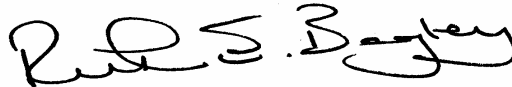


Date of issue: 23rd March 2010

MEETING:	STANDARDS (DETERMINATION) SUB-COMMITTEE
	CO-OPTED/INDEPENDENT MEMBERS: The Reverend Paul Lipscomb (Chair), Mr Fred Ashmore and Mr Mike Field
	ELECTED MEMBERS: Councillors Hewitt and Mann
	PARISH COUNCIL MEMBER: Parish Councillor Dalip Rajput
DATE AND TIME:	WEDNESDAY, 31ST MARCH, 2010 AT 6.30 PM
VENUE:	COMMITTEE ROOM 2, TOWN HALL, BATH ROAD, SLOUGH
DEMOCRATIC SERVICES OFFICER: (for all enquiries)	JUNE COOK 01753 875019

NOTICE OF MEETING

You are requested to attend the above Meeting at the time and date indicated to deal with the business set out in the following agenda.



RUTH BAGLEY
Chief Executive

NOTE TO MEMBERS

This meeting is an approved duty for the payment of travel expenses.

AGENDA

PART 1

<u>AGENDA ITEM</u>	<u>REPORT TITLE</u>	<u>PAGE</u>	<u>WARD</u>
	Apologies for absence.		
1.	Declarations of Interest (Members are reminded of their duty to declare personal and personal prejudicial interests in matters coming before this meeting as set out in the Local Code of Conduct)		
2.	Minutes of the previous Meeting of the Sub-Committee held on 17th December 2008	1 - 4	
3.	Alleged Breach of Local Code of Conduct - Colnbrook with Poyle Parish Councillor Laurie Tucker	5 - 300	

Press and Public

You are welcome to attend this meeting which is open to the press and public, as an observer. You will however be asked to leave before the Committee considers any items in the Part II agenda. Special facilities may be made available for disabled or non-English speaking persons. Please contact the Democratic Services Officer shown above for further details.

Minicom Number for the hard of hearing – (01753) 875030

Standards (Local Determination) Sub-Committee – Meeting held on Wednesday, 17th December, 2008.

Present:- **Co-opted Independent Members:-**

Mr Fred Ashmore and Mr Mike Field

Elected Members:-

Councillors Latif Khan

Also present:- Councillor Patrick Shine, Jill Bell (Investigating Officer), Steven Quayle (Monitoring Officer) and June Cook (Administrator)

PART I

1. Chair of Meeting

In the absence of The Reverend Paul Lipscomb, Chair of the Standards Committee, the Vice-Chair of the Committee, Mr Mike Field took the Chair.

(Mr Field in the chair)

2. Declarations of Interest

The Sub-Committee was advised that in the interests of complete fairness both The Reverend Paul Lipscomb and Councillor Mann had excused themselves from the hearing on the grounds that they had been present at the Council Meeting on the 11th December, 2007. In the case of The Reverend Paul Lipscomb, he had been specifically mentioned by Councillor Shine in his written statement and other supporting documents. The Monitoring Officer had also been present at the Council Meeting and mentioned by Councillor Shine in the agenda papers but his involvement in the hearing was solely to advise the Sub-Committee on procedural matters and he would not be present when the decision was taken on the matter. Councillor Shine indicated that he had no objection to the Monitoring Officer's proposed involvement in the hearing.

3. Minutes

The minutes of the last meeting of the Sub-Committee held on 8th April, 2008 were approved as a correct record and signed by the Chair.

4. Alleged Breach of Local Code of Conduct - Councillor Patrick Shine

The Sub-Committee met to determine an allegation that Councillor Patrick Shine had failed to comply with the Council's Local Code of Conduct. The allegation had been referred to the Council for investigation by the Standards Board for England on 25th January, 2008 and in accordance with the arrangement agreed by the

Standards (Local Determination) Sub-Committee - 17.12.08

Standards Committee, the Monitoring Officer had delegated the conduct of the investigation to the Deputy Monitoring Officer (the Investigating Officer).

The complaint against Councillor Shine was that he brought his office as a Councillor and the Authority into disrepute by his actions at a Council Meeting on 11th December, 2007 when he made a Nazi salute and said "Seig Heil" to Councillor P Choudhry.

The complaint was made by Mr Surfraz Bowken who had read about the incident in a local newspaper. Mr Bowken's complaint was that as a councillor and as Chairman of the Licensing Committee Councillor Shine's behaviour was inappropriate particularly as a majority of taxi and private hire drivers and local off-licence shops were owned by people of ethnic background.

As part of her investigation the Investigating Officer had made numerous attempts to contact Mr Bowken which she detailed for the Sub-Committee but only received a response from him on the 14th November, 2008 when he telephoned her office to indicate that he had nothing to add to his complaint.

The Investigating Officer outlined the matters of fact relating to the case and advised the Sub-Committee that Councillor Shine did not dispute that he had carried out the action complained of by Mr Bowken. However, it was clear that Councillor Shine deeply regretted the incident and had immediately and unreservedly apologised for his actions at the Council Meeting and subsequently.

In mitigation of his actions Councillor Shine indicated that the Council Meeting on 11th December had been a very ill-tempered and argumentative meeting and a number of Members had behaved badly. He cited in particular the following:

- The matter under consideration at the time the incident took place concerned the approval of sites for polling places which was a particularly sensitive issue for Councillor Shine.
- That during the meeting a Member had made a racist remark which Councillor Shine had drawn to the attention of the Mayor but no action had been taken against the Member concerned;
- The Council's rules of debate were not being adhered to and when the matter had been drawn to the attention of the Mayor the complainant had been shouted down by opposition Members;
- A motion formally moved and seconded by the Leader and Deputy Leader of the Council calling for the debate which had been going on for over an hour to be ended and the vote be taken had not been acted upon by the Mayor and the debate had continued.

Councillor Shine had become frustrated, aggrieved and angry by these events and it was Councillor Choudhry's actions that had provoked his inappropriate response which he knew immediately had been totally wrong and unacceptable.

Standards (Local Determination) Sub-Committee - 17.12.08

Councillor Shine was concerned that his actions might have resulted in people believing that he was racist and in this respect he submitted copies of letters of support from people refuting this fact. The Chair of the Sub-Committee assured Councillor Shine that the allegation that he was a racist was not at issue.

The Sub-Committee having heard all the evidence and being satisfied that it had sufficient information withdrew to deliberate.

On the evidence submitted and on Councillor Shine's own admission the Sub-Committee found that he had breached paragraph 4.1(a) of the Local Code of Conduct (current at the time) in that he had failed to conduct himself properly at the Council Meeting on 11th December, 2007 and that by his actions he had brought his office and the Authority into disrepute.

In determining what sanction if any should be applied the Sub-Committee took into account the following matters:

- That Councillor Shine had shown immediate and complete contrition over his actions and had apologised to the Mayor, Councillor Choudhry and all Members at the Meeting. He subsequently had apologised to the people of the Town via the local press and on 8th January 2008 had submitted a formal written unqualified apology for his actions to the Chief Executive.
- The on-going poor behaviour of Members at Council meetings at the time and that the meeting on the 11th December appeared to have been particularly unruly and difficult to manage.
- The length of time since the complaint was lodged against Councillor Shine and had come before the Sub-Committee with the consequent stress and worry the Member had had to endure during this period.

Having regard to the above the Sub-Committee were of the view that Councillor Shine should be censured for his actions. He was advised of his right of appeal in accordance with Regulation 21 of the Standards Committee (England) Regulations 2008. The Sub-Committee then

Resolved - That Councillor Patrick Shine having been found in breach of paragraph 4.1(a) of the Local Code of Conduct be censured.

Chair

(Note: The Meeting opened at 7.30 pm and closed at 8.10 pm)

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SLOUGH BOROUGH COUNCIL

REPORT TO: Standards (Determination) Sub-Committee **DATE:** 31st March 2010

CONTACT OFFICER: June Cook
(For all Enquiries) Member Services Manager (01753) 875019

WARDS: N/A

PART I

FOR DECISION

ALLEGED BREACH OF LOCAL CODE OF CONDUCT – PARISH COUNCILLOR LAURIE TUCKER

1. **Purpose of Report**

1.1 The purpose of this report is to submit for consideration the Council's Investigating Officer's report on the results of her investigation into a complaint that Parish Councillor Laurie Tucker has failed to comply with the Local Code of Conduct for Members (**Appendix A**) and Councillor Tucker's response thereto.

2. **Recommendation/Action Required**

2.1 The Sub-Committee is asked to consider the Investigating Officer's report and decide what further action, if any, is required.

3. **Community Strategy Priorities**

3.1 It is important that the public have confidence in all Members of the Council who are duty bound to abide by the provisions contained in the Local Code of Conduct for Members and the Council's own Ethical Framework. Furthermore, it is for the benefit of all Members that complaints made against them are fully investigated and dealt with in accordance with the procedure laid down by the Standards Board for England.

4. **Other Implications**

4.1 There are no direct financial or staffing implications arising out of this report. The process of hearing and determining the allegation will be in accordance with the requirements of the Local Authorities (Code of Conduct) (Local Determination) Regulations 2003 (as amended) and guidance issued by the Standards Board for England. Any potential human rights issues which might arise are addressed and provided for in the hearing procedure.

5. Background Information

- 5.1 On 16th September 2009 the Standards (Assessment) Sub-Committee referred to the Council's Monitoring Officer for investigation a complaint that Parish Councillor Laurie Tucker had failed to comply with the Local Code of Conduct. In accordance with the arrangement agreed by the Standards Committee, the Monitoring Officer delegated the conduct of the investigation to Kuldip Channa, Assistant Solicitor (Litigation) i.e. the Investigating Officer.
- 5.2 The general summary of the complaint against Councillor Tucker is that
- (a) he failed to declare a personal and prejudicial interest when Colnbrook with Poyle Parish Council considered an application for planning permission submitted in respect of 4 Daventry Close at its meetings on 10th April and 16th October 2007 and when the Parish Council considered the appeal in July 2008 and further did not withdraw from the meetings contrary to paragraphs 10 and 12 of the Parish Council's Code of Conduct ; and
 - (b) he breached paragraph 4 of the Code of Conduct by disclosing planning documents sent in confidence to the Parish Council.
- 5.3 The complaint has been made by Mr and Mrs Leybourne of 4 Daventry Close, Colnbrook, Slough.
- 5.4 To simplify the hearing process Councillor Tucker has been asked to complete and return the following pre-hearing forms:

Form A – Identification of any disputes of fact

Form B – Other Evidence to be taken into account at the hearing

Form C – Representations as to actions to be taken in respect of any breach of the Code

Form D – Arrangements for the Standards (Determination) Sub-Committee Hearing

Form E – Details of any witnesses to be called.

Councillor Tucker has completed and returned Forms A; C; D and E which are attached as **Appendix B**.

- 5.6 Enclosed for your attention and/or information are the following documents:

<u>Appendix</u>	<u>Document</u>
Appendix A	Investigating Officer's Report
Appendix B	Pre-hearing forms submitted by Councillor Tucker
Appendix C	Procedure for the hearing
Appendix D	Standards Board advice on admission of press and public
Appendix E	Categories of "exempt information"
Appendix F	Sanctions available to the Sub-Committee

5.2 The procedure for the hearing will be as set out in **Appendix C** and any guidance and/or advice the Sub-Committee may require will be provided by the Monitoring Officer, Steven Quayle, Borough Secretary and Solicitor.

