



EAST CAMBRIDGESHIRE DISTRICT COUNCIL

THE GRANGE, NUTHOLT LANE,
ELY, CAMBRIDGESHIRE CB7 4EE

Telephone: Ely (01353) 665555
www.eastcambs.gov.uk

Further to your information request FOI/EIR 23/24-220, please find your question and our response below.

Request:

I am currently looking to gather all information available for the following Agreements and Registers under the Freedom of Information Act :-

- A register or list of Section 38 and Section 278 Agreements of the Highways Act 1980
- A register or list of Section 104 Agreements of the Water Industry Act 1991
- Copy of all Outstanding Statutory notices which relate to properties for building works, environment, health and safety, housing, highways, public health and flood and coastal erosion risk management.

In relation to Building Control: The information we are looking to obtain is relating to question 3.7 of the CON29 which states the following: - *Do any statutory notices which relate to the following matters subsist in relation to the property other than those revealed in a response to any other enquiry in this form? (a) building works.*

- Copy of all Enforcement Register entries in relation to properties or if the local authority has decided to issue, serve, make or commence an enforcement notice, a stop notice, a listed building enforcement notice, a breach of condition notice, a planning contravention notice, another notice relating to breach of planning control, a listed building repairs notice, in the case of a listed building deliberately allowed to fall into disrepair, a compulsory purchase order with a direction for minimum compensation, a building preservation notice, a direction restricting permitted development, an order revoking or modifying planning permission, an order requiring discontinuance of use or alteration or removal of building or works, a tree preservation order and proceedings to enforce a planning agreement or planning contribution.

Response:

- Section 38 and Section 278 Agreements fall under the remit of the Highways Department at Cambridgeshire County Council. This information is not held by East Cambridgeshire District Council.
- Section 104 Agreements fall under the remit of the Local Water Authority. This information is not held by East Cambridgeshire District Council.
- Please find attached the outstanding statutory notices relating to Environmental Health and Housing. Building Control have advised that they do not have any outstanding statutory notices. East Cambridgeshire District Council is not responsible for: highways, public health or flood and coastal erosion risk management, and would therefore not hold outstanding statutory notices for these services. This information is not held by East Cambridgeshire District Council.
- Please see: [Enforcement Register | East Cambridgeshire District Council \(eastcambs.gov.uk\)](http://www.eastcambs.gov.uk)

In respect of those requests that are answered in full, partially or the total refused, please take this as notice under FOIA, that we:

- a) Consider the information as exempt from disclosure under the Act.
- b) Claim exempt under sections of the Act:

Section 12(4)(a) – Information Not Held

- c) State why the exemption applies:

Regulation 12 (4) a public authority may refuse to disclose information to the extent that (a) it does not hold that information when an applicant's request is received.

This concludes your request FOI/EIR 23/24-220.

If information has been refused, please treat this as a Refusal Notice for the purposes of the Act.

If you disagree with our decision or are otherwise unhappy with how we have dealt with your request in

the first instance you may approach foi@eastcambs.gov.uk and request a review. A request for review must be made in no more than 40 working days from the date of this email.

Should you remain dissatisfied with the outcome you have a right under s50 of the Freedom of Information Act to appeal against the decision by contacting the Information Commissioner, Wycliffe House, Water Lane, Wilmslow SK9 5AF.