

FULFORD PARISH COUNCIL

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Information Management Officer
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15th December 2014

Dear Sir,

FOI/EIR request for information:

Fulford Parish Council requests updated information relating to the Pinch Point Scheme and/or the Germany Beck development. For the most part, we request documentation dating from May 2014 up to the date the information is supplied. However, information received in connection with an earlier FOI request dated June 2104 (ref: ccf1296) omitted certain documents which are requested again in Section B and D(a) below and these pre-date May 2014.

A. Questions: Please provide answers to the questions below and provide any relevant documentation:

1. The Pinch Point Phasing Plan (Consultation 'Plan 4') excludes the new Germany Beck access junction altogether despite it being included in the original bid submission of February 2013.
 - a) Why has this decision been made?
 - b) Who made the decision and when?
 - c) Has the DfT been informed about this fundamental change?
 - d) Why has Persimmon agreed to contribute 30% of the total fund if their development lies outside the scheme boundary?
 - e) How does this change affect Persimmon's financial contribution to the fund?
2. Section 106 – developer obligations
 - a) What is the current status of Persimmon's s106 obligation to contribute to A19 flood defences, Naburn lane traffic lights, A64 slip road improvements and provision of a toucan crossing?
 - b) Will these payments be made in addition to Persimmon's minimum 30% financial contribution to the Pinch Point Fund? If not please provide reasons.
 - c) Has the DfT been informed at any stage of the existence of the developer's s106 obligations?
3. Phases 2 and 3 are likely to be controversial and there is a significant risk of further delay.
 - a) What are the financial consequences for the Council if phase 1 does not proceed by March 2015?
 - b) What are the consequences for the funding if Persimmon does not proceed with the development for any reason?
 - c) Is Persimmon's 30% contribution to the fund conditional on their development proceeding?
 - d) Has the DfT been informed of the current legal actions of Fulford Parish Council and Charles Jones and the possibility that the development may not proceed?

4. Will there be a need at any stage for any 'Compulsory Purchase Orders' prior to any of the phases proceeding? If so please provide details.
5. Have the landowners and occupiers of dwellings affected by the proposed floodwalls on Main St been consulted separately and informed of the changes to the profiling of their private driveways etc?
6. Why has FPC not been consulted about proposed flood walling on parish land?
7. What progress (if any) has been made on the flood defences for Fordlands Road following the meeting with Parish Councillors in March 2014?
8. a) Does the Council (or Persimmon) intend to submit a planning application for any part of the scheme?
b) If not, please give full reasons. (Flood defences fall under the definition of Schedule 2 development in the EIA Regulations and the cumulative impacts of the scheme with the Germany Beck (EIA) development must be considered before the defences are installed).
9. a) What bat or other ecological surveys have been carried out in relation to the pinch point scheme since the Phase 1 Ecological Report dated 1st October 2008 (already received).
b) Are more surveys proposed in the future? If so please give details.
10. Has the Council been in discussion with Persimmon regarding the extension of time application (12/01802/OUTM) or the duplicate reserved matters application (12/01749/REMM) since May 2014? If so please provide full details.

B. Please provide all correspondence, emails and records/notes of meetings or telephone conversations between the Council and Persimmon Homes. This should include a copy of Persimmon Homes' letter (assumed to be dated 19 Feb 2013) as referred to in Simon Usher's letter to Mr Rudman (CYC) dated 20 Feb 2013 and included as part of the funding bid. The letter sets out the strict conditions under which Persimmon would contribute at least 30% of the fund and is crucial to understanding the financial procurement process.

C. Please provide all correspondence, emails (including internal emails) records of meetings between the Council and the DfT, the Highways Agency and any other agency or third party.

D. a) Please provide a copy of the Bat Mitigation Strategy sent as an email attachment to Hannah Blackburn by Robin McGinn (Persimmon) on 20th Feb 2014.
b) Please provide copies of any recent bat survey reports or bat-related information supplied voluntarily by Persimmon or at the LPA's request, relating either to the Pinch Point Scheme or the Germany Beck development.
c) In relation to ecology, landscaping and bats, please provide all correspondence, emails (including internal emails) and notes of meetings between Persimmon Homes and the Council.

Fulford Parish Council would be pleased to receive the information in electronic form but trusts that the files will be of a standard format and capable of being easily opened by the recipient (this was not the case last time).

We look forward to your full response within the relevant timescale of 20 working days.

Yours sincerely,

J. m. Fletcher

Jeanne Fletcher,
On behalf of Fulford Parish Council

CC: Richard Holland, Hannah Blackburn