6. Conclusion

6.1 The Sub-Committee is asked to consider the evidence presented and come to a decision as to what action, if any, should be taken in respect of this matter.

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SLOUGH BOROUGH COUNCIL

REPORT OF AN INVESTIGATION UNDER SECTION 66 OF THE LOCAL GOVERNMENT ACT 2000 AND REGULATION 5 OF THE LOCAL AUTHORITIES (CODE OF CONDUCT) (LOCAL DETERMINATION) REGULATIONS 2003 (AS AMENDED) BY KULDIP CHANNA, (LITIGATION SOLICITOR) APPOINTED AS INVESTIGATION OFFICER, BY STEVEN QUAYLE, MONITORING OFFICER INTO AN ALLEGATION CONCERNING COUNCILLOR LAURIE TUCKER.

1. Introduction

1.1 On 24th August 2009, Mr and Mrs T Leybourne (MTL) of 4 Daventry Close, Colnbrook, Slough, made a written complaint to Steven Quayle (SQ), the Monitoring Officer for Slough Borough Council (Document 2). The complaint was not entirely clear but it was assessed by SQ in summary (Document 1) to allege that Councillor Laurie Tucker (LT) had:-

(a) failed to declare a personal and prejudicial interest when the Parish Council considered the application for planning permission at the meetings on 10th April and 16th October 2007 and at the time of the Parish Council considered the appeal in July 2008 and further did not withdraw from the meetings contrary to paragraphs 10 and 12 of the Parish Council's code of Conduct (**Failure to declare a personal and prejudicial Interest**)

and

(b) breached paragraph 4 of the Code of Conduct by disclosing the planning documents sent in confidence to the Parish Council (**Breach of confidentiality**)

1.2 In their complaint MTL enclosed a number of documents to support their allegations namely:-

- Letter from David Scourfield to Mrs B J Y [REDACTED], 5th February 2008 (Document 3)
- Letter from the Ombudsman to Mr and Mrs S [REDACTED], 17 August 2009 (Document 4)
- Undated petition in respect of planning application P/13909/001 relating to 4 Daventry Close, Colnbrook, (Document 5)
- Letter from the Colnbrook Parish Council (CPC) to the Planning Inspectorate 22 July 2008, (Document 6)
- Letter from CPC to MTL, 22 July 2008 (Document 7)

1.3 The complaint was considered by the Standards Sub Committee on 16 September 2009. By a decision dated 16 September 2010 (Document 8) it was referred by the Standards Sub Committee for local investigation. SQ subsequently instructed me to undertake the local investigation.

2. The Process

2.1 As part of my investigation I have interviewed face to face the following:-

- (a) The Complainant, (MTL)
- (b) Ray Angell (RA), Colnbrook Councillor, Vice Chair of the Parish Council and Chair of the Environment Sub- committee
- (c) Clive Zeffret (CZ), Colnbrook Councillor, Vice Chair of the Services Committee
- (d) Mr R [REDACTED], resident at [REDACTED] Daventry Close and other immediate neighbour to 4 Daventry Close
- (e) Laurie Tucker (LT), member complained of, Chair of Colnbrook Parish Council

- 2.2 As part of my investigation I undertook telephone interviews with the following individuals from the Parish Council:
- a) Roland Hewson, Parish Clerk
 - b) K Laxman, Parish Councillor, Chair of the Services Committee
- 2.3 As part of my investigation I wrote to the residents of Daventry Close who had signed the undated petition and those agreeing to telephone interviews were as follows:-
- a) Mrs F [REDACTED], resident of [REDACTED] Daventry Close, immediate neighbour to 4 Daventry Close and primary objector the developments at that property,
 - b) Mrs C [REDACTED], resident of [REDACTED] Rodney Way, friend of Mrs F [REDACTED]
 - c) Mrs W [REDACTED], resident of [REDACTED] Daventry Close,
 - d) A resident of Daventry Close who declined to have her interview to be used as part of the report,
 - e) (Mr R [REDACTED], who wanted a face to face interview, see above 2.1 (d)).
- 2.4 As part of my investigation I was provided with written information by the following:-
- a) Mr Dexter S [REDACTED], resident of [REDACTED] Daventry Close (SBC former Councillor)
- 2.5 The notes of the interviews are appended as follows:-
- b) The Complainant, (MTL) (Document 9 together with additional documents provided at the interview as 9.1 to 9.19),
 - c) Laurie Tucker (LT), (Document 10 together with additional documents provided as 10.1 to 10.8),
 - d) Roland Hewson (RH), (Document 11 together with additional document 11.1),
 - e) Ray Angell (RA), (Document 12 together with additional document 12.1),
 - f) Clive Zeffret (CZ), (Document 13),
 - g) Mrs F [REDACTED], (Document 14),
 - h) Mr R [REDACTED], (Document 15),
 - i) Mrs [REDACTED], (Document 16),
 - j) Mrs W [REDACTED], (Document 17),
 - k) Mr Dexter S [REDACTED], (Document 18),
 - l) K Laxman (KL) (Document 19),
- 2.6 The interview bundle is appended as Document 20. This bundle was used for interviews with Members.
- 2.7 The interview bundle for MTL consisted of their complaint letter and attached documents as set out in 1.2 above.
- 2.8 I also made enquiries of the Planning Officers at Slough Borough Council (SBC) and reviewed the Planning file in respect of 4 Daventry Close. The relevant documents are appended at Document 21.
- 2.9 The letter from a resident at Daventry Close, requesting to exclude her telephone interview is at Document 22
- 2.10 I did not make a site visit to the area in order to assess the precise measurements of LT's house to that of MTL. The main reason being that I was provided with an

overall impression that it was a small cul de sac with nine houses in total. An internet Google satellite photograph of Daventry Close is at Document 23.

- 2.11 During my enquiries it emerged that the letter of 22 July 2008, to the Planning Inspectorate was not authorised by RA, Chair of the Environment Sub-Committee, nor had RH, the Clerk authorised his signature to be used on the letter. MTL had included this letter as part of the documentary evidence in support of their complaint. As a result of the combination of these factors questions had to be put to LT in interview as to his recollection of how this letter came to be written by the Parish Council. LT, accepted in interview that he may have written the letter. He did not accept that he had no authority from the Chair to write this letter as he stated that he would not do anything without such authority. LT further stated that RH had advised all Members that Parish Council business letters had to bear the signature of the Clerk. The question as to who the author of this letter was not within the specific remit of my investigation, however, due to nature of the complaint, that is the failure to declare a personal and prejudicial interest it is a matter which does have impact on the findings of the investigation. In view of LT's assertion that he did not write the letter without some authority I could have interviewed the other two members of the Environment Sub-Committee, however I did not pursue this as it may well have taken me outside the remit of the investigation and hence it is a decision for the Standards Sub Committee whether any further enquiries into this matter would be considered appropriate.
- 2.12 As the complaint lodged and summarised by SQ comprises two separate issues with reference to several meetings, I deal with them each in turn in this report.

3. **Statutory Framework – failure to declare a personal and prejudicial interest when the Parish Council considered the application for planning permission at its meetings on 10 April and 16 October 2007 and at the time the Parish Council considered the appeal in July 2008 and further did not withdraw from the meetings**

- 3.1 The Relevant Authorities (General Principles) Order 2001 sets out the principles which are to govern the conduct of Members and one appears relevant to the complaint in question. This is:-

"Honesty and Integrity

Members should not place themselves in situations where their honesty and integrity may be questioned, should not behave improperly and should on all occasions avoid the appearance of such behaviour"

- 3.2 The Council adopted its Local Code of Conduct for Members (the Code) 8 May 2007.
- 3.3 All Members who are elected to office must sign a "Declaration of Acceptance of Office" before they can officially act as a Councillor. In that declaration they

undertake to observe the Code as to the conduct which is expected of Members of the Council.

3.4 The Code is split into three parts:-

3.5 Part 1 is entitled, "General Provisions" and "General Obligations" of which paragraph 4 is relevant for the purposes of this investigation and it states:

You must not—

(a) disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, except where—

(i) you have the consent of a person authorised to give it;

(ii) you are required by law to do so;

(iii) the disclosure is made to a third party for the purpose of obtaining professional advice provided that the third party agrees not to disclose the information to any other person; or

(iv) the disclosure is—

(aa) reasonable and in the public interest; and

(bb) made in good faith and in compliance with the reasonable requirements of the authority; or

(b) prevent another person from gaining access to information to which that person is entitled by law.

Part 2 is entitled "Interests" paragraphs 10 and 12 are relevant for the purposes of this investigation:

Paragraph 10 states that:

Prejudicial interest generally

10.—(1) Subject to sub-paragraph (2), where you have a personal interest in any business of your authority you also have a prejudicial interest in that business where the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgment of the public interest.

There is a number of exemptions noted in this paragraph however these are not relevant to this case.

Paragraph 12 states that:

Effect of prejudicial interests on participation

12.—(1) *Subject to sub-paragraph (2), where you have a prejudicial interest in any business of your authority—*

(a) you must withdraw from the room or chamber where a meeting considering the business is being held—

(i) in a case where sub-paragraph (2) applies, immediately after making representations, answering questions or giving evidence;

(ii) in any other case, whenever it becomes apparent that the business is being considered at that meeting;

unless you have obtained a dispensation from your authority's standards committee;

(b) you must not exercise executive functions in relation to that business; and

(c) you must not seek improperly to influence a decision about that business.

(2) Where you have a prejudicial interest in any business of your authority, you may attend a meeting (including a meeting of the overview and scrutiny committee of your authority or of a sub-committee of such a committee) but only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.

3.6 It is against these General Principles and the provisions of the Code that I have investigated the complaint

3.7 I will consider each of the relevant meetings in turn.

4(A). Material Findings – failure to declare a personal and prejudicial interest and withdraw from the meeting when the Parish Council considered the application for planning permission at its meeting on 10 April 2007 – Parish Council Meeting

4.1 The Minutes show that a declaration of interest was made by LT at the beginning of the meeting. The planning agenda item is recorded as being considered much later in the Minutes. The main issue being did LT leave the meeting when the item was open for discussion?

4.2 LT, RH, and CZ provided the following information when questioned at interview about this meeting:-

- 4.3 RH at p12 and 13 of Document 11, states that the normal process would have been followed. Normal process indicated is that there would be a declaration of interest. The member declaring an interest would not speak on the matter. Since LT was the Chair, when the item came up on the agenda, the Vice Chair would take the Chair for that item. RH states at 44c, that, "*He would have remained in the room but not taken part in the discussion. More than likely this is what happened if it is not recorded that he left the room.*"
- 4.4 CZ at point 22, p4 of Document 13, recalls the standard procedure being followed and states that "*there is no question of LT taking part in any discussion. The Clerk would not allow this miss procedure to happen.*" This meeting took place at Westfield Hall rather than the Village Hall and his recollection is that anyone leaving the meeting at Westfield Hall would have to stand in the lobby.
- 4.5 LT, at point 57b, p13 of Document 10, states that he left the room. He further states that "*If it has not been recorded and it has not been picked up by me or the other Members or the Clerk when the Minutes were approved. Everyone has been negligent on not picking this up.*" Further at point 57c, he states that he specifically recalls leaving the room because the meeting was at Westfield Hall and the only place to stand outside of the meeting room is a small store room. He recalls being "*surrounded by junk*" in the store room.

