

81 Wooldale Drive,
Filey,
North Yorkshire,
YO14 9ER

26 May 2016

Dear Sir,

THE FILEY FLOOD ALLEVIATION SCHEME

As you may be aware, Scarborough Borough Council recently granted Town and Country Planning approval for works around the town of Filey, collectively known as the Filey Flood Alleviation Scheme (FAS). I am led to believe that Scarborough Borough Council, or an associated organisation, will approach you for some level of funding towards the implementation of the scheme.

In this regard, and in mind of the re-occurring flooding across the country, I do not doubt that there is a high level of demand for such funding and I feel sure that each application will be thoroughly scrutinised before any funding is agreed and allocated. It is due to this that I feel it necessary to bring to your attention a number of issues and concerns relating to the extent of the works and associated compensation to landowners currently anticipated for the approved scheme.

My understanding is that the purpose of the scheme is to protect properties from future exceptional flood events similar to those experienced in 2002 and 2007. As such, under the approved scheme, significant earthworks will take place to the north of Filey, adjacent to Wooldale Drive. The residents of Wooldale Drive, particularly those occupying the small number of properties that were affected by the earlier flood events, support the aims of the scheme. However, many feel that the extent of the works anticipated under the approved scheme are greater than necessary. Whilst these concerns have been brought to the attention of Local Councillors, Designers and the Planning Case Officer (both in written and verbal form), the response has been to dismiss these concerns with glib, unsubstantiated statements alongside references to non-existent documents.

In particular, as part of the works, a significant length of bunding is proposed along the northern boundary of Wooldale Drive. Despite numerous requests for details of this bunding, it has not been demonstrated in any of the publically-available documents submitted in support of the application that it is 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. I accept that reference has been made to a large amount of 'work' having been undertaken to determine the requirements of the scheme, and therefore you may view my concerns as unfounded. However, this has

not been readily demonstrated or communicated in any of the publically-available documents submitted in support of the application.

In addition, I will draw your attention to the fact that the Planning Case Officer appears to have neither the will and / or the qualifications to review the scheme to the extent where he is able to provide answers to such basic questions. Indeed, if this is the case, how would he be able to review and justify the extent of the scheme?

In view of the finite monetary resources, are such schemes generally accepted without question assuming sufficient scrutiny has already taken place?

Based on the information available, I feel that it may well be possible to reduce the extent of the works proposed and reduce the amount of land to be 'lost', thereby also reducing the cost of acquiring land and compensation / maintenance payments. This would beneficially affect the required level of funding necessary to implement a functional scheme.

I would also like to note that, unlike other areas within the approved FAS, the area to the north of Filey, adjacent to Wooldale Drive, is also the subject of proposals in the Local Plan that are entirely opposed by Local Residents. These proposals are included as Housing Allocation HA 23 and Open Space OS 10.

In regard to these proposals, 'behind closed doors' discussions have taken place between Local Councillors, Land Owners and their Agents regarding HA 23, OS 10 and the land required for the FAS. 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 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, and the purported significant loss of agricultural land, is being used to justify unsound proposals for other land within the same ownership?

Would such a link be fully investigated as part of any application for funding?

Overall, the funding process and its associated mechanics of it are unknown to me. Therefore, I would be grateful if you could inform me if any technical / commercial / legal appraisals of the schemes put forward are carried out, and how I would be able to view these.

With reference to Item 4.2 of Appendix 2- Yorkshire RFCC Investment Programme, could you please provide details of the following

- Local Levy - where does the local levy contributions come from ?
- Public Contributions - where do the Public Contributions come from ?
- If funding is made available does this have to be paid back if circumstances change on the flood alleviation site. ie - Land change use - a building development is constructed on the same land. thus resulting in the FAS works being unnecessary?

For your information, I have attached my comments as submitted in response to the initial application along with the text of my verbal presentation to the Planning Board.

Yours sincerely,

Robert Agus.