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**Abingdon
Oxfordshire**

Jerry White
Local Government Ombudsman
The Oaks No 2
Westwood Way
Westwood Business Park
Coventry CV4 8JB

15 September 2006

Dear Mr White

**RADLEY LAKES ASH DISPOSAL SCHEME – COMPLAINT OF MALADMINISTRATION
BY OXFORDSHIRE COUNTY COUNCIL (URGENT)**

Save Radley Lakes would like to make a complaint of maladministration by Oxfordshire County Council (OCC). The complaint concerns OCC's conduct in relation to a planning application for development at Radley, Oxfordshire.

My contact details are given at the top of this letter. I do not have any special requirements in relation to the use of your service.

We complained to OCC about the matters in question on 11 July 2006. The County Council responded (although not fully, and in our view unsatisfactorily) on 11 August 2006.

Our complaint is that OCC produced a flawed, inaccurate and biased report on the planning application in question. The CC's Planning and Regulation Committee then proceeded to consider the report, and to take a decision on it, despite our requests to them to defer the matter so that the report could be corrected. As a consequence, the Committee's decision (to approve the application) was flawed, because it was based on a defective report.

This will or may cause injustice to members of Save Radley Lakes in two ways. First, we went to considerable lengths to provide detailed representations and accompanying evidence about the application to the CC. These seem to have been largely ignored. Second, if the application is granted (it is currently with the Secretary of State who is considering whether to call it in), members of the group will no longer be able to enjoy the visiting the site in question, which has been a popular place of informal recreation for members of Save Radley Lakes for many years.

If the planning application is not called in, we would like OCC to suspend any further action on the case (so that the permission is not issued) and arrange for the matter to be considered afresh on the basis of a revised report to Committee.

I should add that, following the results of a Freedom of Information Act request, we have written to the CC again (on 13 September). I enclose a copy of that letter. It appears from

Save Radley Lakes

Executive: B J B Crowley D.Phil, C.Phys., F.Inst.P.(Chairman); D M M Guyoncourt Ph.D. (Vice-chairman);
J Cartmell (Secretary); L J Pasquire (Treasurer); R M G Eeles Ph.D.; P Harbour Ph.D.; R Thomas; M White

the notes of meetings between the CC and the applicants (RWE npower) that CC officers: (1) proposed to the applicants a scheme which breached Structure and Local Plan policy, and told the applicants that officers would support it, and (2) failed to require the applicants to consider alternatives, which planning policy required in this instance.

We believe that this explains many curious aspects of the officers' report to Committee. We believe that the report was an exercise in justifying a position which officers had agreed in advance with the applicants, rather than being a balanced and impartial consideration of the issues.

Depending on the response from the CC, our letter of 13 September may generate a further complaint of maladministration. I will keep you informed about this. If you would like to consider all aspects of the matter together, please let me know. Our two complaints to the CC (of 11 July and 13 September) concern related aspects of how a single planning application has been dealt with.

There is a large amount of correspondence and documentation concerning this case. I am enclosing some key documents, with a covering note outlining the significance of each. I hope that this will assist you in identifying the essentials of the case. We can provide further documents if and when required.

Finally, we would like to ask that this is treated as an urgent matter. As the planning permission has not been issued yet, there is still time to put matters right. If the application is not called-in and the CC issues permission, it will be extremely difficult to retrieve the situation, however serious any maladministration that may be found turns out to be.

If you have any queries or would like to see any further documents, please let me know. I look forward to hearing from you as soon as possible.

Yours sincerely

Roger Thomas BA LLB MIFA FSA
Leader, Legal and Environmental Sub-group

For and on behalf of the Executive of Save Radley Lakest

RADLEY LAKES ASH DISPOSAL SCHEME – COMPLAINT OF MALADMINISTRATION BY OXFORDSHIRE COUNTY COUNCIL

Covering note for documents

The following key documents should give a fair indication of the nature of Save Radley Lakes' (SRL's) concerns about this matter. Filenames are prefixed by a code 'SRL1', 'SRL2' etc, for ease of identification.

1. 'Key issues' document, produced by SRL for a meeting with the County Solicitor on 8 August 2006. It sets out the main issues about which SRL was (and is) concerned.
2. The County Council officers' report on the planning application, prepared for the 10 July meeting of the CC's Planning and Regulation Committee.
3. Addendum 1 to the officers' report.
4. Addendum 2 to the officers' report.
5. SRL's e-mail of 11 July to the Chief Executive of OCC, making a formal complaint of maladministration.
6. The County Solicitor's report of 11 August, responding to the complaint submitted by SRL and to complaints about the same matter submitted by a number of individuals.
7. A 'matrix' of issues and responses, prepared by CC officers for the County Solicitor, identifying the issues raised by complainants and responding to them.
8. Copy of letter of 13 September 2006, sent to by SRL to the Chief Executive of OCC, with a further complaint of maladministration in respect of officers' discussions with the applicant (RWE npower) prior to the current planning application being made.

Save Radley Lakes

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