4(B). Reasoning - failure to declare a personal and prejudicial interest and withdraw from the meeting - 10 April 2007

- 4.6 It is clear from the Minutes that LT did declare an interest at the beginning of the meeting.
- 4.7 In order to comply with the Code of Conduct, it needs to be absolutely clear to the public that a Member with a declared interest has not participated in the meeting when the item is being considered by other Members.
- 4.8 From the interviews with RH, LT and CZ, it is apparent that questions have been answered to reflect the normal process which would or should have been followed.
- 4.9 It is not recorded in the Minutes that the Vice Chair took over the agenda when this item was being discussed nor it is recorded that LT left the room.
- 4.10 RH states that if it is not recorded that LT left the room then he would have remained so it would appear to be usual practice to record in the Minutes if a Member leaves the room.
- 4.11 However, LT states he left the room as he recalls being in the store room and that it has been omitted from the Minutes and that everyone has been negligent in not spotting the error when the Minutes were formally approved.
- 4.12 There is no record of LT leaving the room in the formal Minutes of the Parish Council.

- 4.13 The only conclusion a member of the public can draw from this is that he did not leave the room. Whilst it does seem plausible that there may have been an omission in recording and checking the Minutes but considering the matter from a formal standpoint there is a technical breach of the Code of Conduct in that there is no record that LT did leave the room when the item was considered. To a member of the public looking at the formal Minutes, it states that LT was present for the discussion and creates the impression in the mind of the public that he may have exercised some influence over the decision.
- 4.14 For the reasons outlined above, in particular that there is no record of LT withdrawing from the meeting in the formal Minutes, I conclude that there is a breach of the Code of Conduct, albeit a technical breach if LT's explanation is accepted that he withdrew from the meeting.

5(A). Material Findings – failure to declare a personal and prejudicial interest and withdraw from the meeting when the Parish Council considered the application for planning permission at its meeting on 16 October 2007 – Parish Council Services Committee Meeting

- 5.1 The issues here being:
- a) Whether LT declared an interest?
 - b) Whether LT left the room when the item was considered?
- 5.2 LT, RH, and CZ provided the following information when questioned at interview about this meeting:-
- 5.3 RH at point 47a, on p13 of Document 11. states that, *"It would have been noted on minutes if LT had left but if it is not noted then he did not leave or declare an interest. I cannot be certain about what happened at the meeting but it would have been noted in the minutes."* Further he states, that *"you can see from the Minutes that LT had a large portion of reports to make to this committee and it is likely that he may not have left the meeting when the planning item was considered."* RH goes on to say at point 47b that *"LT passed on complaint from neighbours. It is likely to have been LT who reported information to committee. It is a point of information. It was asking Parish Council to support the neighbour in getting an SBC Planning Officer to look at the site. The Parish Council is only consultee and not the decision making maker. It is not the decision making process."*
- 5.4 CZ, the Chair of this meeting, at point 24, p4 of Document 13 states that, although he has no recollection of the meeting, *"LT would not get involved in the discussion because he knows it is his close neighbour and he is fully aware of the implications if he did so being a close neighbour"*
- 5.5 LT at point 61, p14, Document 10 *"the interest I had carried forward to every meeting where Daventry close was confirmed. All members knew including the Parish Clerk that I would declare an interest on the Daventry Close. They knew where I lived. The clerk and Parish Council have been "relaxed". The declared interest would have been carried over from day one."* There is no reference by LT about leaving the room when the item was considered.

- 5.6 The normal practice advised to me is that following the meeting RH would write a letter and contact SBC. Clearly decisions about this item were made at this meeting which could impact on the progress of the planning application.
- 5.7 It is notable in these Minutes that for the majority of items on this Agenda the reports were provided by LT. LT is recorded as reporting on these items. In the item SER/02/32, LT is not mentioned.

5(B). Reasoning - failure to declare a personal and prejudicial interest and withdraw from the meeting - 16 October 2007

- 5.8 RH states that if there is no declaration recorded in the Minutes then there was no declaration by LT at this meeting.
- 5.9 RH states that if there is no record of LT leaving the room in the Minutes then LT did not leave the room. Indeed it is likely that LT reported the neighbours' views to the meeting.
- 5.10 CZ notes what would have happened but has no real recollection of what did happen at this meeting.
- 5.11 LT states that his declaration was carried over from previous meetings. He is silent on the point about leaving the room when the item was considered.
- 5.12 The formal Parish Council Minutes do not record that LT declared an interest at this meeting and nor that he left the room. It is not even recorded in the Minutes that his declaration from any previous meeting in respect of this item still applies. It would not appear to be practice in the Minute writing to record declaration of interests being "carried over" as none of the Minutes considered in the investigation show that this was the practice. If any interest is recorded it is recorded in specific terms. There is no indication in the Minutes I have seen as part of the investigation that declaration of interests are carried over from one meeting to the next.
- 5.13 In any event, under the Code of Conduct paragraph 9(1), the requirements on Members is that, "*you must disclose to that meeting the existence and nature of that interest at the commencement of that consideration..*". Members are required to specifically declare an interest at each meeting where a relevant item is being considered.
- 5.14 Where there is a prejudicial interest as well Members are required to leave the room when there are any discussions about the item. Paragraph 12(1)(a), of the Code of Conduct states, "*you must withdraw from the room or chamber where the meeting considering the business is being held...*" This would be even if representations or clarification or evidence of matters is required. Once a Member has provided the relevant details then a Member is still required to withdraw once this has been done, (paragraph 12(1)(a)(i)).
- 5.15 In all other cases, Members with a prejudicial interest must withdraw in accordance with paragraph 12(1)(a)(ii) "*whenever it becomes apparent that the business is being considered at the meeting*"

- 5.16 Decisions were made at this meeting to contact the planning authority and a letter of objection was to be written. Whilst it is noted that the Parish Council is a consultee in the planning process, these matters being raised formally by the Parish Council to SBC, may have had an impact on the progress of the planning application. To a member of the public looking at the formal Minutes, it states that LT was present for the consideration of this item and there was no declaration of interest. It creates the impression in the mind of the public that he may have exercised some influence over the decision.
- 5.17 It further puts a Members honesty and integrity into question. Under the General Principles of Honesty and Integrity, *“Members should not place themselves in situations where their honesty and integrity may be questioned, should not behave improperly and should on all occasions avoid the appearance of such behaviour.”*
- 5.18 In view of the reasoning as outlined above there is therefore a breach of the Code of Conduct.

6(A). Material Findings - failure to declare a personal and prejudicial interest and withdraw from the meeting when the Parish Council considered the appeal at its meeting on 17 July 2008 – Parish Council Environment Sub Committee Meeting (AND letter of 22 July 2008 to the Planning Inspectorate)

- 6.1 The issues in respect of this meeting are that:
- a) since the Agenda item 3.1.4 to 3.1.11 referring to the planning application No.P-113909-001, in respect of 4 Daventry Close, are recorded in the same terms as the reference to this planning application in the Minutes of 4 December 2007, then
 - i. did LT declared an interest?
 - ii. did LT withdraw from the meeting when the item was considered?
- 6.2 RH, RA and LT provided the following information when questioned at interview about this meeting:-
- 6.3 The Environment Sub Committee is not serviced by RH. The Minutes are prepared by RA, the Chair of this Committee.
- 6.4 In interview RA, from point 45 to 51, at p7, Document 12, states that he types the Minutes himself. He does cut and paste them as he is not a typist. These meetings are held at RA's house or LT's house (point 30, p5 Document 12).
- 6.5 LT states at point 72, p15, Document 10, that there must be a missing set of Minutes since the Minutes appear too much of a copy of those on 4 December 2007. LT confirmed that these meetings are held at RA's house or LT's house (point 65, p15 Document 10).
- 6.6 Recollection of the meeting by RA was that LT declared an interest and was not involved in the decision making in respect of this item. He was not present at the site visit. However at point 44 in reference to the meeting of 4 December 2007 RA states that LT was advised about their findings as a point of information, *“like any member of the public”*.

- 6.7 LT, at point 70, p15, Document 10 also notes that the reporting to him noted in the Minutes of 4 December was for information purposes.
- 6.8 The Minutes of this meeting at first examination simply appear to be similar to the Minutes of the meeting of the Environment Sub Committee on 4 December 2007. However on closer examination of each Agenda item for 17 July 2008, it is apparent that some of these Minutes are almost a duplicate copy of the Minutes of 4 December 2007. There are some differences in some items but most are a copy.
- 6.9 It was noted that it was following the meeting on 17 July 2008, that the letter of 22 July 2008 was written to the Planning Inspectorate.
- 6.10 RA at point 52, p8 Document 12, states that he would have “spoken to RH, I probably said to him and he would have done it and he could have read letter out to me. I cannot be 100% that I did have the conversation with him. I cannot remember for sure.” At point 53, he states that “it should go to RH” but that he “would not begin to hazard a guess” as to whether or not he asked someone else to write the letter.
- 6.11 LT’s initial reaction at point 74, p17, is that he did “*not make an autonomous decision*” and he would have gone through the Parish Council and/or Members. He would have been provided with information about the Planning Inspectorate by Mrs Fisher. He had observed for himself that the garage was being converted for domestic use since he noted the garage walls being “plastered”. In response to “Who wrote the letter?” LT states that, “*It looks as if I did write the letter.*” LT asserts that Members of the Environment Sub Committee must have asked him to write the letter.
- 6.12 RH states at point 53, p15 Document 11, that “I did not write this letter. It follows Environment Sub Committee meeting. Someone from that Committee used the office services company of the Parish Council and they have my electronic signature and that has been used on the letter. The letter had gone out and then I received a copy from office services. The Parish Chairman and Councillors can write in their own name and they should use their own signature and not mine.”
- 6.13 When questioned how RH dealt with this situation with Members, he states at point 56d, p16, Document 11 that “at a council meeting, (possibly the first meeting in September after the Summer recess), I said that a letter had been written in my name and that I remind all councillors that I need to have sight of it before it goes out.”

- 6.14 RA at point 54 p8 Document 12 states that the usual practice was RH to do the letters on behalf of the Parish Council. He recalls a meeting in September where he had agreed with RH's comments at a meeting that *"all correspondence should go through him"*.
- 6.15 LT at point 74, p17 Document 10 does not recall this observation made to Members by RH.
- 6.16 It is accepted by RH, that the comments by RH in September were not recorded. LT draws inference from this lack of recording (p18 Document 10) to state that it did not happen as he has no recollection of this being said by RH. LT is of the view that the Clerk had stated prior to July 2008 that all correspondence should go out in the name of the Clerk. RH had not said that he needed to see the letter or that he had to dictate the letter. LT did not use the electronic signature as the typist used it. He assumes that the Parish Clerk saw the letter (p17 Document 10).
- 6.17 RH outlines the process by which correspondence is to be sent out by the Parish Council at point 38b p10 Document 11. RA confirms that this is the process at point 53, p8 Document 12. The process for formal correspondence is that a decision at the meeting would be taken to write a letter. The Clerk, RH, would summarise the discussions and put the details in the letter, for example planning terms would be used if it was a planning objection. He would then write the letter long hand and send it to the Parish Council's contractual Administrator or typist. She would type it and send it out using his electronic signature which she has on her system. RH confirmed that once a decision has been taken to write a letter, there are no mechanisms where further Member authority or approval is sought for the contents of the letter. The correspondence is sent out as it is deemed to have been approved by the original decision made at the relevant meeting. It would appear that a single Member is able to instruct the contractual Administrator to send out documents and correspondence without any further checks or authorisation.

