

Comments on BHC Additional Hearing Matters Statement (ED59) .

This paper supplements rebuttal statements from the authors of ED50-55 and focuses on land issues.

1. The alleged loss of operational land and facilities remains a key aspect of the BHC objection and their contention that the Harbour Top (Phase One) proposals **“will significantly reduce BHC’s operational land and thereby put at risk the future of the harbour and the employment that it provides”** (para 15 of ED59).

2. The Council set out the broad land exchanges for the Harbour Top & demonstrated ‘*comparable*’ operational quayside areas in its correspondence with the BHC on 9th May 2011. Jacobs/Leigh Fisher have further developed and refined the proposals in subsequent Reports and in ED51. Importantly, the comments given by the BHC in Appendix 2 (Mr Trevitts Paper) at paras 7-16 are the Commissioners first written response to the Harbour Top quayside proposals and land areas – and as such underpin their entire arguments about adequate quayside operational quayside land (or ‘usable land’ as Mr Trevitt refers to).

3. The alleged loss of 28.5% of current ‘usable’ land holding is factually incorrect. The OS based plan submitted with the letter of 9th May 2011 shows comparable land areas. This plan has been updated to May 2012 to broadly reflect the ED51 proposals at 1/2000 at A3 and a copy is attached. This shows that the land in BHC ownership and control (freehold and leasehold) increases from 1.81ha to 1.955ha (as before). When the additional ‘land’ for operational use (e.g. car parking and warehouse/commercial units) at ground floor level under the commercial development (shown hatched purple on the plan) is added (approx 0.428ha), the operational area becomes 2.383 ha **(i.e. 32% increase)**. This additional space (the hatched area) will be made available to BHC on a long term basis and will be under their control and management and not precarious.. The other quayside areas will be dealt with by land exchanges or transfers as previously stated. In short all operational quayside areas will be in BHC control. It should be noted that the plan and calculations include the approximate area of infill at the west end of the harbour but this is common to all the proposals including the BHC In-Harbour scheme.

4. Whilst it is correct that the BHC freehold area will be reduced in quantum in Phase 1, that is not the important issue. If consideration is given to land within BHC beneficial ownership and control, the important point in terms of BHC interests, is not the exact quantum of its freehold land but the benefit which it can derive from land which it owns or controls. Additionally, and critically, the amount of open and usable quayside area in Phase 1 is improved in quantum and configuration.

5. In summary, the alleged ‘loss’ of quayside land upon completion of Phase 1 and the consequential adverse impact on harbour operations, statutory duties and jobs is simply unfounded.

6. Criticisms regarding the proposed operational facilities at Clough Hole are misguided. The (advance) replacement operational facilities (VMF, Marina offices, etc) are in the same location as the Preferred Outline Layout which was jointly agreed with BHC. The Council has previously responded to the perceived

problems on construction, levels, pedestrian access, etc. None of these issues is insurmountable (technically or financially).

7. In rebuttal to paragraph 9 of ED59, the new fishermans warehouse and commercial units at quayside level underneath the Harbour Top Commercial Scheme are just as convenient as the existing units. Arguably, they provide much better and more flexible space and, critically, the reconfigured quayside area will for the first time provide easy access and 'flow' to all parts of the BHC estate (West End & Clough Hole) and provides a cohesive area instead of the limited 'dogleg' route around the existing warehouse units which effectively splits the harbour operational estate.

8. Jacobs' previous work and ED51 demonstrated that the re-arranged quayside areas worked satisfactorily. The attached plan and calculations dispel the notion that operational land is 'lost' ; the BHC claim in paragraph 3 of ED59 that the scheme provides "no appropriate alternative land" is therefore irrelevant. Notwithstanding, ED51 outlines further options for consideration. BHC have summarily dismissed Option 2 and thrown up engineering objections to Option 1; these will be commented upon separately as appropriate.

9. ED51 is criticised for not fully or correctly defining existing and proposed land ownership boundaries and also for apparent failings in the phasing diagrams (*'no more than sketched overlays to an aerial photograph'*). The proposals and plans are in fact well advanced at this planning policy stage and clearly show both intent and deliverability. Moreover this is not something which needs to be resolved precisely at the Development Plan stage.

