

Minchens Lane s.106 – timeline of correspondence

August 2017	Phase 2 reserved matters deferred by the DCC. A meeting was convened two weeks later by the planning officer to enable planning officers, developers and Bramley PC to discuss.
August 2017	Bramley PC raised issue of incomplete roadworks in Minchens Lane. These should have been completed prior to the first occupation, but were not. Reply received from officers in September 2017 that this would be chased.
August 2017	Bramley PC raised the issue of Clift Meadow footpath works, which should have been completed before the 30 th occupation. The reply was that planning officers were chasing.
December 2017	Bramley PC wrote to planning officers further highlighting the lack of completion of highways works, and also highlighting that cycleway/ footpath across Clift Meadow should have been completed prior to the 30 th occupation but work was not yet started, and that the equipped play area should have been complete prior to the 50 th occupation. Again, this had not been started. These were clear breaches of the s.106 agreement.
January/February 2018	A meeting was convened to discuss the Phase 4 reserved matters. Due to Councillor availability, the meeting was set for early evening, at which point we were told that the relevant planning officer would be unable to attend, and that he could only offer meeting times during office hours. This is difficult for Councillors since many of them hold full time jobs, and cannot make normal office hours.
November 2018	CLlr Robinson raised an issue of flooding at the junction of the new estate with Minchens Lane, asking planning officers to raise with the relevant authority. Bramley PC did not see the outcome of this. Independently, Bramley PC spoke with an HCC Highways Inspector, who made it clear that they were very unhappy with the Highways work carried out at Minchens Lane.
November/December 2018	Clift Meadow car park works and new path and footbridge works carried out. The path should have been completed before 30 dwellings were occupied, and the car park before 60 dwellings were occupied. As at January 2018, Persimmon themselves confirmed that 53 dwellings were occupied, so both these items were completed well after they should have been, in breach of the s.106 agreement. Queries raised about the lack of barrier where the Clift Meadow path joins up with the The Street.
January 2019	Once the Clift meadow path and footbridge were completed, there were issues with vehicles accessing Clift Meadow via the new footbridge. The Parish Council immediately requested that bollards be installed. Temporary measures were put in place. Also noted at the same time was that plans showed a landscape buffer consisting of native hedging mix and bollards along the Eastern boundary of the site. Again, this should have been completed before the 30 th occupation, but was not complete at this date. The installation of barriers at the southern end of the footpath were again raised – this formed part of the footpath works, and were not complete at this point.
January – April 2019	Discussion occurred between Bramley PC and planning officers about the equipped play area and the payment of the commuted sum for it.

	Bramley PC contended that since this should all have happened before the 50 th occupation (which was January 2018) then BDBC and the developer were in clear breach of the s.106 agreement. As a result, Bramley PC declined responsibility for the playground. Planning officers noted the email, and passed it to the legal team.
February 2019	Chaser email sent to planning officers re the barriers at Clift Meadow. Response received from developers that this was an oversight, and would be addressed immediately.
February 2019	Bollard lighting installed along new path at Clift Meadow.
February 2019	Planning officers confirmed that permanent bollards would be installed at the new footbridge, and that these would have to be lockable to allow access for service vehicles.
February 2019	Chaser email sent to planning officers re the equipped play area. Reply received that legal advice was still awaited. In the meantime, the commuted sum was paid to the Parish Council. At this point, no certificate of completion had been seen, nor any legal documentation transferring the lease to the Parish Council.
March 2019	Chaser email sent re footbridge bollards, bollards restricting access from the pub car park, and that barriers between Clift Meadow and The Street. Reply received that the approved plans showed no requirement for the first two items, and that the third item would be chased (this was finally completed very soon after).
March 2019	Further correspondence on the liability issue for the equipped play area, and the payment of the commuted sum.
April 2019	Email sent to planning officers querying whether the new footpath and footbridge should actually be open given that no certificate of completion has been issued, and the commuted sum for this item had not been paid. The issue of liability in this instance was also raised.
April 2019	The commuted sum for the equipped play area was paid back to BDBC, and planning officers were informed. After an exchange about raising a Deed of Variation, the Parish Council heard nothing more on this issue.
April 2019	A lockable bollard was installed at the footbridge. This was promptly vandalised. The Parish Council put a temporary measure in place, and asked that the situation be remedied as a matter of urgency.
May 2019	Concrete bollards installed at the footbridge. However, the job was not properly finished One of the bollard lights on the new footpath was vandalised.
June 2019	Email to HCC Highways sent highlighting issues at the junction into the estate from Minchens Lane. HCC responded that they would be taking action.
July 2019	Further vandalism of most of the bollard lighting. Reported to planning officers and the developer.
August 2019	Parish Councillors emailed planning officers, noting flooding at the Clift Meadow footpath, the barriers around the bollard lighting which force users onto the grass, thereby causing wear and tear, and the lack of finishing on the footbridge bollards. Response received that the flooding issue would be raised with Persimmon, and that discussions were ongoing with the developer re the lights.
September 2019	Flooding issue again raised with planning officers.
November 2019	Cllrs Tomblin and Robinson met with planning officers in their capacity as Ward Councillors. A number of issues were raised, including the