6(B). Reasoning - failure to declare a personal and prejudicial interest and withdraw from the meeting - 17 July 2008 (AND letter of 22 July 2008 to the Planning Inspectorate)

- 6.18 It is difficult to conclude that there is a breach of the Code of Conduct in respect of the Minutes of the meeting of 17 July 2008 since it is noted that there may be an administration error in the compilation of those Minutes. Although these Minutes are a formal record of the Environment Sub Committee, there is a question mark as to their accuracy so it would not be appropriate to conclude that a breach of the Code of Conduct had taken place with regard to LT's declaration of a personal and prejudicial interest and LT's withdrawal from the meeting.

- 6.19 However the following observations are made:

- a) The meetings of the Environment Sub Committee takes place in the houses of two Members, it is questionable whether this is good practice. If these meetings are meant to be open to the public and transparent then how is a member of the public to access meetings at a Member's house? Would a Member want the attendance of the public at their private house for Parish Council business meetings? Indeed MTL at point 14 of their

interview record, comment that they would have liked to be present at the meeting of the Environment Sub Committee on 4 December 2007 and make their own comments to the Parish Councillors.

- b) There is a system of Parish Council business documents being sent without any effective system of checks and balances.
- c) The electronic signature of the Parish Clerk can be used without his authorisation.
- d) Consideration of the Minutes prior to formal approval is relaxed and not as robust as it should be since duplicity has not been noted.
- e) LT was requested to provide any further details he may have had about authorisation for use of the Clerk's signature, none have been provided. Also LT advised he would check his personal logs to see if he could ascertain any details about a missing set of Minutes or meeting, none have been provided at the time of this report. (p19 Document 10)
- f) RA was requested to provide any other details of additional Minutes or clarification of the Minutes of 17 July 2008, and he has confirmed by email dated 3 February 2010 that this information is difficult to ascertain as the meetings of the Environment Sub Committee are ad hoc and at short notice.

6.20 With regard to the letter of 22 July 2008, whilst it may be outside the remit of this investigation to establish who wrote that letter and for what purpose and whether it was with or without authority, it is observed that:-

- a) It is clearly a formal letter with comments from the Parish Council intended to be taken into account by the Planning Inspector,
- b) If LT did write it then it would clearly be a breach of the Code of Conduct, since he has a personal and prejudicial interest in the matter.

7. Statutory Framework – disclosing planning documents sent in confidence to the Parish Council,

The relevant part of the Code of Conduct is as stated in 3 above setting out paragraph 4 of the Code.

8(A). Material Findings – disclosing planning documents sent in confidence to the Parish Council

8.1 Statutory provisions regarding copying and circulation of planning application documents

The Copyright Designs and Patents Act 1988 provides an exception to copyright infringement where certain documents are available for public inspection or on a public register. Planning application documents are required to

be open to public inspection and are regarded as being on the public register once they have been submitted to the local planning authority. This is relevant for the consideration of the allegation that LT circulated the plans to Mrs Fisher.

Section 47 states that:

47 Material open to public inspection or on official register

(1) Where material is open to public inspection pursuant to a statutory requirement, or is on a statutory register, any copyright in the material as a literary work is not infringed by the copying of so much of the material as contains factual information of any description, by or with the authority of the appropriate person, for a purpose which does not involve the issuing of copies to the public.

(2) Where material is open to public inspection pursuant to a statutory requirement, copyright is not infringed by the copying or issuing to the public of copies of the material, by or with the authority of the appropriate person, for the purpose of enabling the material to be inspected at a more convenient time or place or otherwise facilitating the exercise of any right for the purpose of which the requirement is imposed.

a. In view of the above legislation, LT would be permitted to circulate the plans as necessary to facilitate the inspection of the documents for the consideration of the planning application by neighbours.

- 8.2 Plans for development provided to the Parish Council may have been limited.
- 8.3 RH at point 43 p12 Document 11, observes that *"at minute PC/06/108 it seems there were no site plans. Clerk was instructed to write a letter"* A letter dated 11 April was written to SBC. The letter states that, *"thank you for application plans. It is noted there is no site plan. Parish Council objects.... A site plan is requested so it can go back to the Parish Council on 17 April"*
- 8.4 LT states in point 49, p10 Document 10, that he saw plans but *"just 2 or 3 sheets."*
- 8.5 RA at point 37 p6 Document 12, states that he probably did see plans and *"probably from RH."* He was not aware of anyone asking for additional plans.
- 8.6 Mrs Fisher obtained her own copies of the plans from SBC's planning department. She states this in her telephone interview. This is noted at point 2(a)(ii) on page 1 of her interview. She states that she was not happy with the development and *"asked for the plans."* She confirms she did not have any dealing with anyone from the Parish Council about the plans. She states, *"No it has all been through SBC"*
- 8.7 A note on the planning file indicates that *"copy sent to Mrs Fisher Daventry Close 01753 ***** must return plans by 5/12/07"*
- 8.8 At the interview, LT provided me with a copy of a letter he had from Mrs Fisher. This letter is dated 22 March 2007. It is from SBC Development Control and states, *"As requested the plans for Daventry Close are enclosed."* Document 10.2

8(B). Reasoning - disclosing planning documents sent in confidence to the Parish Council

8.9 In view of the information established in respect of the plans at paragraph 8(A) above, I conclude that there is no evidence that LT breached the Code of Conduct in respect of confidentiality as set out in paragraph 4 of the Code.

9(A). MTL's complaints about LT's involvement in the planning process in respect of their applications:-

9.1 Allegation 1 – MTL's planning development was singled out for objection:

9.2 Material Findings:-

- a. I was provided with a number of examples and photographs where MTL believed that the Parish Council and LT has not objected to developments and which in turn proved their point that they had been targeted for objections by LT.
- b. My overall view from the interviews is that the Parish Council is active in registering with SBC its objections about various developments. It is proactive in managing developments in its area. However Members and the Parish Clerk interviewed all equally expressed their concern and frustration at the lack of co-operation it received from SBC planning services. It was expressed at times in very assertive terms how the Parish Council felt undermined and unheard by SBC planners in its consultations about the planning matters.
- c. In interview I referred the photographs of [REDACTED] Fawsley Close and [REDACTED] Rodney Way to LT. His comments were that MTL would not be aware but the Parish Council had objected to these as they were over developments. He commented that the Parish Council could only act in an advisory capacity. The Parish Council is keen to protect the character of Colnbrook and is active in promoting this objective but in his view the planning enforcement by SBC is "non-existent" and SBC does not uphold the views of the Parish Council.

9.3 Reasoning:-

- a. In view of the broad impression I have obtained regarding the Parish Council's activities in respect of objections about planning matters in the Parish, I do not find any evidence that MTL's development was singled out for objection by the Parish Council. All Members interviewed and the Parish Clerk were consistent in their views about the process followed to assess which applications and what objections would be made to SBC. The only reservation to this point relates to the close involvement of LT in the process. If his involvement had been limited or the discrepancies not apparent in the Parish Council Minutes then it would not have been an unusual planning objection by the Parish Council.

9(B). Allegation 2 – the Petition was organised by LT, and Mrs F [REDACTED] was supported in submitting that Petition to SBC by being taken to the offices of

9.4 Material Findings:-

- a. Mrs Fisher states that she cannot remember who organised the petition but it was one of the neighbours who knew that she was *"not happy with the work"*
- b. Mr Smith, states in his letter that, *"Mrs Bea Tucker was circulating it on Mrs Fisher's behalf, as Mrs Fisher is in her 80s."*
- c. Mr Rowson states that there was an informal discussion about the petition. He further states that, *"Mrs Fisher does a lot of talking and does nothing. She is old."* Mrs Tucker took the petition around. He further states on p2 of his interview notes that LT could not go around with Mrs Tucker. LT *"..cannot walk very far. He finds it difficult to walk."*
- d. Mrs Cobby also confirms that Mrs Beatrice Tucker took the petition around to the neighbours.
- e. Mrs Whitcomb also confirms that *"Doris (Mrs Fisher) asked for it. She is not able to take it around so Mrs Tucker knocked on the doors."*
- f. LT at point 43 p10 Document 10, states that Mrs Tucker helped Mrs Fisher with the petition. He further states that, *"Mrs Tucker would have spoken to me but I would not allow her to do so. "my observation was that I did not want to know."* In Document 10.1 LT refers to the petition and states that his advice about the petition was that it would count as one objection and that it was *"better for neighbours to write letters of objection"*. LT states that the involvement of his wife in the petition was *"entirely my wife's personal choice"*. LT accepts that he signed the petition but feels that it was his right to do so.
- g. The second limb of this allegation is that LT took Mrs Fisher to SBC to submit the petition. The material finding on this point is that Mrs Fisher states that she sent the petition to SBC by post. She has a letter from SBC dated 14 December 2007 thanking her for the petition.
- h. LT provided me with a copy of the letter dated 14 December 2007 which Mrs Fisher had given to him for the purposes of this investigation. Document 10.4.

9.5 Reasoning:-

- a. On the basis of information from Mrs Fisher and various neighbours being consistent that LT did not participate in the organisation and circulation of the petition I conclude that this is the correct position. The only reservation being that LT being a close neighbour to the applicant and being Chair of the Parish Council, even if it was clear he had declared an interest and withdrawn from the meetings considering this application, perhaps ought not to have signed the petition. This would have avoided any

misunderstandings about his position in this matter by any member of the public.

- b. Having interviewed a number of individuals living on Daventry Close and having considered all the evidence I feel obliged to make some observations about the neighbourhood issues in this case as I do think that there is some bearing on the conduct of both MTL and LT in this process which has exacerbated the situation for both parties over a long period of time.
- c. It is quite clearly an uncomfortable environment on the Close. Neighbours appear to be in "camps".
- d. There is some fear of reprisals as one neighbour felt she needed to edit her comments as any adverse comments may cause her and her family problems with one of the neighbours. Another declined to have the interview included in the report. Another neighbour felt so strongly about the atmosphere in the area that he felt he had to explain the whole situation in person to me. He confirmed that in his view there was clear "animosity" between MTL, LT and Mrs F█████. He states that he is and was "neighbourly" with MTL, however "*a lot of things that happen are petty and annoying*". It was further stated that, "*when they first came they were reasonable neighbours. If they do not get their own way, they get annoyed, first with Mrs F█████ and then the T█████s, especially in the last two years. A lot of it is pettiness on the part of the L█████.*"
- e. Between LT and MTL there are allegations and counter allegations including incidents being reported to the police.
- f. MTL's interview record indicate that they have not been properly advised of Parish Council meetings they could attend where their application was considered. At point 19 of their interview they say that they believe that influence has been exercised over SBC making the planning decision against their application. LT should have remained impartial and he did not do so. MTL also allege that the enforcement action and original refusal and having to take down the works already done were a direct result of LT's involvement. They are suspicious of the decision making process at SBC and find it difficult to understand how a decision could be made when the decision maker was away on holiday. At point 13, they further view that the letter of 22 July 2008 to the Planning Inspectorate influenced the outcome of the appeal. "*Garage is still an issue for them as they feel a lie has been told about them..*". MTL believe that, TL "*has abused his authority*". MTL are frustrated and want to resolve the situation and they feel frustrated as they feel that "*it has created bad feelings with neighbours*".
- g. Members interviewed and RH has indicated that the complaint is unreasonable. The Parish Council comments that MTL have strong views about wanting the development and have not appreciated that the planning rules do not permit it to the extent that they wish to have it. The Parish Council further states that SBC has failed to effectively enforce the planning rules thereby creating this unfortunate situation where MTL believe they are correct and the Parish Council is left to deal with the

aftermath of the objections without any support from SBC as the planning authority.

