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BY E-MAIL
04 December 2012
Our Ref: DW/E1730/BM/041212

Dear Brian

Medway Core Strategy- Lodge Hill strategic allocation - biodiversity offsetting report

I refer to my letter and enclosures of 30th November addressed to Tom Tew of The Environment Bank Limited (“EBL”) which included a detailed review of EBL’s report on the potential for offsetting to be used at Lodge Hill. I also refer to your email of 17.03pm on 30th November in response to that letter, where you suggest you might invite the Inspector to disregard my letter and its contents.

I make no comments as to the question of “locus” to which you refer, which is a matter for others to comment upon should that be necessary. I do however have to express surprise by your response given the background to my involvement which is known to you and others, and the expectation that I have been given that my comments would be taken into account. I am also surprised that the Council may invite the Core Strategy Inspector to disregard my comments, despite the fact that they contain my expert opinion on a matter of central importance to the Core Strategy process upon which she has specifically sought further assistance.

However, as it appears that a degree of confusion has arisen as to who has instructed me in this matter, I am happy to remind you of the background to my involvement as follows. I am and continue to be instructed by McCulloch Homes, Rochester Bridgewood and Medway Sports & Leisure, via Peter Court Associates, who represented that group of companies at the Examination. Representations were made in respect of the submission draft Core Strategy by McCulloch Homes in respect of housing matters by Peter Court Associates. I am instructed that in those representations, specific reference was made to doubts as to whether and if so when the proposed housing at Lodge Hill would materialise. I am also told that at the hearing, these comments were again emphasised in the context of the Council’s over reliance on delivery at Lodge Hill. You will be aware that during the hearing, further information in respect of Lodge Hill’s ecological value became available from the RSPB. At this point, I was instructed (on 14 June 2012) to provide my initial comments on the further information provided. On 9 July 2012 Natural England wrote to the Inspector about the potential extension of the SSSI at Lodge Hill and on 10 July 2012 I was instructed to provide further advice.

On 20 July 2012, Peter Court Associates wrote to the Programme Officer explaining that my company’s advice had been sought on the matter and making a number of submissions which had been informed by my advice. On 28

August 2012 the Council wrote to the Inspector explaining how it proposed to deal with the matter. I made a number of further comments in a letter dated 5 September 2012, which was addressed to Peter Court Associates and sent by them to the Programme Officer. On 14 September 2012, the Inspector responded. She said that there would be an opportunity to comment on the draft report, and that the Council may wish to invite me to participate in the earlier stages of the process.

On 19 September 2012 Peter Court Associates wrote to your colleague Adam Waters about my attendance at the technical workshop. Reference was made to Palm Developments Ltd, another company with land interests in Kent for whom both Peter Court Associates and Bioscan have acted but who – as you have noted – have not made representations in to the Core Strategy. The reference should, in this context, have been to McCulloch Homes. As we are both instructed by Palm Developments and the three companies I referred to above you will see how some confusion has arisen.

I was in due course invited to attend the meeting of 25 September 2012. I was not initially provided with notes of that meeting, but thereafter received an apology from Mr Tew for inadvertently omitting my name from the circulation list. I provided my comments on those notes and I assume thereafter was included in all correspondence in this matter. I subsequently engaged in further email exchanges with Mr Tew and others in respect of the preparation of the EBL report. I attended a further workshop on 9 November 2012 and I provided comments on the first draft report on 13 November 2012. I was then, by an email dated 14 November 2012, invited by your colleague Catherine Smith to provide comments on the final draft EBL report. On 19 November 2012, you responded to an email from Dave Burges of RSPB stating that you “have always given the undertaking that all representations [on the report] will be forwarded to the Inspector”.

It is in that context that my letter of 30 November 2012 with attachments is provided. Please could you confirm as soon as possible whether you propose, as intimated in your email of 30 November, to disregard my letter and to invite the Inspector to do the same?

Yours sincerely

A handwritten signature in black ink, appearing to read 'D Woodfield', with a large, stylized initial 'D'.

Dominic Woodfield MIEEM CEnv
Director

cc Tom Tew - EBL