

Freedom of Information Request - Betteshanger Business Park and Fowlmead Country Park

Introduction

Thank you for your original request dated 20th June 2011 and made under the terms of the Freedom of Information Act 2000. Your request relates to the management and transfer of land at Betteshanger Business Park and Fowlmead Country Park. We note that you requested additional related material in your email of 23rd June 2011 – where this information is available currently we have included it within this response. However we are still in the process of gathering and reviewing some of the additional information requested on the 23rd June 2011 and we will therefore provide you with a further response in the near future to cover off any outstanding issues. For ease of reference, individual responses to your questions are given below.

Information requested 20th June 2011

Q1) Please explain why Intercrop are using the name Fowlmead Limited?

Fowlmead Ltd is a registered company and a subsidiary of Intercrop Limited. Fowlmead Limited has the specific objective of managing Fowlmead Park and ensuring suitable facilities for all visitors. Information relating to registered companies is publicly available via the Companies House website: <http://www.companieshouse.gov.uk/>

Q2) What access rights do Intercrop or others have to Betteshanger Business Park and Fowlmead Country Park?

Intercrop Limited and Fowlmead Limited have full access rights to Fowlmead Country Park. Information relating to public access to Fowlmead Country Park is publicly available via signposts, literature and the internet: <http://www.fowlmead.co.uk/>

Access rights to certain parts of Betteshanger Business Park are limited to SEEDA, tenants and other authorised agents/visitors; for security reasons. SEEDA respects all footpaths and public rights of way across the site.

Q3) How is it that Intercrop was granted renewed management agreements?

Intercrop Limited secured the management of the Fowlmead Country Park site following an expression of interest letter provided to SEEDA in April 2007. This agreement initially covered the period May 2007 until February 2009. However, during that period development of the site did not progress as expected, due to significantly reduced private investment being forthcoming during the recession, and therefore SEEDA, in 2008, extended the period of the management agreement granted to Intercrop Limited.

The Government announced in June 2010 that all Regional Development Agencies would close by the 31st March 2012 and all RDA assets would be disposed of to achieve the best possible outcome for the region whilst ensuring best value for money for the public purse. SEEDA's Board have agreed that the current management agreement in



place with Intercrop Limited be extended to cover the period until future plans for development of the entire site have been finalised.

Q4) Why have Health & Safety factors not been reported?

Please report any Health & Safety concerns you may have to Fowlmead Limited, as they are responsible for the day to day management of the site.

Q5) Please confirm if the pond is leased to Northbourne Fishing Club by SEEDA and any related restrictions to public access?

Betteshanger Park Fishing Club has rights to use the part of the fishing pond which is in the freehold ownership of SEEDA. SEEDA is aware that the Fishing Club may have other rights in relation to adjoining land. The Fishing Club operates under its own terms of reference which may limit access rights to non-members.

Q6) Who should I contact in regards to land transfer details?

We are aware of your proposals for the site following the meetings that have taken place since July 2010. SEEDA understand that you are meeting with representatives of Dover District Council on 4th August 2011 to further discuss these proposals.

Q7) Who should I contact in regards to Hadlow's proposals for the site?

Please contact Hadlow College directly if you require any information relating to their proposal for the site.

Q8) Please provide financial figures relating to the operation of Fowlmead?

We are unable to provide this information as we believe that it is, at this time, commercially sensitive and therefore exempt from disclosure under Section 43 of the Freedom of Information Act. As you are aware, discussions regarding the future ownership of this site are ongoing and release of this information, at this time, could potentially reduce the value for money being achieved for the public purse.

Additional information requested 23rd June 2011

Q9) With regards to the fishing pond, please provide copies of registration copies of usage documents and a map showing who has rights?

We are currently processing this element of your request. SEEDA has an agreement which provides rights to Betteshanger Park Fishing Club and we are currently reviewing this agreement for potential disclosure.

Q10) Please confirm usage and access to Main Sewage (Water) run off area?

SEEDA owns and maintains the sewage treatment works and balancing pond on the site. Access is limited to SEEDA and authorised agents only.

Q11) With regards to 'Betteshanger community park', please provide copies of registration documents and planning consents granted?

Land registration documents are publicly available via the Land Registry – please contact them in regards to this element of your request – <http://www.landregistry.gov.uk/>.

As this information is reasonably accessible by other means it is therefore exempt from disclosure under Section 21 of the Freedom of Information Act.

We provided you with copies of outline planning permissions in response to your previous Freedom of Information Act request dated 24th August 2010. As advised in our response of 17th September 2010, the full application will be made available for you to view at our Chatham Maritime Offices should you wish to do so. Should you require further information in relation to planning consents having been granted you may wish to contact Dover District Council directly.

Q12) Please be aware that my trust formula solves all aspects of land management?

The following statement from the Department of Business Innovation and Skills that explains that the majority of RDA's land and property assets will transfer to the Homes and Communities Agency under a stewardship model. Please see link below for further details:

<http://www.bis.gov.uk/assets/biscore/economic-development/docs/r/rda-assets-mark-prisk-statement-06-07-2011.pdf>

The Department of Business Innovation and Skills have previously stated that they do not consider the transfer of RDA's land and property assets to Trusts to be a viable option.

Q13) Please provide details relating to disputes concerning parking and health and safety considerations?

SEEDA are not aware of any disputes relating to parking or health or safety considerations.

Q14) Why is the through route from Betteshanger Village closed off to residents?

The route which we believe you are referring to is the barrier for emergency use only and it is not intended to provide public access to the site and is also not within SEEDA's land ownership.

Q15) Please provide the contractual terms of any management agreement?

We are currently undertaking a public interest test in regards to disclosure of terms of the management agreement in place, as we believe that this information may be exempt from disclosure under Section 41 (information provided in confidence) and/or Section 43 of the Act (prejudicial to commercial interests). Under the terms of the Freedom of Information Act a public authority may take extra time to undertake a public interest test – we expect to have completed the public interest test within a further 20 working days and will keep you updated in regards to any progress.

Q16) Please clarify the status of the biomass facilities?

The biomass boiler has been commissioned and is now awaiting occupier take-up on the site before being fully deployed.

Q17) Please provide hard copies or 'jpeg' copies of the overall architectural documents?

A17) Having considered this element of your request we feel we may be unable to provide the requested information in full within the appropriate limit as described in

Section 12 of the Freedom of Information Act. Please confirm which buildings on the Bettehanger site you require architectural drawings for. We will then investigate whether we hold this specific information and whether it may already be publicly available via other means. Please be aware that under Section 12 of the Act a public authority is not required to comply with a request for information if it estimates that the costs of complying with the request would exceed the appropriate limit. As you are aware we have previously invited you to visit our Chatham Maritime office to view related documents – please contact us if you wish to do so.