
From: julian.stanbury@canterbury.gov.uk <julian.stanbury@canterbury.gov.uk> **On Behalf Of** CCC FOI
Sent: 22 December 2022 13:28
To: James Smith <Jamesmith@jsplanninglaw.co.uk>
Subject: 20860-EIR Eastern Movement Corridor connecting Sturry Road A28 with the A2 junction at Bridge

Thank you for your request, please see our response below:

This request has been considered under both the Freedom of Information Act 2000 (FOIA2000) and the Environmental Information Regulations 2004 (EIR2004) as some of the questions relate to "environmental information" with the definition provided by EIR2004 r2(1).

Canterbury City Council (CCC) holds some of the information requested, and where we do not that is noted below each question. Where we believe an exemption (in the case of information subject to the FOIA2000) or an exception (in the case of information subject to the EIR2004) applies in respect of disclose, or if any other reasons apply for non disclosure, this is noted under the relevant question.

We note that your request says "We are not aware of how long the Council's records in respect of Fordwich date back and accordingly this request is not time limited".

Due to the nature of how data is stored, especially in older paper records, if we treated this request as meaning we should search through every document we hold to identify if any information present was relevant, we would refuse this request under and FOIA2000 s12 and EIR2004 r12(4)(b), the latter due to being manifestly unreasonable, as it would take more than 18 hours to conduct a search of all records.

However, under our duty to provide assistance, FOIA2000 s16 and EIR2004 r9, rather than refuse the request, we have provided information which we hope assists you.

If you are unhappy with the way your enquiry has been dealt with, you may ask for an internal review by replying to this correspondence. Requests for a review should be made within 40 working days of this response. If you make the request after this we are not obliged to respond. If you wish us to reconsider our decision please provide any additional information that may help your case. Without new information we may not have a reason to reach a different conclusion.

If you are still dissatisfied after an internal review, you may appeal to the Information Commissioner, Wycliffe House, Water Lane, Wilmslow SK9 5A

Kind Regards

Information Governance Team
Canterbury City Council.

Our response:

Eastern Movement Corridor connecting Sturry Road A28 with the A2 junction at Bridge

Part 1. Eastern Movement Corridor:

Please provide Information in respect of:

1. commissioning the work carried which now appears in the Stantec Report dated November 2021;

This request has been considered under the EIR2004.

The Stantec Report dated November 2021 forms an addendum to the report dated December 2017 which was the first commission to PBA (now Stantec).

Emails and a draft plan relating to the first commission are here:

See attachment: 20860 1

See attachment: 20860 2

Please note redaction of personal information has been to this document. We believe that disclosure of this information would not satisfy a legitimate interest test, and therefore disclosure under the EIR2004 would be a breach of data protection principles. Consequently this information has been redacted under EIR2004 r12(3) and r13(1)(a).

The formal fee proposal is here:

See attachment: 20860 3

Please note redaction of personal information has been to this document. We believe that disclosure of this information would not satisfy a legitimate interest test, and therefore disclosure under the EIR2004 would be a breach of data protection principles. Consequently this information has been redacted under EIR2004 r12(3) and r13(1)(a).

Also, redaction has been made of items which could be deemed to be commercially sensitive, to which EIR2004 r12(e) would apply. If you would like us to consider disclosing this information we would need to consult with other parties. As this would likely make the enquiry more complex, it could have led to us extending the time to reply under EIR2004 r7 and we believed this would not be desirable.

Email and a draft plan relating to the second commission are here:

See attachment: 20860 4

Please note redaction of personal information has been to this document. We believe that disclosure of this information would not satisfy a legitimate interest test, and therefore disclosure under the EIR2004 would be a breach of data protection principles. Consequently this information has been redacted under EIR2004 r12(3) and r13(1)(a).

See attachment: 20860 5

The formal fee proposal is here:

See attachment: 20860 6

Please note redaction of personal information has been to this document. We believe that disclosure of this information would not satisfy a legitimate interest test, and therefore disclosure under the EIR2004 would be a breach of data protection principles. Consequently this information has been redacted under EIR2004 r12(3) and r13(1)(a).

