

## Mario Leo

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**From:** Cllr Andrea Berardi  
**Sent:** 25 January 2023 11:00  
**To:** Paul Turrell  
**Cc:** AllCouncillors; Mario Leo  
**Subject:** Planning Maladministration Complaint  
**Attachments:** RBC Planning Maladministration Case\_25 01 2023.pdf

Dear Paul,

A group of concerned Englefield Green residents have researched and authored a case about possible maladministration at Runnymede Borough Council in relation to the retrospective planning application covering Fairmont Hotel and associated sites (RU.21/2211) – see attached. On behalf of these residents, I am requesting that this matter is investigated and acted upon. Please treat this as a Stage 1 Complaint.

If these residents are not satisfied with the response, they are intent on escalating the matter to the Local Authority Ombudsman. They may also consider complaining to the Secretary of State for Levelling Up, Housing and Communities that Runnymede Borough Council is not adequately performing its function of determining planning applications.

Furthermore, their concerns are so serious with regards to misconduct in public office by Council officials, that they believe that the planning officers responsible and their seniors, if they were acting under direct illegal instruction, should be investigated. They are therefore considering going to the Police, asking them to look at both misconduct in public office by officials and possible interference with and by councillors. For example, there is already evidence that confidential emails intended for internal Council circulation were forwarded to Surinder Arora by one or more councillors.

Misconduct is an offence when it results in harm. Of course, the Green Belt and its associated benefits are important and hence its unjustified loss as a result of possible maladministration by planning officers causes serious harm. My residents cannot have any faith in the planning decisions of Runnymede Borough Council until such investigations have been completed to a satisfactory standard and actions have been taken.

To be clear, this complaint is not about the merits of the planning application or any future applications. It is about serious departures from planning guidance and deliberately ignoring and twisting evidence. Planning officers seem to be acting in the interests of a private individual or the private company owned by that individual, instead of the public interest and appear to have deliberately misrepresented issues and facts. The case before you shows that planning officers' advice to the planning committee was seriously flawed in numerous ways (and that some planning committee members failed to properly assess the appropriateness of the evidence placed before them). Councillors need to be able to trust the Council's planning officers and, at the moment, as illustrated by the evidence outlined in the attached case, the position is that we are unable to do this.

A common response in relation to planning matters is that things are a matter of subjective judgement. If a scientist said the moon was made of "cheese", on the basis of what someone else had told them, that would be incompetence or malpractice, it's not a matter of opinion. If a scientist ignored the evidence of their own eyes to tell you that there are two moons around the Earth, they would be knowingly telling a lie. Saying things are a matter of judgement is nonsense when the truth has been twisted or ignored. Residents' concerns cannot be dismissed by simply saying the planning officers have complete discretion to judge what the truth is.

The starting point for building in the Green Belt is that substantial weight is attached to any harm by reason of inappropriateness. Very special circumstances cannot be said to exist unless the potential harm is clearly outweighed by other considerations. When planning permission was originally granted for the Fairmont Hotel, there was no approval for its landscape to be turned into an entertainment park and location of further hotel accommodation. Instead of taking enforcement action against continual development, without authorisation, the Council has turned a blind eye and supported retrospective applications providing evidence that is blatantly

inappropriate. The most egregious example is when wooden caravan on wheels (see photographic evidence in Figure 6 within the attached report), are used as 'like for like' replacement for the tree house structures.

I would like the Council to investigate residents' concerns with its planning officers' evidence-gathering, decision-making and reporting, and consider what internal processes exist to remedy the serious problems that are highlighted in the attached case. This requires some kind of independent oversight; it is not sufficient to simply ask the planning officers to justify themselves.

Yours faithfully

CLlr Andrea Berardi, on behalf of Englefield Green Residents

Please see my councillor privacy notice here: <https://www.runnymede.gov.uk/privacystatement>

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