	equipped play area) (being passed to a management company), finishing work on the bridge bollards (being chased), footpath lighting (did the PC still require lighting, and if so, what kind), footpath flooding issues (suggestion of raising the footpath and landscaping to mitigate), Highways works (officers to chase), cycle barriers by surgery (officers to chase), allotments (to be finished to BDBC standards).
January 2020	Ward Councillors chased officers re the points raised in November. Response received.
February 2020	Cllr Tomblin chased officers re the points raised in November. Received a response stating that the developer would respond by 28/2, and the officers would respond to him after that. Work on the footbridge bollards was completed.
March 2020	Cllr Tomblin was told that he would receive a response from the planning officer once she returned from leave at the end of March. To date, no further response has been forthcoming.
April/May 2020	Complaints received from residents about the lack of lighting at the footpath, and anti-social behaviour issues as a result. This was forwarded to planning officers for immediate action in early May. No response has been received to date.
May 2020	Letter of complaint sent to senior BDBC officers re lack of action from officers and Persimmon. At the same time, ward councillors engaged directly with officers to expedite matters, with little success
June 2020	Response to complaint letter received from Head of Planning at BDBC. This stated that whilst the planning officers do act to ensure that planning obligations are met, they do not act on behalf of any landowner in scheme delivery. However, it did acknowledge that there were ongoing issues with contact with the developer. It also confirmed that the playground was likely to be managed by a management company once the development is complete.
July 2020	Chair of Bramley PC chased the BDBC Head of Planning for a progress update. No productive response.
August 2020	Email received from DAC Beachcroft outlining a draft lease for the allotments land. This has been passed to the PCs solicitors for further action.
Late August 2020	Work begun on the allotments. Concerns raised with BDBC about the fencing being used.
Late August 2020	Email received from Persimmon with details of a new lighting scheme for Clift meadow, and a possible solution for the footpath.
August/September 2020	New road signs installed on Minchens Lane. Bramley PC immediately noted that these seemed flimsy.
September 2020	Meeting between Bramley PC representative, Persimmon, and BDBC officers to try and resolve s.106 issues, particularly the lighting and footpath. Areas that the PC would not be taking responsibility were also discussed. A two month timeline was discussed, with a further meeting being booked for late November 2020.
September 2020	Email received from Persimmon asking when Bramley PC would be raising the Deed of Variation to change the s.106 agreement for the management of the playground and the kick about areas. It also noted progress on the allotments. Bramley PC response stated that the PC would not be raising the DoV since Persimmon had consistently failed to meet their obligations, and therefore Persimmon should raise the DoV,

	which the PC would be happy to sign. Concerns about the allotment work were also raised.
Late September 2020	New Minchens Lane roadsigns intentionally reversed by vandals.
Late September 2020	Persimmon emailed by Bramley PC Chair for possible lighting schemes and footpath solution.
Early October 2020	Persimmon emailed by Bramley PC Chair for possible lighting schemes and footpath solution.
October 2020	Email exchange between Chair of Bramley PC and BDBC enforcement officers re the lack of response from Persimmon. BDBC stated that the path and lights are on private land and that they therefore are not involved directly in the enforcement in this instance. However, they are still open to support Bramley PC in efforts to resolved issues.
Late October 2020	Bramley PC Clerk attempted to call Persimmon with no success (voice message left, no response). She emailed Persimmon requesting an update.
Late October 2020	Response received from Persimmon. They are raising a Deed of Variation for the management of the Playground and kick about areas. They have stated that proposals for lighting and footpath issues will be submitted in early November.
Early November 2020	The proposed meeting between Bramley PC, Persimmon, and Borough Council officers is to be postponed from late November to early December 2020 due to lockdown restrictions.