

Environmental Information Regulations – Response - 27162

I am seeking information in relation to Anvil Way, Stowmarket, Suffolk, IP14 2FF (Unique Street Reference Number: 25504183), which currently remains classified as “Neither M, A, B or C” and is therefore not maintainable at public expense.

Specifically, I request the following:

1. All correspondence (including emails, letters, meeting notes, and internal communications) between Suffolk County Council (including Suffolk Highways) and Reason Homes / Construct Reason Limited relating to:

- The construction, inspection, and adoption of Anvil Way*
- Any Section 38 Agreement associated with this road*
- Any identified defects, outstanding works, or reasons preventing adoption*

Please see attached email chain Suffolk County Council (SCC) have on file to Reeson Homes, file name: ‘Email 11-06-2025 - Stowmarket - Farriers Road Extension - Edgecombe Park Section 38 Agreement_redacted.pdf’

2. Copies of any agreements, including but not limited to:

- Section 38 Agreements*
- Bond or surety arrangements*
- Adoption plans, drawings, and specifications*

The developer did not enter into a s38 agreement.

3. Records of inspections carried out on Anvil Way, including:

- Initial and subsequent inspection reports*
- Any snagging lists or defect reports*
- Correspondence or notices issued to the developer regarding required remedial works*

SCC does not have any records on file for inspections.

4. Information explaining why:

- The road remains unadopted and not maintainable at public expense*
- Final inspection has not been completed or signed off*
- The road has not been added to the List of Streets (adopted highways register)*

The road remains unadopted as the developer has not entered into a s38 agreement.

5. Any current status updates, including:

- Whether adoption is still being pursued*
- Any outstanding actions required by the developer or the Council*
- Expected timescales (if available) for potential adoption*

Should the developer wish that SCC adopt the carriageway and footways, they would need to engage with SCC to complete the s38 agreement and undertake any remedial works required for adoption.

Redacted Information

All information released in response to a Freedom of Information Act 2000 (FOIA) or Environmental Information Regulation 2004 (EIR) request is deemed to be in the public domain. As such we must consider whether or not the requested information qualifies as personal information and should therefore not be released into the public domain.

The council has determined that this is personal information and is therefore exempt from disclosure under **section 40** of the FOIA and **regulation 13** of the EIR.

The Council considered the following, including the possible consequences of disclosure for the data subjects concerned and their reasonable expectations as to the use of their data:

- expectations of the individuals concerned about personal information being put into the public domain;
- reasonable expectations - the data subjects concerned would have a legitimate expectation of privacy concerning their personal information and would not have anticipated this being put into the public domain;
- whether or not the requested information could be anonymised; and
- balancing the individual's rights and the legitimate interests - In past cases the Information Commissioner has weighed the individual's rights to privacy against the public interest in disclosure. There is no presumption in favour of releasing personal data.

This is an absolute exemption, which means that if the condition is satisfied there is no additional public interest test to consider.

In assessing fairness, the Council considered the likely consequences of disclosure of the requested information. Personal information should not be used in ways that have unjustified adverse effects on the individuals concerned. The council also considered whether such disclosure would be within the reasonable expectations of the individuals, given that any response to a request under the FOIA or EIR is deemed to be in the public domain. The council believes that in this instance it is not fair to disclose personal data and is therefore withholding the requested information under section 40 of the FOIA and regulation 13 of the EIR.

[REDACTED]

Subject: FW: Stowmarket - Farriers Road Extension / Edgecombe Park Section 38 Agreement

From: [REDACTED]
Sent: 11 June 2025 17:33
To: [REDACTED] <[REDACTED]@reasonhomes.co.uk>
Subject: RE: Stowmarket - Farriers Road Extension / Edgecombe Park Section 38 Agreement

Hello [REDACTED],

I've forwarded your email onto our team managers as they determine the policy side of our adoption agreements and I have asked them to contact you to discuss the way forward.

Regards,

[REDACTED]


[REDACTED]

Technical Approval Engineer,
Transport NSIPs & Technical Team
Growth, Highways and Infrastructure Directorate,
Suffolk County Council, Endeavour House, 8 Russell Road, Ipswich, IP1 2BX.

[REDACTED]@suffolk.gov.uk
www.suffolk.gov.uk

[Application for Agreements or Works Licence - Suffolk County Council](#)

From: [REDACTED] <[REDACTED]@reasonhomes.co.uk>
Sent: 10 June 2025 12:21
To: [REDACTED] <[REDACTED]@suffolk.gov.uk>
Subject: Re: Stowmarket - Farriers Road Extension / Edgecombe Park Section 38 Agreement

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Hi [REDACTED]

Further to our solicitors conversations, they have suggested we meet, I very happy to have a meeting with you, I did try ringing earlier today.

