

Our Ref: PG/HS
Your Ref: Your Ref :08 012 725 et al AS/CRB
Date: 27 November 2009

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

Dear Ms Seex

FRIENDS OF LEVER PARK AND THE GO APE! PLANNING APPLICATION

Thank you for your letter and decision document of 19th November.

As you are aware, the Chief Executive, Donna Hall, had previously agreed to the suggested settlement proposed by your investigator, Ms Towner. I understand that your views were sought by Ms Towner at this stage. Mrs Hall accepted there had been some administrative failings in this case and agreed to make a 'time and trouble' payment to The Friends of Lever Park as a gesture of good will. Measures have since been put in place to address these failings.

Having now considered your final decision, I would like to ask for some further explanation on the differences in your findings.

Please could you explain why you now consider the following areas to be maladministration rather than administrative failings:

- i. The failure to make a written note of an informal pre-application discussion;
- ii. The lack of consultation with the Garden History Society;
- iii. The incorrect addressing of a notification letter.

My main area of concern is the change in the finding regarding the decision to deal with this application under delegated powers. I do not believe that this decision was in any way contrary to the Council's constitution. In Ms Towner's suggested settlement letter she accepts that it was not wrong to consider the application as 'minor'. Please could you further explain why you now consider this to be an area of maladministration and in what way the decision now fails to comply with the constitution.

I know that this has been a long and complex investigation and appreciate your further consideration and clarification of these issues.

Yours sincerely

Councillor P Goldsworthy
Leader of the Council

Email: peter.goldsworthy@chorley.gov.uk
Tel: 01257 515104
Fax: 01257 515156