- h. There is considerable misunderstanding and suspicion by both MTL and TL. It seems that both parties wish to resolve the situation but it appears to go from one crisis to another.
- i. Overall it is clear from the comments by MTL that as members of the public considering the situation they believe that LT has acted improperly and exercised some influence over the decision about their planning application. Whether this has actually happened in reality is unlikely given that SBC as the planning authority assess each application on its own merits. Further the comments from the Parish Council are that little attention is paid by SBC to the objections of the Parish Council. Some of the misunderstanding by MTL are due to lack of information or knowledge of the process, for example the considerations which a Planning Inspector would have taken into account when determining the issue about the front porch or canopy area, in that the use of the garage would not have been a material consideration for his decision. Further the issue of a planning decision being made on 17 December 2007, two weeks before it was due, could simply be an attempt by the planning department to ensure the relevant deadline is not missed due to the approaching Christmas period.

10. Conclusions and Recommendations

10.1 I would like to record my thanks to all parties for the co-operation I have received in investigating this complaint.

10.2 In summary I conclude that:-

- a. LT has breached paragraph 8,10 and 12 of the Code in respect of the meeting of 10 April 2007 in that he did not withdraw from the meeting,
- b. LT has breached paragraph 8,10 and 12 of the Code in respect of the meetings of 16 October 2007 in that he did not declare an interest or withdraw from the meeting,
- c. there is inconclusive evidence for the meeting of 17 July 2008 due to the accepted typographical/administrative errors in the Minutes,
- d. LT has not breached confidentiality pursuant to paragraph 4.1(a).

10.3 It is noted that LT has served the local community for over forty years and has provided to me several letters of support Document 10.5, 10.6 and 10.7 which commend his long commitment to public service which is still ongoing despite his recent ill health and mobility difficulties. In the present situation it is apparent that LT has supported an elderly neighbour out of his concern to preserve the character of the neighbourhood whilst MTL have simply sought to improve their residential property. It is also noted that as a consequence there is mutual bad feelings between the two parties. However the Code implies that as a public servant there is a higher obligation and expectation of LT to rise above such consequential matters. *(With regard to LT's health, during a telephone conversation on 5 March 2010, it was confirmed to me that LT's health has further*

deteriorated in recent weeks and LT is undergoing hospital tests. During the course of the investigation concern has also been expressed by RH, RA and CZ to me on various occasions that LT's health is declining and this investigation may have added to the deterioration of his health).

10.4 During my enquiries some other matters relating to the business of the Parish Council which have come to light are also briefly mentioned here and it is recommended that:-

- a. Consideration be given to as to whether there is an investigation into the letter of 22 July 2008
- b. The process of recording of Parish Council Minutes needs to be reviewed, in particular the Environment Sub Committee,
- c. The process of checking of Minutes before they are formally approved requires review,
- d. The process for arrangements and venue for the Environment Sub Committee needs to be reviewed, it is an ad hoc, informal meeting but formal decisions can be made at this meeting as was the case in this matter,
- e. Consideration as to whether wider education or information to be available to Parish Council residents so that they are aware which Parish Council meetings they can attend if and when necessary, with particular reference to planning meetings,
- f. Consideration as to whether there needs to be a system of checks or an agreed protocol of how instructions are to be provided for the issue of formal correspondence from the Parish Council, for example when can the Clerk's electronic signature be used and by whom?
- g. Consideration as to whether a formal protocol is required between SBC planning and the Parish Council in order that it is clear that the Parish Council's objections to any planning matters have been noted and considered in the planning decision together with the review of effective liaison methods need to be implemented for the resolution of planning enforcement issues in Colnbrook,
- h. Consideration of further Member training on the application of personal and prejudicial interests in order to reinforce the Code of Conduct and its application to Parish Council business and procedure, the reasons being that:-
 - i. Members seemed to have undertaken little recent training on the Code and placed significant reliance upon the Clerk.
 - ii. and Members answers to the relevant questions seemed to indicate that most did not consider the Code was relevant since the Parish Council is only a consultee in the planning process and not the decision maker. However I would suggest that the raising of objections on a particular planning matter **is a decision** made by the

Parish Council and as such the Code applies even in these circumstances.

Date: 5th March 2010

**Kuldip K Channa,
(Litigation Solicitor) Investigating Officer,
For and on behalf of the Monitoring Officer**

LIST OF DOCUMENTS ANNEXED TO REPORT

1. Monitoring Officer's summary dated 15 September 2009
2. Letter from Mr and Mrs T Leybourne (MTL) dated 24 August 2009
3. Letter from David Scourfield to Mrs B J Young, 5th February 2008
4. Letter from the Ombudsman to Mr and Mrs Scott, 17 August 2009,
5. Undated petition in respect of planning application P/13909/001 relating to 4 Daventry Close, Colnbrook,
6. Letter from the Colnbrook Parish Council (CPC) to the Planning Inspectorate 22 July 2008
7. Letter from CPC to MTL, 22 July 2008 (Document 7)
8. Standards Sub-Committee decision dated 16 September 2009
9. Interview notes - the Complainant, (MTL) together with additional documents provided at the interview as 9.1 to 9.19
10. Interview notes - Laurie Tucker (LT), together with additional documents provided as 10.1 to 10.8
11. Interview notes - Roland Hewson (RH), together with additional document 11.1
12. Interview notes - Ray Angell (RA), together with an email 12.1
13. Interview notes - Clive Zeffret (CZ),
14. Interview notes - Mrs F [REDACTED],
15. Interview notes - Mr R [REDACTED],
16. Interview notes - Mrs C [REDACTED],
17. Interview notes - Mrs W [REDACTED]
18. Letter from Mr Dexter S [REDACTED]
19. Interview notes - K Laxman (KL)
20. The Interview Bundle .
21. SBC Planning file document
22. Letter from a resident declining to include details of interview in report
23. Internet Google satellite plan

Available for Inspection:
Chronology
Unused Material
Notes taken by Mrs Smith

STANDARDS INVESTIGATION

COUNCILLOR TUCKER

DOCUMENT 1

SLOUGH BOROUGH COUNCIL

SUMMARY OF COMPLAINT

- 1. **Complainant:** Mrs & Mrs T Leybourne
- 2. **Subject Matter:** Parish Cllr Laurie Tucker (Colnbrook with Poyle Parish Council)
- 3. **Date(s) of Alleged Breach:** 10th April 2007, 16th October 2009 and July 2008
- 4. **Précis of the Complaint:**

The Complainants' letter dated 24th August 2009 is not as clear as it might be but the allegations appear to be as follows:-

- (a) Cllr L Tucker has failed to declare a personal and prejudicial interest when the Parish Council considered the application for planning permission at its meetings on 10th April and 16th October 2007 and at the time the Parish Council considered the appeal in July 2008 and further did not withdraw from the meetings contrary to paragraphs 10 and 12 of the Parish Council's Code of Conduct.
- (b) Cllr L Tucker has breached paragraph 4 of the Code of Conduct by disclosing the planning documents sent in confidence to the Parish Council.

The complaint is within jurisdiction. The Subject Member was a Member of the Parish Council at the time of the alleged breaches.

5. **Other relevant information/documentation**

The Parish Council at my request have produced the documentation attached to their letter dated 13th September 2009.

6. **Supporting Papers**

Complainants' letter dated 24th August 2009 together with listed documents.

Copy of Policy Guidance on the assessment and review of complaints about the conduct of members is also attached.

SM Quayle 15th September 2009

STANDARDS INVESTIGATION

COUNCILLOR TUCKER

DOCUMENT 2

2

Mr & Mrs T. Le...
Colnbrook
Slough
Berkshire

24th August 2009

Mr Steven Quayle
Borough Secretary and Solicitor
Slough Borough Council
Town Hall
Bath Road
Slough
SL1 3UQ

Dear Mr Steven Quayle,

I would like to give you some information on the background of Mr Tuckers' character and activities.

To start with he decided to contact the water board because I was cleaning my driveway, this resulted in a follow up letter from Thames Water, and he even suggested to them that I should be put on a water meter.

During March 2008 next incident was a telephone call to the RSPCA to say that we were killing birds; I blocked up a hole in my roof to stop birds nesting which was a necessity for the health and safety of my three small children. A visit from the Inspector followed who left satisfied.

Further to these incidents, Mrs. Tucker has been showing an unhealthy interest in my children by watching them very closely and according to the children taking photographs (without our permission) when asked to refrain from doing so I was arrested for harassment. Is this the type of conduct fitting for a Parish Councillor and his wife?

Mr. Tucker has been victimising and intimidating our family for years as he holds a personal vendetta against us and our children.

To support these claims I have enclosed a letter from a former neighbour of the Tuckers that have no reprisals from them now they lived there for 3 years and had to move.

My complaint is relating to Mr. Tuckers miss-use of council papers entrusted to him in confidence from the Slough Planning Department and to which he distributed to a member of the general public. He has not remained impartial as set out in the councillors code of conduct and has deliberately lied to the planning inspectorate.

I was requested to visit one of my neighbours to do with my planning application when inside the property I was confronted with a full set of plans of my proposed extension with complete dimensions. Please see copy letter which explains that plans are not for distribution as they are the copyrighted to the architect

Who gave permission for these plans to be distributed?

2

We have letters from Slough Borough Council stating that the Parish Council are initial to a copy of these plans as part of the consultation process, surely these plans and everyone else's should remain confidential.

The Parish Council have not got involved in any of the other domestic applications on the estate aside 4 Daventry Close, is this because he resides in the same Close and has personal issues with us.

Many other property's have erected front extensions on the estate without the benefit of permission and the Parish council have not commented on these or taken any action address can be supplied.

Mr Tucker put his signature on a petition to oppose our application in the process of organising this, a lot of pressure was placed on the neighbours to sign the petition and even people not overlooking our property but residence in other roads have been canvassed.

The Parish Council led by Mr.Tucker have also organised meetings without informing us, therefore ensuring the outcome of said meetings, as no representation for our side of the case.

Then we have the deliberate lie to the inspectorate regarding our garage being used as a domestic room when in fact it is still a garage, after requesting this statement to be retracted by the Parish Council, they have refused and also will now not acknowledge any of our correspondence.

Is this the kind of activity we can expect from Parish Councillors especially as confidential information is sent to them.

There is no doubt that Mr Tucker has abused his position when he should have remained confidential.

We now have no alternative but to remove our canopy above the garage or face an ENFORCEMENT NOTICE from Slough Borough council due to the influence and intimidation of the parish council what an injustice.

Yours sincerely,



Mr & Mrs T. Le...

