

By email
Copy by Royal Mail

**Froggs Hall
Norwich Road
Ditchingham
BUNGAY
Suffolk
NR35 2JU**

Mr Nick Johnson
Planning and Transportation Department
Norfolk County Council
County Hall
Martineau Lane
Norwich
NR1 2SG

13 March, 2006

Planning Application no. P/C/7/2005/7019. (The Ditchingham Quarry). Now Withdrawn

Dear Mr Johnson

Thank you for allowing me the opportunity to review the [Ditchingham] files on 08 March 2006. I note that the files made available were four in number and were identified as 1&2 of 2; and neighbours letters 1&2 of 2; however I wish to understand whether it is possible that [intentionally or otherwise] that: there are other files for this application that were not released, or that specific content had been removed from those files.

For example, there was little evidence of the controls and processes that it is reasonable to anticipate that the MPA should have maintained in the progression or analysis of this application, or of officer file note or comment, or of information gathering/ collation. Indeed for the most part, file notes appear limited to odd remarks recorded on 'Carter Jonas' paper. The files appear well 'thumbed' with little indexing or content security. Specifically, I note that some of the papers that support ENRAGED's own representations appeared not to be on file.

With this as context I would be grateful if you would:

- confirm that the four files inspected are the only files maintained by the MPA in connection with this application, and that at the date of inspection they were complete with nothing removed [temporarily or otherwise]; or if not,
- confirm what other information is maintained by the MPA that was not made available for inspection, and
 - identify what such other information is and why this that was not available for public view;
 - arrange an appropriate date with me to inspect such additional information
- clarify the process by which correspondence [whether formal or informal, and whether with the applicant, consultees (both internal and external) or with neighbours] is recorded;
- provide me with a copy of procedure notes, desk instructions and other guidance that MPA officers are required to follow in the context of recording and processing the application and other associated correspondence or communication;

- provide me with a copy of the control index for all entries on file.

That the files are maintained satisfactorily during and after the application process is important.

- The applicant [Lafarge] has acknowledged that it their intention to resubmit the application *'when the time is right'* ie when land bank is less than the strategic 7-year level. Subject to other applications or appeal outcomes, the land bank could reach the necessary hurdle point at the end of this year. No doubt it is for this reason that the applicant has expressed their desire to *'resolve outstanding planning issues'* even though there is *'no current application'*.
- The MPA has a 'duty of care' to protect the resources of the County Council and of the public generally. It is reasonable to assume that significant resources have been consumed and costs accrued in the processing of this application to date. Significantly more so than the modest fee paid by the applicant will recover. Such costs include not only the direct costs incurred by NCC, but also those incurred by 3rd party statutory and other consultees and members of the public. As noted above, given that it is the applicant's intention to resubmit this application, this investment [both monetary and time] must be protected.

ENRAGED asserts that the application is at conflict with the provisions of the planning process and runs contrary to specific policies contained within the Norfolk Minerals Local Plan. Arguably, the MPA should have advised the applicant of this status through the scoping opinion process, none-the-less, the MPA has accepted the applicant's fee and allowed this application to proceed. At the applicant's discretion they are permitted to revise, withdraw, and resubmit that application at their own whim; and without payment of a further fee (subject to time limitation), these activities will consume yet further resources of the County Council. Significantly more if this application reaches appeal or is subject of Judicial Review.

This is a formal request for Norfolk County Council (NCC) to provide information: either in the course of 'normal business' or under the Publication Scheme; or more formally, for provision of information under statute, in which case this request cites the Environmental Information Regulations 2004 and the Freedom of Information Act 2000.

This request is made on behalf of the residents objectors group ENRAGED (Norfolk Residents Against Gravel Extraction in Ditchingham). I would be grateful if you would: acknowledge receipt of this letter; and identify to which responsible officer within NCC this request has been assigned.

Please address your response to Froggs Hall, as above.

Yours sincerely

Julian Green
ENRAGED

Copies:

- John Smith; Clerk to Ditchingham Parish Council. Chris Tyacke; Clerk to Hedenham Parish Council.
- Alan Burrell; NCC. Richard Carden; SNDC. Richard Bacon; MP.
- Adrian Gunson, Shaun Murphy, NCC.
- Mike Jackson, Director Planning & Transportation Department; NCC.
- Corporate Freedom of Information Officer, NCC.
- Maureen Orr, Gill Medlar; NCC.