10. BHC have raised (and repeated) many access, structural, constructional and mitigation issues and, to avoid repetition, only a few key points of clarification are referred to below:

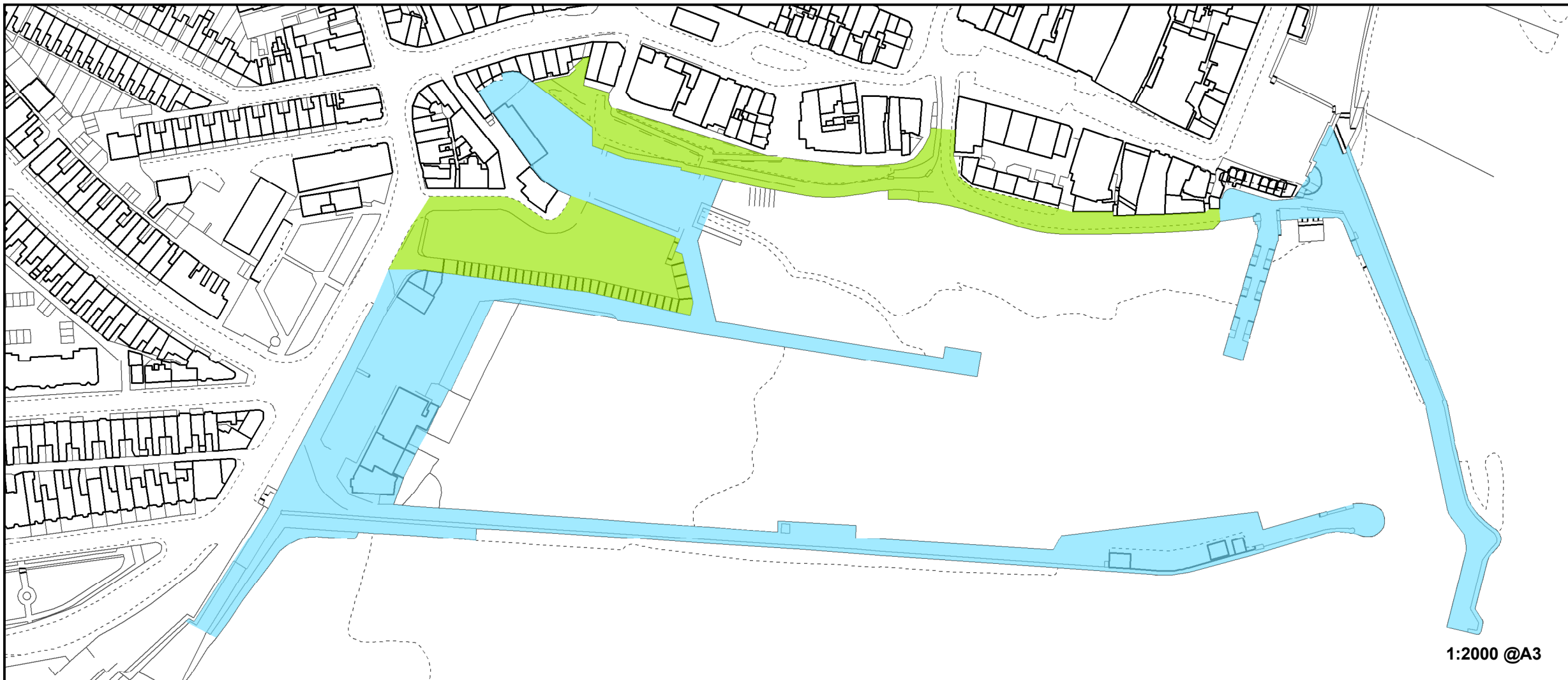
- Access details have been completely misunderstood in respect of vehicle paths shown on fig 17 and the access details on Drg No. E991/SK05.2.
- Fig 17 does not show main through routes, simply that existing connections are maintained.
- Drg E991/SK05.2 shows a footway descending in 4 stages at 1 in 40 with steps and a wheelchair access between each stage therefore road and footway meet the harbour at the same level. There is no change to the harbour level at or around the boat hoist and handling area.
- All access routes in and around the harbour have been checked on "autotrack " for large articulated and rigid vehicles. The BHC have a plan showing this .
- Reference is made to long term disruption (para 48). Works will not be commenced until a developer is signed up and there is an acceptable end date.
- Concerns regarding under use of car parking, not likely to materialise if the harbour is developed as planned. The suggestion in para 52 that ERYC have directed traffic away from the harbour is incorrect. The electronic signs show vacant spaces at the car parks so that drivers do

- Para 53, large areas of parking was lamented in CACA, that is why the Council want the under cover decked car park.

11. In general, ED59 shows that the BHC understanding of the the issues and proposals is, at best, incomplete and the perceived potential problems (at what is an early development stage) are overstated in an attempt to undermine the benefits that can flow from the Harbour Top and Phase 1 scheme. All the technical issues can and will be resolved. Importantly, with regard to access routes, these are no less advantageous than current access arrangements and will not materially affect operation of the Harbour.