Enclosed

- 1 Letter from David Scourfield 5th February 2008
- 2 Letter from neighbour
- 3 Copy of petition
- 4 Letter to inspectorate
- 5 Letter from Parish Council 22nd July 2009

PRIVATE & CONFIDENTIAL

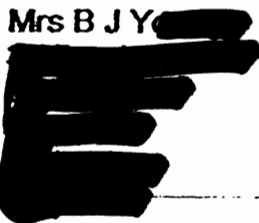
SLOUGH BOROUGH COUNCIL

STANDARDS INVESTIGATION

COUNCILLOR TUCKER

DOCUMENT 3

Department: Development Control
Contact Name: David Scourfield
Contact No: 01753 875866
Fax:
E-mail:
Your Ref:
Our Ref: DS/JC

Mrs B J Y


Dear Mrs Y 

Re:  Dawley Ride, Cippenham

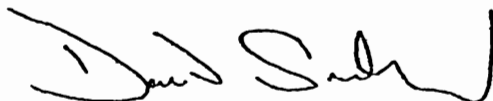
I refer to your letter dated the 17th January, 2008 to Ruth Bagley, Chief Executive of Slough Borough Council regarding the proposed development at 35 Dawley Ride. I have been asked to reply to your concerns on behalf of the Chief Executive.

With regard to your recent visit to My Council, I understand that you were shown plans of the development which did not contain any dimensions. The plan submitted would have been to an identified scale and therefore it would be possible for the professional Planning Officer or those advising any interested parties to ascertain the exact dimensions of the proposed extensions. In the case of the development at 35 Dawley Ride the plans do in fact contain some annotated reference to the width and length of the relevant extensions. With regard to receiving a copy of these plans I am afraid that these are copyrighted to the Architect and therefore cannot be copied to interested residents.

With regard to your comments submitted in October, 2007 I can confirm that your letter dated 28th October, 2007 is on file and will be considered alongside other relevant material planning facts when the case is formally determined. However, I am still in negotiation with the applicants and their agent regarding the precise scale and massing of the proposal, particularly at first floor level. Indeed, I recall that these concerns were discussed with you when I visited you at your home in early December 2007. You raised issues relating to sunlight and daylight and the outlook from your rear conservatory. I would thank you for the time that you gave me within your property which has allowed me to further my negotiations with the applicant.

If you wish to have any further information with regard to this application, please do not hesitate to contact me.

Yours sincerely



David Scourfield,
Head of Development Control

PRIVATE & CONFIDENTIAL

SLOUGH BOROUGH COUNCIL

STANDARDS INVESTIGATION

COUNCILLOR TUCKER

DOCUMENT 4



17.08.09

The Ombudsman
P O Box 4771
Coventry
CV4 0EH

Dear Sirs

RE: Enforcement Order on Daventry Close, Colnbrook. Ref: 09007028.

Having written a letter in support of Mr and Mrs Leybourne's appeal we felt we had to write to you in the hope that you can recommend to the council that they should reverse their decision or at least reach an agreement which suits both parties. Even the Enforcement Officer called it "extreme".

The Leybourne's have suffered a virtual hate campaign over the last 18 months or so instigated by Mr and Mrs Tucker and Mrs Fisher and having previously lived in Daventry Close we can quite understand how upsetting this has been. We couldn't even remove a bush from our front garden without Mrs Fisher running across the road to ask what we were doing. We could go into more details but would like to keep this letter fairly short and to the point. Suffice to say we lived in the close for only three years and although our decision to move was not entirely due to the neighbours it was a major contributory factor.

Mr and Mrs Tucker organised the petition to the Council and I'm sorry to say that had it not been for them and Mrs Fisher this awful situation would not have arisen. I know Mr and Mrs Smith did not sign the petition, as Mr Smith was a councillor at the time but neither did they feel they could support the Leybourne's against the Tucker's even though they think the frontage looks very nice and they live directly opposite. That should tell you something. There were also two names on the petition of people whose houses are actually in Rodney Way!!! We could go on but I am sure Mr and Mrs Leybourne will give full details in their letter.

When you look round the estate and see the amount of houses with almost identical porches, canopies etc. even in the small closes it really does make you think that these people are being dealt with very harshly indeed. One of the houses even has a block paving drive which we believe is now illegal and more than one has no planning permission at all. We appreciate that there have to be guidelines but then these rules should apply to all not just to people who are being victimised by two of their neighbours. It is fairly apparent that had they lived in any other road nobody would have batted an eyelid and we would not be writing to you now.

Whatever the problems we do hope someone from your department can intervene and a compromise be reached. It would be very sad to see the whole construction having to be moved when it has been up for so long and has really not affected the lives of anyone living in the close.

Yours faithfully

SM. D.J. Scott

Mr and Mrs D.J. Scott

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SLOUGH BOROUGH COUNCIL

STANDARDS INVESTIGATION

COUNCILLOR TUCKER

DOCUMENT 5

5

PETITION

PLANNING APPLICATION P/13909/001

We the undersigned, being near neighbours of 4 Daventry Close, object to the over-development of the said property which changes the whole character of the road and obstructs the view.

Name	Address	Signature
MR. W. TUCKER	7 Daventry Close " " "	[Signature]

Note: 14 signatures in total on petition.

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SLOUGH BOROUGH COUNCIL

STANDARDS INVESTIGATION

COUNCILLOR TUCKER

DOCUMENT 6

6 copy

Correspondence:

The Parish Clerk
1, Swallow Gardens
Hatfield, Herts.
AL10 8OR

COLNBROOK with POYLE
PARISH COUNCIL



RECEIVED
23 JUL 2008
PINS AA PEP

Our Ref: RLNH/JSB/080305

22nd July 2008

Planning Inspectorate
Room 3/14 Eagle Wing
Temple Quay House
2 The Square
Bristol
BS1 6PN

Dear Sir,

Appeal By: Mr & Mrs Ley
Proposal: Erection of new front porch and roof over garage with pitched room
Location: Daventry Close, Colnbrook, Slough SL3 0PW
Planning Inspectorate Ref: A/08/2077884/WF


We have been advised by Slough Borough Council that the above appeal was lodged on the 20th June 2008. If this information is correct, it begs the question why this appeal is being dealt with when it is outside the permitted time limit. Slough Borough Council advised the Appellant on 17th December 2007 of its intention to issue an Enforcement.

This Parish Council objected to Planning Application P/13909/001 and continues to do so. The proposals are of keeping to the character of the cul-de-sac in which the property is located. As part of the conditions placed on this property, the garage was to remain as a garage and not to be used as a domestic room. This condition has not been complied with.

The Appellant is in breach of the conditions of the planning consent and has carried out the work on the site. This has been done without the necessary Planning Consent.

Please advise this Council of the decision of the appeal.

Yours faithfully,


R.E.N. Hewson.
Clerk and Finance Officer

CHAIRMAN:
VICE CHAIRMAN:
CLERK & FINANCE OFFICER:

Mr. Laurie Tucker
Mr. Ray Angell
Mr. Roland Hewson
Page 44

Tel: 01753 683386
Tel: 01753 680507
Tel: 01707 267958

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SLOUGH BOROUGH COUNCIL

STANDARDS INVESTIGATION

COUNCILLOR TUCKER

DOCUMENT 7

7

Recen
241-

Correspondence:

The Parish Clerk
1, Swallow Gardens
Hatfield, Herts.
AL10 8OR

COLNBROOK with POYLE PARISH COUNCIL



Our Ref: RLNH/JSB/090327

22nd July 2009

Mr & Mrs Leybourne -
● Daventry Close
Colnbrook
Slough
Berkshire
[Redacted]

Dear Mr & Mrs Leybourne [Redacted]

Erection of new front porch and roof over garage at 4 Daventry Close, Colnbrook

Thank you for your letter of 16th July 2009 relating to the above. The Services Committee consider this and the earlier correspondence at its meeting on 21st July 2009.

The Planning Inspectorate would have viewed the premises of any appealed decision prior to arriving at its own conclusion to ascertain and facilitate its resultant observations. In the knowledge of the usual procedure my wording to you is as it was. The Council now considers that further correspondence with you on these matters is pointless and have instructed me accordingly.

As regards allowances, the only allowance paid is to the Chairman.

Yours sincerely,

R.L.N. Hewson
Clerk and Finance Officer

CHAIRMAN:
VICE CHAIRMAN:
CLERK & FINANCE OFFICER:

Mr. Laurie Tucker
Mr. Ray Angell
Mr. Roland Hewson

Tel: 01753 683386
Tel: 01753 680507
Tel: 01707 267958

8

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SLOUGH BOROUGH COUNCIL

STANDARDS INVESTIGATION

COUNCILLOR TUCKER

DOCUMENT 8

Standards (Assessment) Sub-Committee – Meeting held on Wednesday, 16th September, 2009.

Present:- CO-OPTED INDEPENDENT MEMBERS:
Dr Henna Khan (Chair) and Mr Fred Ashmore

ELECTED MEMBERS:
Councillors Hewitt, Latif Khan and Mann

PARISH COUNCIL REPRESENTATIVE(S):
Parish Councillor Nicoline Brandligt

1. Chair

In the absence of the Chair, Dr Henna Khan at the start of the meeting, Mr Fred Ashmore took the Chair.

2. Declarations of Interest

None.

3. Complaint received from Mr and Mrs T Leybourne of 4 Daventry Close

1. **Subject Member:** Colnbrook with Poyle Parish Councillor Laurie Tucker.

2. **Date(s) of Alleged Breach:** 10th April 2007, July 2008 and 16th October 2009.

3. **Précis of the Complaint:**

Although it was not clear from the Complainants' letter dated 24th August 2009, the allegations appeared to be as follows:-

(a) Councillor L Tucker had failed to declare a personal and prejudicial interest when the Parish Council considered the application for planning permission at its meetings on 10th April and 16th October 2007 and at the time the Parish Council considered the appeal in July 2008 and further had not withdrawn from the meetings contrary to paragraphs 10 and 12 of the Parish Council's Code of Conduct.

(b) Councillor L Tucker had breached paragraph 4 of the Code of Conduct by disclosing the planning documents sent in confidence to the Parish Council.

The complaint was within jurisdiction. The subject member was a Member of the Parish Council at the time of the alleged breaches.

Standards (Assessment) Sub-Committee - 16.09.09

4. Other relevant information/documentation

The Clerk to the Parish Council at the request of the Monitoring Officer had submitted a number of documents under cover of a letter dated 13th September, 2009.

5. Supporting Papers

Letter of complaint together with accompanying documents dated 24th August 2009 from the Complainants, Mr and Mrs T Leybourne of 4 Daventry Close, Colnbrook.

6. Decision

That the Complaint be referred to the Monitoring Officer for investigation.

7. Reasons for the Decision

In reaching its decision, the Sub-Committee took into account the fact that there was documentary evidence to show the following:-

- (1) That Councillor Tucker, as a near neighbour, had signed a petition against the development which was the subject of the planning permission referred to in paragraph 4(a) above.
- (2) That the Minutes of the Parish Council meeting held on 10th April, 2007 when the above planning application was considered showed that Councillor Tucker had declared an interest in the planning application but did not show that he left the meeting when the matter was considered.
- (3) That the Minutes of the Parish Council's Services Committee Meeting held on 16th October, 2007 showed that Councillor Tucker had been present at the meeting when the planning application was considered but there was no record of his declaring that he had a personal and prejudicial interest in the matter nor of his leaving the meeting when the matter had been considered.

Taking all the above matters into account the Sub-Committee came to the conclusion that the complaint merited further investigation.

As regards the allegation set out in sub-paragraph 4(b) above, it was unclear from the documentation submitted what planning documents had been disclosed and to whom. In view of this uncertainty, the Sub-Committee felt that further investigation of this matter should also be made.

