

Our Ref:  
Your Ref:  
Date: 16 December 2009

Anne Seex  
Local Government Ombudsman  
Beverley House  
17 Shipton Road  
York  
YO30 5FZ

Dear Anne

**RE: FRIENDS OF LEVER PARK**

Thank you very much for your letter of 10 December 2009.

I wish to point out an error in your report and in your letter to me of 10 December 2009 you state that the basis for your maladministration finding related to Chorley Council alleged breach of its own constitution is on the basis of "the Council defines major for any of these purposes as development on a site area of 1 hectare or more".

The planning application stated that the site area was 3.2 hectares. However as you are already aware this incorporated trees which were included within the Go Ape course. Chorley has been entirely consistent with other Councils in their treatment of planning applications for Go Ape type courses.

Our planning officers consulted with other Councils and determined that the application should be treated on the basis of the square footage of any buildings erected as part of the course. This square footage did not total 1 hectare. This application has therefore been treated entirely in accordance with the Councils constitution. This is also the view of the Councils monitoring officer and the views of the monitoring officers of other Councils who have handled Go Ape applications.

I therefore request that you reconsider your erroneous comments.

I look forward to your reply.

Yours sincerely

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Leader of the Council  
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