimise environmental damage to the Foveran Links SSSI.

Yours sincerely,

A handwritten signature in black ink that reads "R.E.J. Ward". The signature is written in a cursive, slightly slanted style.

Bob Ward FGS FRGS
Policy and Communications Director
Grantham Research Institute on Climate Change and the Environment
London School of Economics and Political Science