Also, redaction has been made of items which could be deemed to be commercially sensitive, to which EIR2004 r12(e) would apply. If you would like us to consider disclosing this information we would need to consult with other parties. As this would likely make the enquiry more complex, it could have led to us extending the time to reply under EIR2004 r7 and we believed this would not be desirable.

2. the appointment of Stantec to produce that work;

This request has been considered under the EIR2004.

Please see information relating to purchase orders for the appointment of Stanec.

See attachment: 20860 7

Please note redaction of personal information has been to this document. We believe that disclosure of this information would not satisfy a legitimate interest test, and therefore disclosure under the EIR2004 would be a breach of data protection principles. Consequently this information has been redacted under EIR2004 r12(3) and r13(1)(a).

3. the decision to commission work into alternative options to the Original Bypass Alignment as set out in Stantec drawing 330610562/2001/SK001;

This request has been considered under the EIR2004.

The decision to commission work was based on the requirement, following discussions with Natural England on the previously preferred option, to show how we could avoid the SSSI before looking at any mitigations for going through the SSSI. This alternative route was the only one of the three that didn't directly impact the SSSI so became the best alternative option.

4. any decision as to the disclosure of the proposals to members of the Council - both inside and outside the cabinet - and then to the public, including decisions as to the timing of disclosure;

This request has been considered under the EIR2004.

We disclosed the information upon the publication of the Local Plan report on the Cabinet agenda on 19 October 2022. Further information about future disclosure can be found in the Local Development Scheme the latest version of which was published as an appendix to the report.

<https://democracy.canterbury.gov.uk/ieListDocuments.aspx?CIId=755&MIId=13265>

5. the current preference for the Eastern Option for the Bypass as set out in the Deposit Local Plan and the reasons

for the stated preference over alternatives;

This request has been considered under the EIR2004.

The Eastern option is the only identified route that would avoid the SSSI and connect with the proposed roundabout on the A28 thereby providing a continuous movement corridor between the Sturry Relief Road and the new A2 junction at Bridge.

6. all environmental and sustainability assessments of reasonable alternatives examined by the Council;

This request has been considered under the EIR2004.

The council has prepared environmental and sustainability assessments of reasonable alternatives and these are published as part of the current draft Local Plan consultation here:

canterbury.gov.uk/localplanevidence

7. any alternatives for Bypass which is not otherwise covered by this request, and which is not on the Canterbury City Council website and currently available to the public.

This request has been considered under the EIR2004.

CCC does not hold information about any alternatives for the Bypass other than those shown on the draft plan produced for the 2nd commission.

Part 2. Fordwich Traffic and Parking:

Please provide Information in respect of:

1. damage to property (including the Bridge over the Great Stour at Fordwich);

We do not hold information relating to this, however we believe that KCC may do. This request was forwarded to KCC on 30th Nov 2022.

2. any issues in relation to congestion in Fordwich including use by oversized vehicles and problems with access by emergency vehicles;

We do not hold information relating to this, however we believe that KCC may do. This request was forwarded to KCC on 30th Nov 2022.

3. all any traffic counts on traffic in relation to traffic passing through Fordwich;

We do not hold information relating to this, however we believe that KCC may do. This request was forwarded to KCC on 30th Nov 2022.

4. in respect of Fordwich's use as an informal by-pass or rat run or means of avoiding Canterbury by passing through the town of Fordwich;

We do not hold information relating to this, however we believe that KCC may do. This request was forwarded to KCC on 30th Nov 2022.

5. assessments of the environmental heritage and health impacts of the current and past traffic flows through Fordwich;

We do not hold information relating to this, however we believe that KCC may do. This request was forwarded to KCC on 30th Nov 2022.

6. assessment of the effectiveness and maintenance of traffic calming provisions in Fordwich;

We do not hold information relating to this, however we believe that KCC may do. This request was forwarded to KCC on 30th Nov 2022.

7. the budget allocation and hours spent by the Council in respect of parking enforcement in Fordwich;

This request has been considered under the FOIA2000.

Regarding budget, CCC does not allocate budget to particular areas, therefore this information is not held.

Regarding hours, we are not currently able to establish this without spending more than 18 hours on it which would cause us to have to refuse the entirety of all questions considered under the FOIA2000.

8. enforcement approach of report parking violation in particular but not only details of how many parking violations are (i) reported and (ii) detected by the Council;

This request has been considered under the FOIA2000.