ERYC
15th May 2012

Appended: Updated Land Comparision Plan

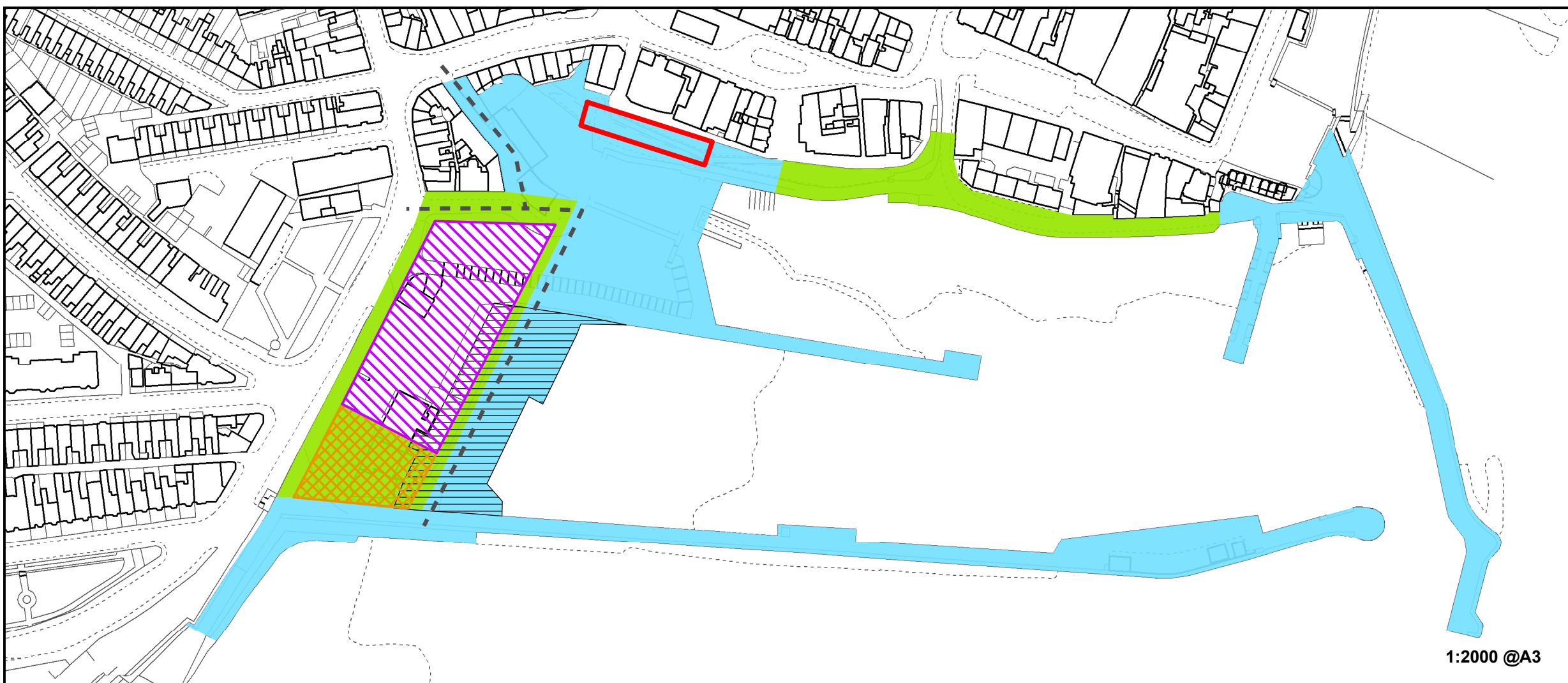


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BRIDLINGTON HARBOUR EXISTING LAND OWNERSHIPS*

- BHC Ownership Existing Dryside (1.810Ha)*
- ERYC Ownership Existing (0.768Ha)*

* Existing land ownership boundaries to be confirmed



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BRIDLINGTON HARBOUR & MARINA PROPOSED LAND OWNERSHIPS AND DEVELOPMENTS

**Indicative Plan For Discussion
Ver.2 - May 2012**

- BHC Ownership Proposed Dryside (1.955Ha)
- ERYC Ownership Proposed (0.606Ha)
- Proposed Harbour Infill (0.307Ha)
- New Harbour Buildings**
Repair Shed / Offices / Storage / Etc
- Joint Use Area (0.428Ha)**
Full ground floor to BHC
- Reserved land (0.153Ha)**
Available to BHC until commencement of Hotel development
- Vehicular Access (joint)**

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