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Council in trouble for withholding development information

By Huw Mabe and Stephen Sumner



Whale Wharf in Littleton-upon-Severn. Permission for use by all partners.

South Gloucestershire Council is in hot water after failing to release information to a developer.

Charlie Tull had various plans for the Whale Wharf business park in Littleton-upon-Severn, including a residential education activity centre and to convert the offices into housing, but had several applications rejected.

The council cited flooding risks among the reasons for the rejection but Mr Tull claimed they had a 'commercial interest' in the area and could have another agenda.

When he submitted a Freedom of Information request for all the documents and correspondence South Gloucestershire Council held about the site only some of the information was provided.

An appeal to the Information Commissioner's Office (ICO) has proved successful, with the council now forced to release all other documents.

The ICO said: "Given the history of this case the commissioner understands why the complainant remains sceptical with the assertion that further information is not held.

"The commissioner is both frustrated and disappointed at the obvious lack of rigour that had been applied to the original searches and those made after the commissioner's initial enquiries."

It gave the authority 35 days to release the rest of the information and said 'significant time and resources' could have been saved if all of the information had been uncovered at the outset.

Mr Tull said: "I'm very pleased with the commissioner's decision and look forward to receiving the documents, hopefully sooner rather than later.

"The council became one of the largest commercial property developers and investors in the area when they granted themselves planning consent for a huge tract of land very close to Whale Wharf, so we are competitors and they are required to treat all planning applications impartially.

"They have strongly resisted numerous attempts to bring this large site back into use for more than 15 years preventing new job opportunities and investment.

"So I do wonder whether there could be another agenda.

"The council has refused to engage with us and even rejected our most recent plans, which included the provision of a new access road and improved flood defences."

A South Gloucestershire Council spokesperson said: "The council has received the commissioner's report and will comply with its findings.

"The council has always supported the use of this site for its lawful, permitted purposes, but has consistently sought to protect the public interest by resisting proposals for the intensification of activity at this site, due to ongoing concerns about the flood risk and suitability of single track lanes to safely accommodate additional traffic."

<https://www.gazetteseries.co.uk/news/17384532.council-in-trouble-for-withholding-development-information/>