Would you like to suggest some dates.

Thanks

[REDACTED]

From: [REDACTED] <[REDACTED]@suffolk.gov.uk>
Sent: 25 April 2025 11:54
To: [REDACTED] <[REDACTED]@reasonhomes.co.uk>
Subject: RE: Stowmarket - Farriers Road Extension / Edgecombe Park Section 38 Agreement

Hello [REDACTED],

Apologies for the delayed reply, I was on leave last week.

From your response I can't see there is an issue that would preclude completing the current S38. The timescales within it are our standard timescales used in all our S38 agreements (including the original draft S38 issued on this site back in 2016). The only difference is that we agreed to sign up with 10% of the "normal" bond sum so will not be making a bond reduction when the Part II is issued. We are open to considering revised timescales if necessary.

Consequently there shouldn't be anything more onerous in terms of timings than usual S38's. There is still a 12 month maintenance period as with the S37 and we don't finally adopt until the sewers are adopted, the same with S38 or S37.

I see no benefit in pursuing a S37 especially as it is not a process our Lawyers use and have resisted in the past. If we are forced down that route I foresee additional delays and costs for all parties so would prefer to proceed with the S38 as we are so close to completion with engrossments now issued.

I hope that helps and would welcome your additional thoughts.

Regards,

[REDACTED]
[REDACTED]
Technical Approval Engineer,
Transport NSIPs & Technical Team
Growth, Highways and Infrastructure Directorate,
Suffolk County Council, Endeavour House, 8 Russell Road, Ipswich, IP1 2BX.

[REDACTED]
[REDACTED]@suffolk.gov.uk
www.suffolk.gov.uk

[Application for Agreements or Works Licence - Suffolk County Council](#)

From: [REDACTED] <[REDACTED]@reasonhomes.co.uk>
Sent: 11 April 2025 12:18
To: [REDACTED] <[REDACTED]@suffolk.gov.uk>
Subject: Re: Stowmarket - Farriers Road Extension / Edgecombe Park Section 38 Agreement

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Dear [REDACTED]

Thank you for taking the time to write to me on this matter.

Perhaps it would help if I explain our position on the S37.

Firstly we ensure we have paid to the highways Authority the correct and appropriate Supervision and Inspection fees so all works are inspected and the Works are to Highways Standard. Before we serve the S37 Notice we ensure all sewers under the highway are adopted.

When we serve the Notice we provide evidence of Tittle, adoption of sewers and all works are to highways standards, when then accept the twelve months maintenance period before adoption.

With Edgecomb Park we have paid the Supervision and Inspection fees of £38,000 and all Works have been inspected by one of your officers, I would hope any further works to bring the roads and footpaths up to adoption standard would also be inspected by your officers.

We would produce Tittle and Adoption of Sewers on upon serving the Notice.

With the current proposed S38 there are strict timetables which are not in normal S38 Agreements, not complaining or moaning we currently have an issue with Anglian Water legal departme4nt which has been ongoing for nearly 18 months, my solicitors are at a lost as to the issue. Therefore, hence my concerns of a S38 Agreement with time restrictions.

I hope this helps you understand my position.

I am more than happy t attend your offices for a meeting should you think this will be of assistance.

Regards

██████████
Director
Construct Reason Ltd

From: ██████████ <██████████@suffolk.gov.uk>
Sent: 10 April 2025 10:59
To: ██████████ <██████████@reasonhomes.co.uk>
Subject: Stowmarket - Farriers Road Extension / Edgecombe Park Section 38 Agreement

Good Morning ██████████,

I hope you are well.

The new bespoke S38 agreement was close to being completed but there now appears to be a delay which I'm trying to get to the bottom of as we have had recent correspondence from the local MP regarding adoption progress.

As far as I know there was a request to adjust the timings within the S38 and we were waiting for suggested text from your Solicitor. We now seem to be debating a S37 again which is not a procedure Suffolk operate. If there are issues with the sewer adoptions a S37 will not assist as the requirements for adoption of sewers (and utilities work/adoptions) is the same for both S37 and S38. SCC would need to see evidence of sewer adoptions either way so I see no benefits unless there are issues we are not aware of.

Can you please set out your concerns so that we can work towards a resolution?

Many thanks,

██████████

██████████
Technical Approval Engineer,
Transport NSIPs & Technical Team
Growth, Highways and Infrastructure Directorate,
Suffolk County Council, Endeavour House, 8 Russell Road, Ipswich, IP1 2BX.

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