Chair

(Note: The Meeting opened at 6.30 pm and closed at 6.40 pm)

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SLOUGH BOROUGH COUNCIL

STANDARDS INVESTIGATION

COUNCILLOR TUCKER

DOCUMENT 9

ATTENDANCE NOTE

Matter: Standards Investigation - Cllr T██████████
Date: 10 November 2009
File: 012730-COR-283
Standards Investigation - Cllr T██████████

Meeting held at SMP at 5pm on 10 November 2009

Mrs L██████████ (TL) - complainant
Mr L██████████ (AL) - complainant
Kuldip Channa (KKC) – Investigation Officer

1. Introductions (12 year old son waited outside meeting room)
2. checked receipt of email dated 9 November, letter and summary of complaint – confirmed yes
3. query raised re letter of 13 September 2009 referred to in summary of complaint – advised that this was the Parish Clerk’s letter which provided the monitoring officer with various documents for the Standards Committee. Both understood the reference to the letter in the summary of the complaint.
4. Provided a copy of the pre-interview summary. Both read it. Content to sign it. Understood my role and happy to continue with the meeting. No time deadline. Coffee provided.
5. Provided copy of code of conduct (doc B from Parish clerk papers)
6. Confirmed that I had copy of letter of 24 August 2009 and attachments.
7. Asked both parties to tell me about the history and issues relating to their complaint.
 - a. Problems started with neighbours from the first extension and got worse with the canopy across the front of the house. Surveyors advice was incorrect in that planning permission was not needed for the porch area.
 - b. Neighbours called planning enforcement at SBC
 - c. Councillor T██████████ became involved from the beginning.
8. Petition –
 - a. Councillor T██████████’s name appears on petition.
 - b. Date of petition is possibly 26 November 2007
 - c. May have been delivered to SBC at about 9:10am
 - d. TL recalls Mrs F██████████ from █ Daventry Close being driven away by Councillor T██████████; she was all dress up and she does not usually go out much. TL did not see Councillor T██████████ or Mrs F██████████ at the

SBC offices drop a petition off. However she feels that Councillor Tucker was supporting Mrs F█████ to drop the petition off at the council offices.

- e. TL recalls that she heard about the petition from C H█████, who had said to her that the extension was nice and that she had not signed the petition. However it was noted by AL that C Hooker's name did appear on the petition.
 - f. AL stated that Councillor S█████ at ██████ Daventry Close had remained impartial. AL feels that Councillor Tucker should have done the same. TL recalls that she was informed by Mrs S█████ S█████ that Councillor Tucker had knocked on their door at least twice wanting the petition to be signed by them.
 - g. AL said that they understood that Councillor Tucker could sign the petition but he had no right to knock on doors. TL said that she had the impression that Councillor D█████ was "hounded" as Councillor T█████ had knocked on his door at least twice.
9. KKC question – did you attend any planning committees in respect of the planning application at SBC or Parish Council?
- a. AL – did not know there were meetings and *"we were not asked to attend any or informed of any meetings"*.
 - b. TL stated that *"my dad said three days before he died that, "that man has exceeded his post". "*
 - c. AL & TL feel that this is what has happened in their case. TL said that she came to hand in some papers to SBC on 17 December 2007. The decision was not due to be made for another two weeks. The papers were placed in David Scourfield's in-tray. He was on holiday. The decision was made on 17 December. The canopy permission was refused. How could a decision be made by someone who was on holiday? TL and AL believe that something is not right with the way in which the decision was rushed through and they feel it is due to the influence used by Councillor Tucker.
 - d. The canopy decision was appealed.
 - e. The Parish council sent in a letter which suggested that *"the garage is used as a domestic room"*. This is untrue. TL and AL have asked the Parish Council many times about who said this as it is a lie. They feel aggrieved that the situation of the garage was misrepresented to the planning inspectorate. They believe that perhaps if this could have been corrected then the appeal may have been successful. They feel aggrieved that they have not had any answers from the Parish Council about the garage issue but that the Parish have refused to enter into correspondence with them.
 - f. AL gave examples of another property – with seven bedrooms which has a canopy all the way across the house. This has completely changed the street scene. But there has been no

involvement from Councillor T [REDACTED] as far as they know. This property is at [REDACTED] Fawsley Close. (see photo). The property canopy was just being completed as their own building work was about to commence. They would like to know what the Parish Council's objections were to this? Did Councillor T [REDACTED] make objections to this development?

- g. Another example of a house at Rodney Way. The canopy has been there for many years and was approved by Spelthorpe Council. This property is directly viewed by the people from [REDACTED] & [REDACTED] Rodney Way. AL and TL property cannot be viewed by them yet they have signed a petition. They feel that this signing of the petition was because of Councillor T [REDACTED]'s efforts to persuade people to sign it.
- h. [REDACTED] Rodney Way – this was built at the same time as AL & TL's canopy. AL & TL believe that Councillor Tucker did not get involved in this property development because the canopy is still standing and it has received approval. They both feel that their development has been singled out by Councillor T [REDACTED]. "we have been targeted". This is our perception of what has happened.
- i. TL stated that canopies are going up all over the neighbourhood and "we have been forced to put in a planning application and made to pull it down". It now looks terrible. AL said that Councillor T [REDACTED] would probably agree now too that it looks awful.

10. Plans & copyright

- a. Sometime between April 2006 and October 2007 (precise date unknown) but when the side extension was being considered, Mrs Fisher from 6 Daventry Close called AL into her house to have a chat about the extension. In the lounge of her house she showed AL a full set of plans relating to the extension. At the time AL did not think anything of this. KKC asked if he asked her where she had obtained the plans. AL said, " I did not find anything strange and so did not ask her about it". But later AL discovered that this was a breach of the architect's copyright. AL & TL now understand that SBC provides the Parish Council with plans but Mrs F [REDACTED] ought not to have had a full set of the plans. AL & TL believe that the plans were provided by the Parish Council and in particular Councillor T [REDACTED] as he has been active in opposing their development and encouraging Mrs Fisher to do the same. AL realised much later that the plans were copyrighted to the architect.
- b. AL is aware now and has discovered that you can go to the council's website and view plans but you cannot get copies of them without permission from the architect.
- c. AL & TL believe that the plans were passed on by the Parish Council. Unclear where Mrs F [REDACTED] got the plans. Relations are not that great with the neighbours due to this planning issue.

- d. On 31 August 2009, TL (and her mother) overheard Mrs F [REDACTED] say that she still had the plans. This was at 14:05 on that day. TL made a note. The conversation was overheard in the front of the house. Mrs F [REDACTED] was discussing the plans with her friend from number [REDACTED] Daventry Close.
11. AL advised that he had become aware that a letter dated 6/12/07 from the Parish Council to SBC had triggered enforcement action. He was aware that the enforcement action was based on comments in the letter.
12. Discussion regarding planning application meetings at the Parish Council and SBC. AL advised that he had no knowledge of Parish Council meetings which may have discussed their planning application. He was not aware that he could attend Parish Council meetings. He had not received any notice of Parish Council meetings. *" We did not know we could go to planning committee where our application was discussed. We later found out that it was in a council chamber planning meeting regarding our first extension".*
13. AL advised letter of 27/07/09 was response to Parish Council letter of 22/07/09. Garage is still an issue for them as they feel that a lie has been told about them and there is no explanation provided by the Parish Council for this lie to the planning inspector.
14. Environmental Services Meeting – 4/12/07; they did not know about the meeting and were not able to make representations about the canopy; they feel that if they were able to put case to Parish Council then objection letter of 6/12/07 may not have gone to SBC. AL and TL felt they would have been able to make comments on the objections by Parish Councillors.
15. Canopy issue – TL and AL identified many properties in the area with canopy type developments. These are part of the same type of properties and on the same estate. AL & TL not aware of involvement by Parish Council on other canopy developments on the estate. They believe it is an estate as part and parcel of the same area. Lots of photographs shown and houses considered on estate. AL & TL believe Councillor Tucker has not been involved in any of the other canopy developments. He has not objected to them, only to theirs.
- a. [REDACTED]
- b. [REDACTED] – canopy now exists - there was development at the time and now it exists. Not aware that Councillor Tucker had any involvement or objected to any of these types of developments.
- c. [REDACTED] Coleridge Gardens
- d. [REDACTED] Coleridge Gardens

16. TL explained that 5/6 overlook Rodney Way but there were no objections to this but only to 4 Daventry; TL also felt that in terms of the petition 5 may have been pressurised into signing it because they do not overlook no Daventry Close. Mrs Fisher is friends with people at number 3 so they would have signed it anyway.
17. Photos of Daventry provided. General discussion about how the development does not look that good now.
18. TL stated that she believed Councillor Tucker *"has abused his authority"*. AL stated that *"by having it removed it now looks "awful"*.
19. No additional comments were made other than to say that:
 - a. AL & TL want the case to be resolved. They feel frustrated by it as it has created bad feelings with neighbours;
 - b. They believe they have been unfairly treated and Councillor Tucker has exceeded his authority;
 - c. They believe he should have remained impartial but he has not done so because he has taken an active role such as organise the neighbours, support Mrs Fisher in her objections to their planning application relating to the canopy/porch;
 - d. AL & TL believe that the enforcement action was caused by the objections and that original refusal and then having to take the building work down was a direct result of Councillor Tucker's involvement.

The meeting closed at 7:30pm.

