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**Abingdon
Oxfordshire**

Ms Joanna Simons
Chief Executive
Oxfordshire County Council
County Hall
New Road
Oxford OX1 1ND

13 September 2006

Dear Ms Simons

RADLEY LAKES ASH DISPOSAL SCHEME – COMPLAINT OF MALADMINISTRATION

We regret that we find it necessary to write to you again about this case.

Your colleagues have (under the Freedom of Information Act) supplied Save Radley Lakes with notes of meetings between Oxfordshire County Council and RWE npower concerning the Radley Lakes ash disposal scheme. The following points emerge from those notes:

- (1) the present scheme (to fill Lake E but not Lake F) was proposed by your own officers, notwithstanding that it breaches Structure and Local Plan policies. OCC officers gave encouragement to the applicants, RWE npower, to pursue that scheme. This proposal was made to RWE npower at a meeting on 8 September 2005.
- (2) your officers do not appear to have placed any requirement on RWE npower to examine seriously alternatives to dumping ash at Radley, despite the fact that planning policy demanded such an examination (in order to demonstrate that there was 'overriding need' to dump at Radley).

In short, at a time when OCC officers were repeatedly declining to meet members of Save Radley Lakes to discuss their objections, those officers were collaborating with RWE npower and actively assisting them to obtain permission to fill Lake E at Radley. Officers proposed a scheme which breached planning policy, and indicated to the applicants that they would support it.

Against this background, it occasions little surprise that officers subsequently recommended to Committee that RWE npower's application should be approved. That recommendation was made in the face of a heavy weight of policy objections, evidence and public objection.

In acting in this way, OCC officers have, in our view, breached their duty to implement planning policy fairly and properly. OCC officers have also sought to portray the decision-making process as a fair, balanced and impartial one. In fact, the process looks as if may have been substantially an exercise in justifying a position which had been agreed between

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

OCC officers and RWE npower in September 2005 (before RWE npower's current planning application had even been submitted).

We would therefore like to make a complaint of maladministration about this matter. In view of the possibility that there may have been very serious wrongdoing here, we also ask that any further action on this planning application is (assuming that the application is not called in by the Secretary of State) suspended until the matter has been fully – and independently – investigated.

We would also like to make a request, under the Freedom of Information Act, to inspect all documents (including notes, minutes, correspondence, reports, e-mails, records of telephone conversations and any other material) which are held by OCC and which relate, wholly or in part, to ash disposal in Lakes E and F at Radley.

If you would like to discuss these concerns with us, please let me know. I am copying this letter to Councillors Lesley Legge and Bob Johnston (as the local members concerned), to Evan Harris MP and to the Secretary of State for Communities and Local Government. I am also sending a copy to the Local Government Ombudsman.

I look forward to hearing from you as soon as possible.

Yours sincerely

Roger Thomas
Leader, Legal and Environmental Sub-Group