



EAST RIDING

OF YORKSHIRE COUNCIL

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Date: 11 January 2012

Dear Ms Worden

Re: Bridlington Town Centre AAP Inspector's Post Hearings Note

I refer to your letter dated 21st December 2011, enclosing your note setting out your position with regard to the AAP.

Central to your concern is the issue of the Harbour Top being part of the Burlington Parade development, which was the subject of additional late evidence to the hearings from the Bridlington Harbour Commissioners (BHC). As you know the Council expressed concern at the examination about the late submission of that evidence, not least the fact that the Council had not had a fair opportunity to consider and address it. That was dealt with by your allowing that evidence in but setting a timetable to allow the issues to be considered and addressed. You did make it clear at the examination that the Council should be allowed an opportunity to consider and respond to the late material.

It was the Council's understanding that in accepting the late evidence at the hearings, to achieve fairness, the Council were given until 22nd December 2011 to provide a written response, the BHC then to respond by 13th January 2012, and then the Council to have a final right of reply, by the end of January. It therefore came as a considerable surprise to receive your note prior to the first of these deadlines, and even more so, as your preliminary conclusions rely on the late BHC evidence, without the benefit of the Council's response to this and without having allowed the completion of the procedure you had directed as a means to ensure that the Council had a fair opportunity to address the points. Needless to say, the Council is considerably concerned as a result that the principles of fair process have not been observed which has compounded the difficulties the Council were presented with when the BHC representations were submitted so close to the examination hearing.

In addition, as the letter was directed to be placed on the website, and copied to all parties, without seeking our views first, its publication has given rise to press reports which do not properly reflect the context of your note, i.e. the preliminary status based only on evidence that had not at that time been subject to comment from the Council (see attached press reports).

I seek clarification regarding the timetable for further submissions and how you propose to



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Malcolm Sims Director of Corporate Resources

address the situation which has now arisen. The Council were working to the timetable set out by you at the hearings. The Council's response was sent to you by 22nd December 2011. We expect to receive a response from BHC on 13th January 2012, then respond to that by the end of January. However, your letter of 21st December requires a substantive response from the Council to your note by 20th January 2012 in the midst of the set representation timetable. It is unclear as to whether your letter of 21st December intended to supersede the previous timetable.

We suggest that the procedure you directed at the examination for further representations should stand so that BHC provides its written response to our recent submission but in the light of your suggestions for ways forward, the Council consider that it would be helpful, if not necessary, for there to be an additional hearing to discuss the need for the Harbour Top to be part of the Burlington Parade. A further timetable to provide you with clear representations from the relevant parties on this important topic in advance of the hearing session would also seem appropriate, and enable clarification of the position with regard to your preliminary views.

Further, we would be grateful if you would allow us an opportunity to respond prior to your making any further procedural decisions and before fixing any dates since we will need time to reflect on your observations and consider further evidence, the timing of such, and additional options.

I look forward to hearing from you.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Alison Hartley', written in a cursive style.

Alison Hartley
Solicitor

Please quote the above reference on all correspondence

Bridlington Free Press, 29-Dec-2011

Brid plan in jeopardy?

http://www.bridlingtonfreepress.co.uk/news/local/brid_plan_in_jeopardy_1_4099831

East Riding Mail, 3-Jan-2012

Bridlington regeneration 'seriously at risk' warns Government inspector

<http://www.thisishullandeastriding.co.uk/Bridlington-regeneration-seriously-risk-warns/story-14304971-detail/story.html>

Yorkshire Post, 9-Jan-2012

'Bulldozing' council under fire over resort revamp plan

http://www.yorkshirepost.co.uk/news/around-yorkshire/local-stories/bulldozing_council_under_fire_over_resort_revamp_plan_1_4118900