

## RE: My evidence of Gross Misconduct - Head of Planning

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From: Paul Entwistle (paul.entwistle@oldham.gov.uk)

To: [REDACTED]

Date: Wednesday, August 14, 2019, 10:56 AM GMT+1

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Dear [REDACTED]

I acknowledge receipt of your e-mail. Given the serious nature of the allegations, I have forwarded your e-mail to Julia Veall, the Assistant Director with responsibility for HR. I have copied her into this e-mail so she can respond.

Yours sincerely,

Paul Entwistle

Director of Legal Services

Oldham MBC

Level 3

West Street

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For sat nav purposes please use OLI 1NL

Personal Assistant

Jessica Greenwood

0161 770 6775

Visiting the Civic by Metrolink? The nearest stop is Oldham King Street (2-3 minutes walk)

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**From:** [REDACTED]  
**Sent:** 13 August 2019 21:12  
**To:** Paul Entwistle <Paul.Entwistle@oldham.gov.uk>  
**Subject:** Fw: My evidence of Gross Misconduct - Head of Planning

Could you please confirm receipt of this e-mail and attachment? Could you confirm when I might receive a response?

----- Forwarded Message -----

**From:** [REDACTED]  
**To:** Paul Entwistle <[paul.entwistle@oldham.gov.uk](mailto:paul.entwistle@oldham.gov.uk)>  
**Sent:** Monday, August 12, 2019, 10:01:19 AM GMT+1  
**Subject:** My evidence of Gross Misconduct - Head of Planning

Dear Mr. Entwistle,

On 18th July 2019 I wrote to Debbie Abrahams MP; the then Secretary of State for Housing, Communities and Local Government (James Brokenshire) and the National Casework Unit regarding my 'right to a fair and public hearing' to dispute the factual basis upon which the **Saddleworth School planning applications** were made (letter attached).

As part of that letter I provided a list of evidence that I had collated against the Head of Planning Steven Irvine and Council Executives - which I believe makes the decision to approve the Saddleworth School school planning applications 'unsafe'. There is substantive evidence of Mr. Irvine having misled the planning committee and statutory consultees on a number of occasions, regarding this planning application (including the most recent planning approval), and there is substantive evidence that he abused his position to undermine the planning process and undermine proper consideration of critical statutory issues throughout the planning process.

It was reported last week, by local newspapers and the leader of the opposition Cllr Sykes, that Mr. Irvine was suspended under allegations of 'gross misconduct'. It was later reported that Mr. Irvine had

resigned: Helen Lockwood released a press statement to confirm this and indicated that this would mean that the council would no longer continue to investigate the allegations of 'gross misconduct'.

However I believe that the evidence I describe and list in my letter (attached) would meet the council's (or indeed anyone's) criteria for 'gross misconduct' as outlined in Oldham Council's Disciplinary Policy and Procedure document (March 2016):

Among other things Steven Irvine made false and misleading statements and 'altered conclusions' of Environment Statements in his in planning officer reports - on more than one occasion. He failed to consult with the relevant statutory bodies on more than one occasion. He failed to investigate allegations of 'data alteration' in planning reports. He deliberately misled the planning committee & statutory consultees. **There is clear evidence of intentional deception to secure planning permission (unlawful gain), in such a way as to cause loss or harm to other people.**

Steven Irvine is a public servant, who despite having been caught 'altering facts' before (in Feb 2016 where the planning weight for statutory matters reported in the Environment Statement was 'altered' in his report to planning committee; planning permission was quashed due to a legal letter arguing 'irrationality') and caught failing to inform planning committee of relevant facts (April 2016 - planning permission quashed by judicial review) he has continued with his malpractice. He has continued to practice 'fact altering' not only in relation to the Saddleworth School planning applications, but also in relation to other planning applications.

#### **Knowles Lane planning permission:**

Again - having reviewed this planning permission I find that Steven Irvine 'altered facts' using the same *modus operandi* as with the Saddleworth School planning applications. He reported that the development would cause 'less than substantial harm' to heritage assets - whereas the Conservation Officer reported that it would cause 'substantial harm'. This is exactly what he did with the Saddleworth School applications in 2016 - he altered the planning weight for heritage matters from 'substantial' to 'less than substantial'.

**Firstly - please could you inform me as to whether you are aware of the 'allegations' I describe in the attached letter? Can you inform me as to whether or not the allegations in my letter were a part of the allegations against Mr. Irvine that you were investigating last week?**

**I would like my evidence to be investigated as gross misconduct in public office. I consider myself & other residents of Diggle to be victims of willful misconduct by Mr. Irvine and as such this is a serious matter.**

I also draw your attention to **Oldham Council's Disciplinary Policy - March 2016**

**"5.9** *In the event of an employee **resigning** or having his/her contract of employment terminated under a different policy **whilst a disciplinary investigation is ongoing, then, in cases involving potential gross misconduct, it may be appropriate to proceed with a hearing in accordance with this procedure in any event.** The outcome of the hearing will be recorded on the former employee's file and may be a finding that had the person still been an employee, he/she would have been dismissed"*

Given the serious nature of these allegations against Mr. Irvine: 'gross misconduct'; 'misfeasance in public office' and potential fraud (i.e. intentional deception to secure unfair or unlawful gain, or to deprive a victim of a legal right). Plus the fact that his actions are not victimless - there are serious implications arising from his misrepresentation & altering of facts, particularly regarding flood risk - as described in my letter. He has abused public trust and therefore it is in the public interest that these allegations are properly investigated in line with the council's disciplinary procedure.

Further to this - you will note that my letter also contains complaints regarding the conduct of Council Executives Helen Lockwood and Carol Brown with regards to the Saddleworth School planning applications - I believe that their actions also seriously undermined the planning process from the outset. I would also like those complaints investigated.

Therefore - please could you confirm receipt of this e-mail and attached letter? Please can you confirm whether or not you consider my 'allegations' are serious enough to warrant further investigation? Will you investigate my allegations in line with the Councils Disciplinary Procedure?

Many Thanks,

[Redacted signature]

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