



Mr R Eaton, Partner  
Birketts LLP  
Providence House  
141-145 Princes Street  
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Suffolk  
IP1 1QJ

**Your ref:** RE/NJD/325206.003  
**Our ref:** MC/CB/ES0009.570  
**Date:** 16 July 2021  
**Please ask for:** Martin Clarke  
**Customer Services:** 03330 162 000  
**Direct dial:** 07442 412422  
**Email:** martin.clarke@eastsuffolk.gov.uk

Dear Mr Eaton,

**PRE-ACTION PROTOCOL LETTER**  
**APPLICATION DC/20/1831/OUT**

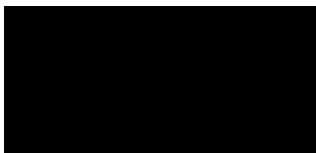
1. We write in response to your letter dated 25.06.21. We have already provided you with a substantive response to your pre-action letter of 05.05.21 and have nothing to add to that.
2. We would remind you that your clients currently have no basis for any claim against the council. The resolution of the Planning Committee South, which you referred to in your letter of 05.05.21, was made on 30.03.21. Any challenge to that resolution would be out of time. The council has already agreed to remit the matter back to the committee. As such, continued correspondence of this nature is not deemed to be a proportionate use of the council's resources.
3. For this reason, we do not consider that the duty of candour requires the council to make any further disclosure to your clients. In any event, as you say, your clients have made requests for information under the Freedom of Information Act or Environmental Information Regulations. This request has been dealt with under that process. The council is fully aware of its obligations under these provisions and completely rejects any implication that it, or its officers, have acted improperly in any way. Indeed, we consider the making of this implication, without any evidence to support it, to be wholly improper.
4. The further representations made in your letter are noted and will be considered by officers.

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LEGAL ADDRESS East Suffolk House, Station Road, Melton, Woodbridge IP12 1RT

POSTAL ADDRESS Riverside, 4 Canning Road, Lowestoft NR33 0EQ

Yours sincerely



**Martin Clarke | Acting Legal and Licensing Services Manager**

East Suffolk Council