



Press Release 9 February 2008

## MASS MEETING CALLS FOR LEGAL ACTION TO SAVE THE RADLEY LAKES

### *All-party support for judicial review*

Despite the attractions of the fine weather and the rugby, around 200 people packed the Abingdon Guildhall on Saturday to hear Lib Dem MP Dr Evan Harris, together with his opposing prospective parliamentary candidates, Nicola Blackwood (Conservative), Richard Stevens (Labour) and Chris Goodall (Green) give their unreserved support for further action to save the Radley Lakes. The meeting was also addressed by Helena Whall of the CPRE. The meeting was called by Save Radley Lakes to launch an appeal to raise funds to support a judicial review of Oxfordshire County Council's recent decision not to register land around Thrupp and Bullfield Lakes at Radley as a town or village green. Over £4,000 was raised at the event.

After the meeting was convened by Dr Harris, Roger Thomas of Save Radley Lakes explained the current situation<sup>1</sup>. He said that 2 years ago Didcot power station was pleading utmost need saying that unless they got planning permission to fill Thrupp Lake with ash, the power station would have to close. He said:

“Well, the power station is still running and the lake is still contains water. The power station has to close by 2015 and will probably do so in the next few years. With every day that passes that need to put ash into Thrupp Lake diminishes, and the likelihood that they will not have enough waste ash to fill it increases.

Mr Thomas went on to explain the situation with respect to the Town Green: that Oxfordshire County Council had rejected the application on a legal technicality and that this could be and should be challenged in the High Court by judicial review. He said that Radley Parish Council had already agreed, in principle, to pursue such a judicial review, subject to some conditions, and that Abingdon Town Council was considering joining in. He said

“Both councils are understandably wary about committing public funds to such a venture and are looking to the community for additional financial support, and they need some reassurance that this support will be forthcoming. This is why we have called you to this meeting today.”

Evan Harris MP (Lib Dem) said

“I do support saving the Radley Lakes, which is why, when Oxfordshire County Council rejected the application, I immediately called for a judicial review and gave it my personal support. That is why I am here, and why I am now making a personal donation.”

Mr Harris further pledged to donate any money raised through media appearances during the next few months to the cause.

“A lot of money has to be raised. It won’t be easy. Lawyers are expensive. Two lawyers are more expensive... You will need to reach deep into your pockets and give generously.

“The decision to allow Thrupp Lake to be destroyed was a political one. Oxfordshire County Council should be committed to preserving the local environment, but they have not looked sufficiently at the other choices. Government could do more to protect the environment by making it more to the advantage of business to give higher priority to environmental issues.

**“I am very pleased to support this campaign, not only to raise the money to challenge the town green decision in the courts, but also to put pressure on the government and npower to find alternatives to environmentally destructive disposal.**

Nicola Blackwood (prospective parliamentary candidate for the Conservative Party) said

“There is a cross-party consensus on this one – and in any case, the environment is not the place for party politics! I am here because I am Nicola Blackwood, resident of Oxfordshire, and I am not going to stand by and watch Thrupp Lake destroyed forever for the sake of short term financial gain.”

**“We have to save the Radley Lakes, but in order to do that, there needs to be a judicial review and in order to do that, we need all of you here today to reach into your pockets and give whatever you can to the cause; and then go home and get all of your friends to give whatever they can...”**

Chris Goodall (prospective parliamentary candidate for the Green Party) who has been actively supporting the campaign, said

“This is one of several recent cases of a small group pitting themselves against large corporations, in this case, one of the largest multinational companies in the world – RWE, in order to save their local environment. It’s going to be hard, but you need to stand firm. “

**“PFA could be used to make cement which it could replace in concrete and would thereby save half a million tonnes of CO2 each year. Every other power plant operator is taking steps to use their waste responsibly.”**

Richard Stevens (local solicitor and prospective parliamentary candidate for the Labour Party) said:

"It's not too late [for npower] to change direction, and we as a community can do two things:

**Firstly, we must urge Oxfordshire County Council and RWE npower to think again. The socially responsible thing to do is to acknowledge local feeling on this issue and reconsider the plan. I've no doubt that RWE npower's directors will be mindful of their statutory duty - recently introduced by the government - to have regard to, amongst other things, the impact of the company's operations on the community and the environment<sup>2</sup>.**

Secondly, local people can get behind the judicial review action proposed by the Save Radley Lakes action group. I'm pleased to offer my support to the volunteers."

Helena Whall, CPRE's new Oxfordshire Campaign Manager, expressed the hope that RWE npower will halt all work until after the Judicial Review. She said that, at her recent first visit to the site, she was immediately struck by the beauty of Thrupp Lake and, at the same time, shocked by the devastation around about where infilling of other lakes with fly ash had been occurring. She said that, if we win, the costs will not be great and the effort would be well worth it.

Afterwards, Lynda Pasquire of Save Radley Lakes said:

"From what has been said to me here today, the general view of the public is that npower were completely mad to consider doing this and there ought to be ways of stopping them. "

