

FORMAL COMPLAINT:

FILEY TOWN COUNCIL AND SCARBOROUGH BOROUGH COUNCIL

I am the owner of and resident at 81 Wooldale Drive (Filey, YO14 9ER) and have serious concerns regarding the manner in which the Local Authorities and Associated Committees (including their Officers and Representatives) have progressed proposals for allocations and development around my home.

I submit this formal complaint in respect of the proposed allocations in the 'Submission' version of the Local Plan in respect of Housing Allocation HA 23 and Open Space OS 10, together with aspects of the Filey Flood Alleviation Scheme (FAS).

Grounds for Complaint

I consider the actions of Filey Town Council and Scarborough Borough Council to be unsatisfactory due to the following:

- Failure to acknowledge, respect or communicate the views of local residents opposed to the allocations of HA 23 and OS 10.
- Failure to fully consider the written objections submitted in respect of HA 23, especially those submitted by Dr Emily Agus highlighting flaws in both the methodology and subsequent assessment. In particular, this notes that the proposed HA 23 site is within a flood zone which, based on the methodology used, should have made the site unsuitable for development.
- Failure to seek comments from local residents in respect of OS 10 which appeared between the 'Draft' and 'Proposed Submission' stages of the Local Plan without any associated justification. The assertion from Scarborough Borough Council was that this was due to the fact that details of the Filey FAS were not known at the 'Draft' stage of the Local Plan. However the justification for the allocation of OS 10 is linked to an apparent need for open space due to the allocation of HA 23 (despite all previous assessments highlighting no additional need for open space of this type within Filey). This demonstrates a complete lack of comprehensive and 'joined-up' assessment.
- Failure to address ongoing and growing concern regarding the implications should the allocation of OS 10 be progressed. With reference to Scarborough Borough Council, Councillor Cockerill has knowledge of possible future uses, but these have not been made public.
- Failure to carry out a robust assessment of the Filey FAS, which includes unnecessary earthworks (such as significant lengths of bunding) to the north of Filey adjacent to Wooldale Drive. Indeed, it has not been demonstrated in any of the publically-available documents submitted in support of the application that they are fully required or justified. Whilst a number of residents raised this with the Planning Case Officer prior to approval being granted, his response was that it was "*unlikely*" that it was not required. This does not point to any formally calculated requirements and is an unacceptable way to assess such a scheme. Indeed, when a short explanation was given by the Designers without technical supporting evidence this was inexplicably accepted by the Planning Case Officer. This demonstrates a complete lack of professionalism and disregard for the concerns of local residents.
- Failure to justify why, when the aim of the FAS is to protect the built environment of Filey, a significant part of the works protect the Country Park Caravan Site only.

- Failure to ensure that, as part of the proposals for the Filey FAS, the amount of arable land to be 'lost' (and therefore associated costs of acquiring land and compensation / maintenance payments) was kept to an absolute minimum. This is of particular importance as Appendix 2 to Yorkshire Regional Flood and Coastal Committee Investment Programme shows large contributions towards the costs of the scheme from Local Levy and Public Contributions. If tax payers are to contribute towards the scheme, then they are entitled to expect that their representatives are working to ensure that the most cost effective scheme is taken forward.
- Failure to request that a condition be placed on the approval for the FAS that 'before' and 'after' ground levels be provided to show that: a) the scheme design has been followed; and, b) that the ground levels are not higher than those approved. This is standard planning practice and procedure.
- Failure of Scarborough Borough Council to make paper copies of the application documents for the Filey FAS available to view in Filey.
- Failure of officers and members to respond to e-mails showing a collective lack of courtesy and an indication of the contempt for the views of local residents.

In regard to the above proposals for HA 23, OS 10 and the Filey FAS, 'behind closed doors' discussions have taken place between Local Councillors, Land Owners and their Agents. Whilst it has publically been maintained by Local Councillors that there is no link between HA 23, OS 10 and the FAS, the Land Owners and their Agents have disclosed, in writing to Scarborough Borough Council, that all three proposals are linked with critical dependencies.

The proposals for HA 23 and OS 10 have been robustly questioned by local residents as the assessments are flawed and were not put to full public consultation. With this in mind, does this not highlight the possibility that the excessive extent of the proposed works for the Filey FAS, and the purported significant loss of agricultural land, is being used to justify unsound proposals for HA 23 and OS 10 within the same ownership?

Indeed, the approved plans for the Filey FAS show areas of land within the proposed OS 10 site being retained for agricultural use. Yet the Land Owners and their Agents have maintained that the site would no longer be suitable for agricultural use.

How are local residents expected to keep up with the ever-changing unsound, unjustified and frankly disgraceful manner in which proposals are being pushed through? I believe that a thorough and transparent investigation is required into the actions of Filey Town Council and Scarborough Borough Council.

Robert N. Agus