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Reference:

PW/GL/DAR025/001

5 September 2013

09 SEP 2013

Strictly Private & Confidential

Mr R. Dixon
Friends of the Earth Scotland
Thorn House
5 Rose Street
Edinburgh
EH2 2PR

Dear Mr Dixon,

Dart Energy (Europe) Ltd

We act for Dart Energy (Europe) Ltd and its subsidiaries.

As you are aware our clients are currently seeking planning approval from Falkirk Council (P/12/0521/FUL) and Stirling Council (12/00576/FUL) to develop coal bed methane production at a site near Airth. These Councils have failed to come to a decision and our clients have lodged an appeal to the Scottish Government seeking clarity in respect of this application. As a government organisation SEPA are a statutory consultee in respect of this application.

SEPA have granted a number of licences in respect of this site for abstraction, the discharge of groundwater and the construction of boreholes. It is likely that SEPA may be called upon in the future to consider further applications or variations of licences in respect of this site.

We are aware of your position as a Board Member of SEPA. Our client's have brought to our attention a number of tweets which you have made in connection with their activities at Airth. These tweets were made at the following times:

- 3 September 2013 at 11:52
- 3 September 2013 at 23:40
- 4 September 2013 at 12:29
- 4 September 2013 at 09:39
- 4 September 2013 at 23:02

These tweets include links to news stories regarding Dart Energy's application to develop coal bed methane production at Airth and an image using the Dart Energy logo but changing it to read "Daft Energy: You'd be Daft to invest in us". Furthermore, you have tweeted a link to an article on the Friends of the Earth website commenting that Dart Energy are making

"desperate" attempts to raise finance in Australia to pursue "unconventional" gas extraction projects, including at Airth.

We find it deeply troubling that, as a Board Member of SEPA, you are making these comments on a public forum such as twitter. SEPA is responsible for granting, varying and revoking licences in respect of the coal bed methane production at Airth. Furthermore, they are one of the bodies who will be required to be consulted in respect of Dart Energy's application to the Scottish Government to consider the ongoing planning applications to Falkirk and Stirling Councils.

There is a clear conflict of interest which arises as displayed by your comments on your twitter feed and the fact that as a member of SEPA you may be required to consider future applications by Dart Energy or consult with the Scottish Government in respect of their ongoing application. Please confirm that you will

- 1) take no involvement with any consultation to do with our client's activities;
- 2) remove the above noted tweets from your twitter feed; and
- 3) refrain from posting any further material about our client's activities given the conflict in interest due to your position as a Board Member of SEPA.

If you agree to the above terms, and sign the acknowledgment overleaf, we will take no further action. We look forward to your response within 48 hours or we will consider all legal remedies available to our clients.

Yours sincerely,



Professor Peter Watson BA LLB SSC
Solicitor Advocate

I Richard Dixon agree that I will:

- 1) take no involvement with any consultation to do with our client's activities;
- 2) remove the above noted tweets from your twitter feed; and
- 3) refrain from posting any further material about our client's activities given the conflict in interest due to your position as a Board Member of SEPA.

Signed:

Dated:

Richard Dixon