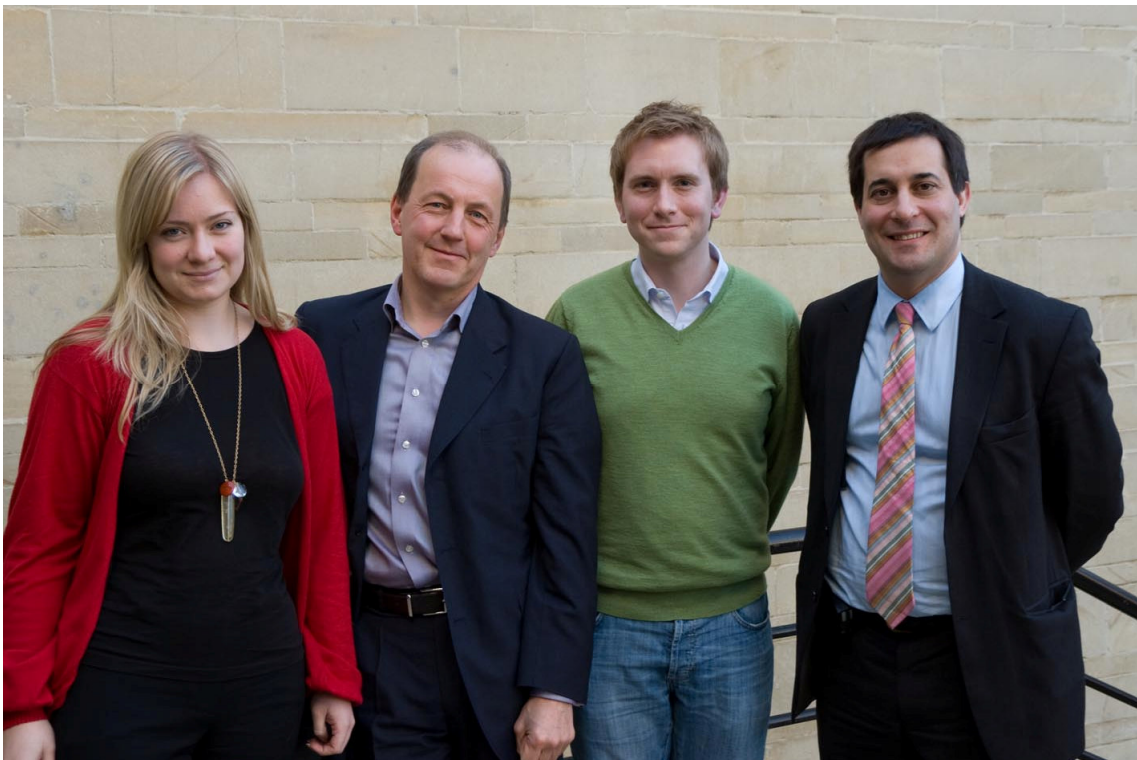
Dr Basil Crowley, chairman of Save Radley Lakes said:

"It is gratifying to find prospective parliamentary candidates from all four main political parties in a constituency sharing the same platform and in full agreement on an issue of some importance. The Radley Lakes is one of those exceptions, where a whole community is united with one aim, in this case that of saving the Radley Lakes, Thrupp and Bullfield Lakes, from unnecessary destruction or harm in the pursuit of commercial or financial gain."

The meeting also received a warm message of encouragement and support from Catherine Robinson, who led the recent successful legal fight to get the Oxford Trap Grounds registered as a Town Green.



People assembling in the Guildhall before the start of the meeting.



Left to right: Nicola Blackwood, Chris Goodall, Richard Stevens, and Dr Evan Harris MP



Left to Right: Richard Stevens, Nicola Blackwood and Dr Evan Harris MP

**For further information** contact: Marjorie White on 01235 216428 or 01235 530174,  
or visit [www.saveradleylakes.org.uk](http://www.saveradleylakes.org.uk).

## Notes for Editors

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<sup>1</sup>Over the past few years, local people have devoted huge amounts of time, effort and money to saving the remaining Radley Lakes from damage or destruction at the hands of RWE npower, who wish to fill one of them with ash from Didcot Power Station. Abingdon resident, Mrs Jo Cartmell, made an application in October 2006 to have The Lakes and their immediate surroundings designated a Town Green, which would protect them from development. A Public Inquiry was held to determine whether people from the locality had used the lakes for lawful sports and pastimes for the past twenty years. The Inspector, Mr Vivian Chapman QC, found that, in the case of the land around the lakes, this had indeed occurred, as can be seen from the following extracts from the Findings of Fact in the Inspector's report:

**[237]** *The evidence is overwhelming that for many years, certainly since before 1986, Thrupp and Bullfield Lakes have together formed a popular destination for trips by residents of Abingdon. They are only a short distance from the edge of Abingdon and are readily accessible on foot or by bicycle using public rights of way which are easily combined to make a short round trip. It is also possible to park a car near Sandles. There are very good views over Thrupp Lake from the BOAT running down its E bank. Thrupp Lake is an attractive expanse of water with interesting waterfowl. The ease of access has increased with the opening of the Sustrans route in 1999, but I find that the trip to these lakes was very popular with Abingdon residents even before 1999.*

**[238]** *Although many people doubtless confined themselves to the public rights of way running along the E and S sides of the lakes, I find that, since before 1986, a significant number of local people have left the public rights of way and walked around the sides of the two lakes. Since before 1986, it has been possible freely to enter the application land through an opening at the SE corner of the application land. From there, it is possible to walk a circuit of Bullfield Lake using the path along the isthmus to the N of the lake and the path running through the strip of land to the S of Bullfield Lake. It has also been possible to walk a circuit of Thrupp Lake by walking N or S of Bullfield Lake and then walking along the W side of Thrupp Lake, exiting through the Curtis works gate when it is open and then walking along Thrupp Lane to the N of Thrupp Lake to rejoin the E BOAT. Of course, these routes can also be walked in reverse.*

However, on a contentious point of law relating to footpath use, he found that the land was nevertheless not registrable as a town green, upon which advice Oxfordshire County Council rejected the application for registration on 14 January 2008.

<sup>2</sup> The Companies Act 2006, Section 172 states "A director of a company must act in the way he considers, in good faith, would be most likely to promote the success of the company for the benefit of its members as a whole, and in doing so have regard (amongst other matters) to ... the impact of the company's operations on the community and the environment... [and] the desirability of the company maintaining a reputation for high standards of business conduct..."