

**URGENT ACTION: SYWELL AERODROME**

**1 Purpose of Report**

Presentation of urgent action request, dated 12 May 2010.

**2 Executive Summary**

An urgent action request was instigated 12 May 2010 to enable commissioning of an external independent investigation of matters pertaining to complaints made about the proper implementation of an approved planning application for a hard runway at Sywell Aerodrome, and of 3 formal complaints against a councillor, and complaints made by a councillor against 2 officers.

The reason for urgency was to limit the likelihood of further issues being raised and the challenge to the effective operation of this Council.

The relevant provider has been commissioned and the independent investigation has commenced.

**3 Appendices**

Urgent action request form dated 12 May 2010.

**4 Proposed Action:**

**The Committee is invited to note the urgent action request.**

**5 Legal Powers**

The Council has powers to enter into contracts. Paragraph 3.5.6 of the Constitution gives the Chief Executive, after consultation with the Mayor and Chairman of the Resources Committee, the power to take urgent action.

**6 Financial and Value For Money Implications**

The estimate for this investigation is £12,800 and will be met from the Council's budget for this year by reducing budgets on less essential work.

## 7 Risk Analysis

The likelihood of risk if the independent review was not to proceed is as follows:

<b>Nature of risk</b>	<b>Consequences if realised</b>	<b>Likelihood of occurrence</b>	<b>Control measures</b>
Continuation of questioning of proper processes	The effective operation of the Council would be challenged	Highly	Close channels for further communications while an independent review is carried out to determine course of action.

## 8 Implications for Resources

£12,880.80 requested to cover quotation for independent review by external solicitors. Funds are not held in current Council budgets. Director of Resources will authorise virement from work of lesser priority in liaison with service managers.

## 9 Author and Contact Officer

Lyn Martin-Bennison  
Chief Executive

## 10 Consultees

Cllr J Bailey, Leader of Council  
Cllr P Bell, Deputy Leader  
Sue Lyons, Head of Legal Services

## 11 Background Papers

Planning permissions  
Complaints received

## BOROUGH COUNCIL OF WELLINGBOROUGH




### REQUEST FOR URGENT ACTION

<b>REPORTING COMMITTEE</b>	<b>RESOURCES</b>
<b>DATE OF NEXT MEETING</b>	<b>23 JUNE 2010</b>
<b>PURPOSE OF REPORT</b> TO SEEK APPROVAL OF FUNDS TO COMMISSION AN EXTERNAL INDEPENDENT INVESTIGATION OF MATTERS PERTAINING TO COMPLAINTS MADE ABOUT THE PROPER IMPLEMENTATION OF AN APPROVED PLANNING APPLICATION FOR A HARD RUNWAY AT SYWELL AERODROME.	
<b>REASON FOR URGENCY</b> TO DATE, THIS COUNCIL IS DEPLOYING HUMAN AND FINANCIAL RESOURCES ON PROCEEDINGS RELATED TO A STANDARDS CASE, COURT ACTION AGAINST THIS COUNCIL FOR THE RECOVERY OF EXPENSES INCURRED BY A COMPLAINANT, SIGNIFICANT FOI REQUESTS, THREE COMPLAINTS AGAINST A COUNCILLOR AND COMPLAINTS MADE BY A COUNCILLOR AGAINST TWO OFFICERS. RECENT COMMUNICATIONS INDICATE A HIGH LIKLIHOOD OF FURTHER ISSUES BEING RAISED THAT WOULD FURTHER INCREASE THE COST OF AN INDEPENDENT REVIEW. THIS CASE WARRANTS EXCESSIVE AMOUNTS OF CHIEF EXECUTIVE TIME AND SUSPENSION OF TWO SENIOR OFFICERS FROM WORK RELATED TO THESE ISSUES AND THUS PRESENTS A CHALLENGE TO THE EFFECTIVE OPERATION OF THIS COUNCIL.	
<b>KEY FACTS</b> A PLANNING APPLICATION FOR A HARD RUNWAY AT SYWELL AERODROME WAS APPROVED BY SECRETARY OF STATE IN NOVEMBER 2007 AND SUBSEQUENTLY, THIS COUNCIL'S PLANNING AUTHORITY HAS BEEN IMPLEMENTING THAT APPROVED PLAN. THE PROCESS ADOPTED BY THIS COUNCIL HAS BEEN CONTINUOUSLY QUESTIONED BY THE WARD COUNCILLOR WITH NO INDICATION OF ANY RESOLUTION OF THE QUERIES RAISED. MANY OF THE CONCERNS ARE OUTSIDE THE REMIT OF THIS COUNCIL, NOT RESOURCED AS A COUNCIL PRIORITY, AND NOT WITHIN THE CURRENT WORKPROGRAMME ASSIGNED TO OFFICERS. DISATISFACTION WITH THE ACTIONS OF COUNCIL OFFICERS, INTOLERANT BEHAVIOURS AND POTENTIAL BREACHES OF THE COUNCIL'S CODE OF CONDUCT HAVE BROUGHT ABOUT A NUMBER OF COMPLAINTS WHICH HAVE HUMAN AND FINANCIAL RESOURCES CONSEQUENCES. THE LEADER HAS ASKED FOR AN EXTERNAL INDEPENDENT INVESTIGATION TO CONFIRM THE PROPER ACTIONS OF THIS PLANNING AUTHORITY, DETERMINE THE BASIS ON WHICH TO PROGRESS ANY FORMAL COMPLAINTS, AND THEREBY ESTABLISH THE COUNCIL'S FURTHER ROLE IN RESOLVING LOCAL CONCERNS. A RELEVANT PROVIDER HAS BEEN SOURCED FROM A LIST OF INDEPENDENT INVESTIGATORS RECOGNISED BY THE ASSOCIATION OF COUNCILS SECRETARIES AND SOLICITORS WHICH IS THE PROFESSIONAL BODY OF MONITORING OFFICERS. THE COUNCIL'S LEGAL ADVISER (HEAD OF CONNECT LAW) CONFIRMS THAT THE SELECTED PROVIDER IS EXPERIENCED IN THE ISSUES SPECIFIED AND THAT THE QUOTATION PROVIDED IS A COMPETITIVE RATE. TO SEEK FURTHER QUOTATIONS WOULD ADVERSELY DELAY THE START OF THE INVESTIGATION.	
<b>FINANCIAL IMPLICATIONS</b> THE QUOTATION FOR THIS INVESTIGATION IS £12,880.80	

Produce 3 copies for signature: Mayor  
Chairman of Committee  
File – Committee Services

THERE IS NO COUNCIL BUDGET FOR THIS WORK AND THE DIRECTOR OF RESOURCES (\$151 OFFICER) WILL ENSURE COSTS ARE MET FROM REDUCING EXPENDITURE ON OTHER APPROVED PROJECTS, IN NEGOTIATION WITH SERVICE MANAGERS.

SIGNATURE - CHIEF EXECUTIVE AND HEAD OF PAID SERVICE



AND DATE 10 MAY 2010

DEPARTMENT - CHIEF EXECUTIVE

SIGNATURES - MAYOR



AND DATE 12 MAY 2010

LEADER OF COUNCIL AND CHAIRMAN OF RESOURCES COMMITTEE



DEPUTY LEADER OF COUNCIL AND VICE-CHAIRMAN OF RESOURCES COMMITTEE



ADDITIONALLY, IF FINANCIAL IMPLICATIONS:

SIGNATURE (AND DATE) OF CHAIRMAN OR VICE-CHAIRMAN OF RESOURCES COMMITTEE

Produce 3 copies for signature: Mayor  
Chairman of Committee  
File - Committee Services