

56457 Forth Ports PLC Section 75 Agreement

We act on behalf of Edinburgh Marina Holdings Ltd.

Our clients request the following information:-

All documents, records, notes, notes of discussions, minutes and email whether held electronically or otherwise in respect of all educational infrastructure payments and the dates of receipts due under clause 3 of the section 75 agreement between City of Edinburgh Council and Forth Ports Plc dated 20th June 2003 (a copy of enclosed for ease of reference) in respect of the original planning consents for plots 26,27,28,29,30,31,3,4,7a,S1&S2 forming part of the Granton Harbour Estate Development Site as defined together with copies of any section 75 variation agreements entered into between City of Edinburgh Council and any of the plot owners.

Please refer to the following summary of findings relating to various plots at Granton Harbour.

- Plots S1 and S2 - 17/01481/AMC – Marked as paid on condition monitoring module - £710,288.74 on 08/08/2022 – Please refer to the attached correspondence. Also attached is an e-mail exchange with Port Of Leith Housing Association (POLHA) regarding payment and one-bedroom units (also applies to Plot 3). This includes receipts and invoices.
- Plot 3 - 16/04342/AMC – Marked as paid on condition monitoring module £217,322.16 on 08/08/2022 – Please refer to the attached correspondence.
- Plot 26 and 27 - 04/01661/REM – Plot 27 paid, see attached. Plot 26 not yet started so no contribution is required in relation to Plot 26 at this stage. The attached document is 30 pages of correspondence with McTaggart Construction and the Council confirming that £267,889 was paid on October 17th 2017.
- Plot 28 - 04/03605/FUL – Paid, see attachment relating to Plot 28 which has 39 pages in total with confirmation of payments received and discussions in general between the applicant and the Council on matters relating to these payments, including applications from the applicant to amend these obligations which were unsuccessful.
- Plot 29 - 17/05306/AMC – Included consent for 108 flats on Plot 29 along with a hotel on Plot 35. Notice of Initiation submitted but no evidence of development on Plot 29. Legal agreement trigger will not be triggered.
- Plot 30 - 05/00228/REM – There are no records on file. We are not aware development commenced, so legal agreement requirement not triggered.
- Plot 31 - 05/00229/REM – There are no records on file. We are not aware development commenced, so legal agreement requirement not triggered.
- Plot 4 and 7a - 03/01922/FUL – Separate Planning Application with separate legal agreement. Outwith scope of this FOI request as not related to Clause 3 of the outline legal agreement stated. However, we cannot see any record of payment on file.

Information we hold with regard Plot 2 and Plot 4 shall not be provided as we do not consider them to be in scope of the request. Plot 2 was a separate Planning Application and is not covered by the legal agreement you refer to. Similarly, Plot 4 is not covered by this legal agreement.

Two e-mail conversations have been withheld as they relate to an on-going legal process.

With regard to any Section 75 variation agreements entered into between the City of Edinburgh Council and any of the plot owners, we are not aware of any variations of the legal agreement associated with application 01/00802/OUT and would note that all legal agreements are publicly available on the Planning Portal at:

<https://citydev-portal.edinburgh.gov.uk/idoxpa-web/search.do?action=simple&searchType=Application>

Third party personal information has been redacted from the documents provided in compliance with the Data Protection Act 2018.