Regarding approach, when a request for enforcement is made it is sent directly to the officer on duty covering that location that day by radio. If it is appropriate we may set a task for the service area to focus on an area for a set period of time.

Regarding reports, CCC does not keep records of requests for enforcement action, therefore this information is not held by CCC and we cannot differentiate between cases reported to the council and cases detected in the course of our business as usual. Therefore this information is not held by CCC.

9. how many reported violations are enforced against and details of many detected.

This request has been considered under the FOIA2000.

Details of enforcement for the last year are below, we do not have a record of any violations which did not result in enforcement action.

There are 8 roads within the Fordwich Parish that we enforce:

- Brooklands Close
- Fordwich Road
- King Street
- High Street
- Marlow Meadows
- School Lane
- Stodmarsh Road
- Water Meadow

Two roads have the additional footway ban restriction as well as Double Yellow Lines (DYLs):

- Brooklands Close
- Marlow Meadows

For the period January 2022 to December 2022:

- Brooklands Close - 14 PCN's issued for footway parking
- Fordwich Road - No PCN's issued
- King Street - 2 PCN's issued for DYL parking
- High Street - 1 PCN was issued

- Marlow Meadows - 5 PCN's issued for DYL parking / 2 PCN's for footway parking
- School Lane - No PCN's issued
- Stodmarsh Road - No PCN's issued
- Water Meadows - 3 PCN's were issued for DYL parking
- 11 PCN's were issued for DYL's and 16 PCN's were issued for Footway parking.

END

Gregory Jones KC

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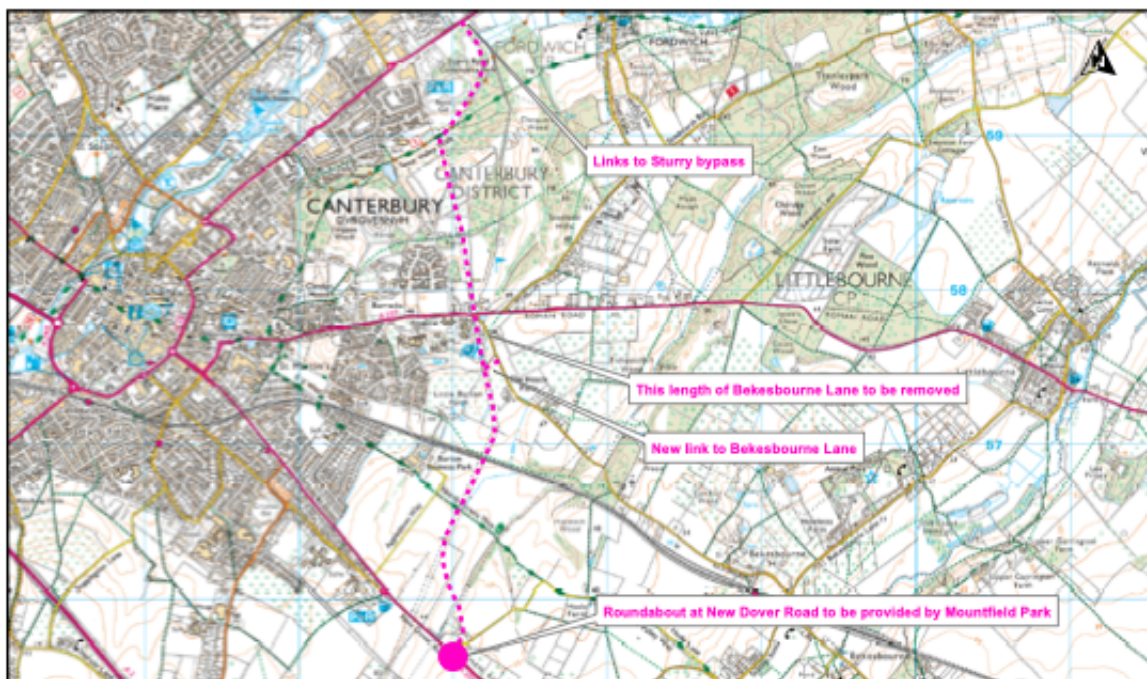
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Potential route of Eastern bypass

