

FOI request into UDC legal advice raises new concerns that UDC acted wrongly over Kier appeal

3rd February 2016, Saffron Walden: WeAreResidents.org, the independent residents' community group, has announced that documents obtained under a recent Freedom of Information (FOI) request have raised new concerns that Uttlesford District Council (UDC) acted wrongly in relation to the recent Kier appeal in Saffron Walden.

In 2014 after UDC's planning committee had refused Kier planning permission, UDC decided not to defend the subsequent appeal by the developer. Kier was seeking to build 300 homes on the east of Saffron Walden on one of UDC's preferred draft Local Plan sites. This left the Town Council and local residents group WeAreResidents.org alone to defend the appeal and foot the nearly £50,000 legal bill.

Dan Starr, chair of WeAreResidents said "When deciding if UDC should contest the Kier appeal, it obtained legal advice which it then blocked the public from seeing and scrutinising. During the appeal UDC wrote to the Planning Inspector to say that they hadn't contested the appeal because, in their opinion 'there are no legitimate planning grounds' for Kier's development to be refused. This was clearly not true because the Town Council and WeAreResidents.org subsequently won the case. Of even more concern is that it's not what their legal advice said either."

"WeAreResidents.org has now received copies of UDC's legal advice via a Freedom of Information request. These documents directly contradict UDC's public statement to the Planning Inspector, which seems to have been calculated to assist Kier as much as possible in winning their appeal, when they should have been opposing it."

Dan Starr continued "Scrutiny of the just-released documents reveals more. At the time we wrote to UDC to request that inaccuracies and apparent bias be corrected in the officer's report about the Kier development before it was sent to their lawyers. In reading the documents it has become obvious that these were not acted on by UDC when obtaining their legal advice. However, and in spite of that, UDC was still given a '30-40%' chance of winning by their lawyers. This is clearly completely different from stating that there are 'no' grounds at all on which to oppose the appeal.

"It is impossible to reconcile the statements made by UDC and their now public legal advice – and they have refused to explain why they took the action they did. A new Chief Executive starts at UDC in February, and WeAreResidents.org will be requesting that she conducts a full review of UDC's actions in relation to

Kier. It would seem that they were at best negligent, and their conduct raises serious issues as to the propriety of their actions.”

About WeAreResidents.org

Founded in 2011, WeAreResidents.org is the Uttlesford based group that provides a strong, independent voice for the views of local residents. The group campaigns for long range strategic and sustainable plans for their area. WeAreResidents.org works with other similar groups across Uttlesford and enjoys the strong support of professionals in key and relevant professions.

WeAreResidents.org is one of the founding partners of [Residents for Uttlesford](#) (R4U), the local political party of towns and a village that is seeking to give residents a stronger say in local matters.

WeAreResidents.org can be found on the web at www.WeAreResidents.org.