Kuldip K Channa
Litigation Solicitor
For and On behalf of the Monitoring Officer

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SLOUGH BOROUGH COUNCIL

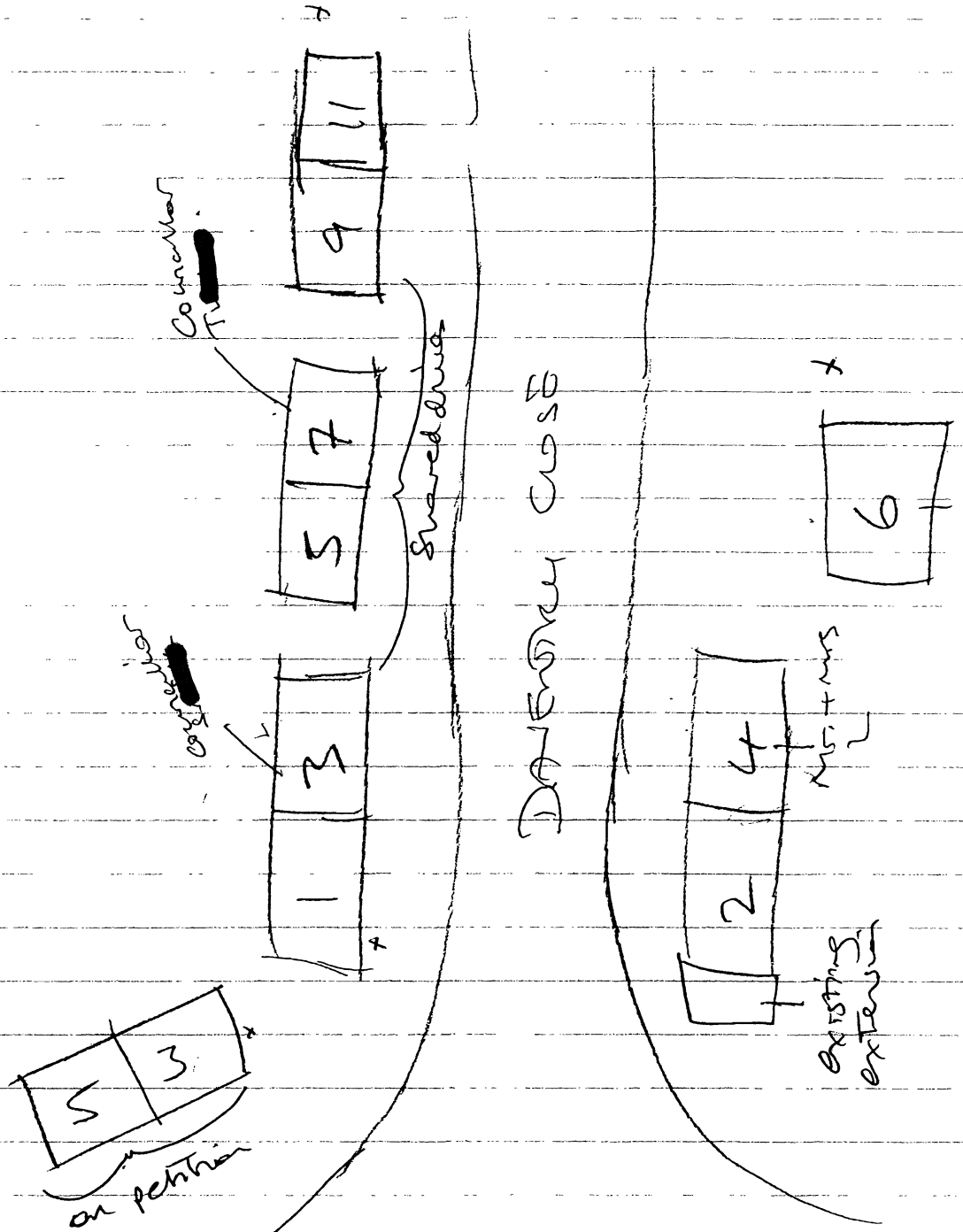
STANDARDS INVESTIGATION

COUNCILLOR TUCKER

DOCUMENT 9.1

9.1

Plan 10/11/09
Mr. & Mrs. [redacted]



X could have extensions.

RODNEY WAY

X [redacted] [redacted]

anyway why is old? no involvement from Clear Tracker.

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STANDARDS INVESTIGATION

COUNCILLOR TUCKER

DOCUMENT 9.2

9.2



NO Planning
28th August
2009

myrtle
Close



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COUNCILLOR TUCKER

DOCUMENT 9.3

9.3



Fawsley Close



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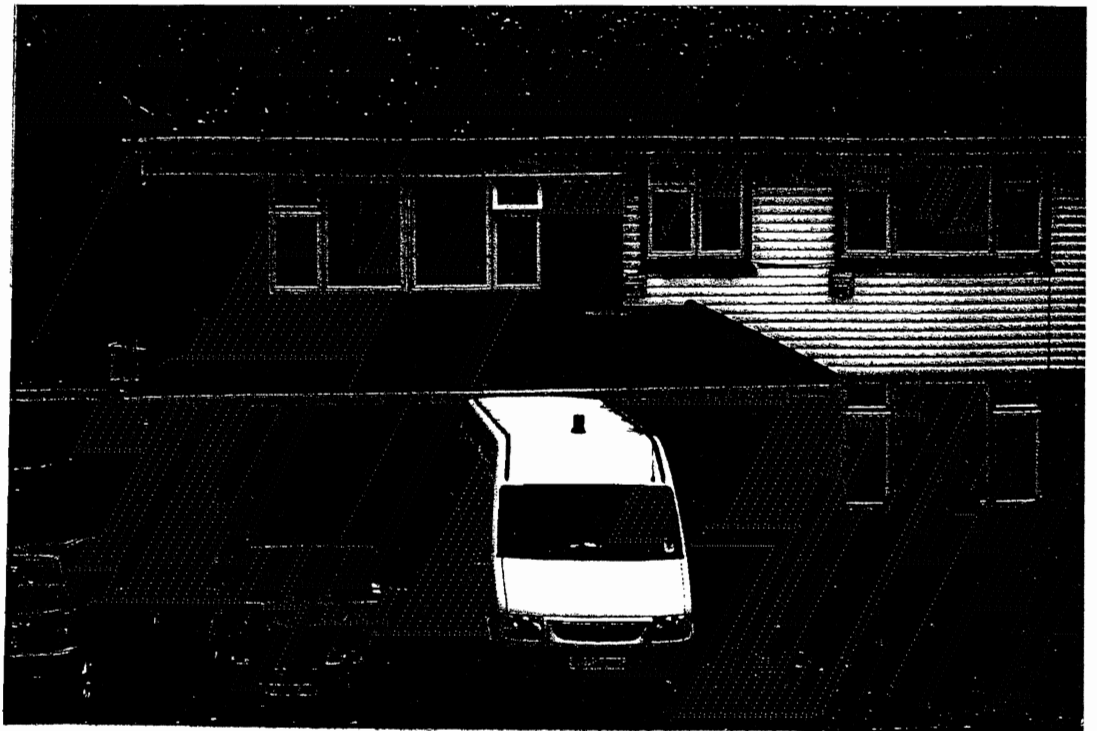
SLOUGH BOROUGH COUNCIL

STANDARDS INVESTIGATION

COUNCILLOR TUCKER

DOCUMENT 9.4

9.4



Rodney Way

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SLOUGH BOROUGH COUNCIL

STANDARDS INVESTIGATION

COUNCILLOR TUCKER

DOCUMENT 9.5

905



◀ ||||

Measurement of
Flank wall
1 metre 320

● Gobridge Gres.

|| No planning approved, ||||▶

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STANDARDS INVESTIGATION

COUNCILLOR TUCKER

DOCUMENT 9.6

9.6



[REDACTED] Coleridge Cres
No planning
approved



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STANDARDS INVESTIGATION

COUNCILLOR TUCKER

DOCUMENT 9.7

9.7



Rodney way



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STANDARDS INVESTIGATION

COUNCILLOR TUCKER

DOCUMENT 9.8

9.18

Drove Mrs. F█████ to council office to hand in petition 26th Nov 2006 Mon 9.10am

Mr L T█████ is a Resident in Daventry Close.

Tried to communicate with secretary of parish council now will not respond to letters and still have no answers to questions asked as council tax payer we have a right to reply

**Parish council not commented on other domestic applications in area
3 other canopy's erected in the last 12 months that do not benefit from planning permission yet no comments from parish council or meetings to action removal
5 and 49 Coleridge Crescent, 7 Myrtle Close**

14 fawsley close transformed from three beds to seven beds and has double canopy all the way across the front of the property changing the street scene and no involvement from the parish council.

Only extension on estate to be issued with enforcement notice for removal of building works

**Mrs F█████ overheard called over resident of no 1 31st August 2009 14-05
To look at plans and discuss the rest of the wall plans are still available for public viewing**

Lied to planning inspectorate garage used as domestic room in letter from parish council and letter of objection sent and is now saying it's not relevant after the fact and has also refused to correct this statement

Taking exception to all of our developments and exercising undue and unfair pressure in the council offices

We have spent alot of time pursuing this compliant.

We would like an explanation why our extension is targeted by the chairman of parish council and an apology for stress coursed

We want plans returned to rightful owner and reprimanded appropriately for his actions

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SLOUGH BOROUGH COUNCIL

STANDARDS INVESTIGATION

COUNCILLOR TUCKER

DOCUMENT 9.9

9.9

Planning Dept.
Slough Borough Council
Town Hall,
Bath Rd,
Slough SL1 3UG

MRS. B.T. [redacted]
Darenty Close
Colnbrook
Slough [redacted]

SLOUGH BOROUGH COUNCIL
DEC 2007
ACK DEVELOPMENT SERVICES

HA
OBS

Dear Sir

Re-Planning Application

P/13909/1 at Darenty Close Colnbrook

As a resident living close to the application site, I strongly object to the forementioned. The proposal is a complete overdevelopment of the property.

There are nine houses in the close, if the application is approved it will change the character and outlook of the area.

The construction of the porch and overhang roof of the garage has already taken place prior to any application being approved. The extended wall of the south side is well

P.T.O

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STANDARDS INVESTIGATION

COUNCILLOR TUCKER

DOCUMENT 9.10

9.10 AM
OBJ

Correspondence:

The Parish Clerk
1, Swallow Gardens
Hatfield, Herts.
AL10 8OR

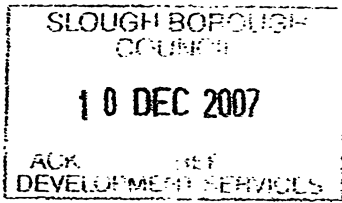
COLNBROOK with POYLE PARISH COUNCIL



Our Ref: RLNH/JSB/070263

6th December 2007

Planning Department
Slough Borough Council
Town Hall, Bath Road
Slough
Berkshire. SL1 3UQ



Dear Sir,

Planning Application P/13909/001 - *re copy*

Daventry Close, SL3 0PW

The Parish Council again objects to this application. *How MANY OBJECTED?*

- 1. It is a gross over-development of the property. *EXAGGERATION*
- 2. It is totally out of keeping with the rest of the road. *WHY*
- 3. The building is over the building line creating a president to other properties on the estate. *Point raised*
- 4. The development is already taking place before permission has been approved. *?*
- 5. The development is intrusive to neighbours and other residents. *HOW*
- 5. A brick wall over two metres in height has been built, for which planning permission was obtained. *So*

Yours faithfully,

Roland L.N. Hewson
Clerk and Finance Officer

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SLOUGH BOROUGH COUNCIL

STANDARDS INVESTIGATION

COUNCILLOR TUCKER

DOCUMENT 9.11

Copy

Posted 22/4/09

9.1B

Mr & Mrs L [REDACTED]
Daventry Close

[REDACTED]
[REDACTED]
[REDACTED]

22nd April 09
21st July 2009

Mr. R.L.N. Hewson
Clerk and Finance Officer
The Parish Clerk
1 Swallow Gardens
Hatfield
Herts
AL10 8OR

Dear Mr. Hewson

Recently we strangely discovered a letter from yourself expressing an interest in our extension.

Your address in Hertfordshire left me a little confused and was wondering how you became to be included. Secondly, what pressures were placed upon you as to why you became involved.

Yours sincerely,



Mr. & Mrs. L [REDACTED]

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SLOUGH BOROUGH COUNCIL

STANDARDS INVESTIGATION

COUNCILLOR TUCKER

DOCUMENT 9.12

Correspondence:

The Parish Clerk
1, Swallow Gardens
Hatfield, Herts.
AL10 8OR

COLNBROOK with POYLE PARISH COUNCIL



Our Ref: RH/JSB/080323

30th April 2009

Mr & Mrs L [redacted]
Daventry Close
[redacted]
[redacted]
[redacted]

Dear Mr & Mrs L [redacted]

Thank you for your letter relating to your extension. The Hertfordshire address is my home address but it is also the address of Colnbrook with Poyle Parish Council's office, as I am the Parish Clerk for Colnbrook with Poyle Parish Council.

The letter you refer to is not a personal letter, but one from the Parish Council who decide such matters at either a Services Committee meeting or a full Council meeting. All such meetings take place in Colnbrook, usually in the Village Hall. No pressures were placed upon me, other than the democratic decision of the Parish Council which I duly carried out.

I hope that this clarifies the situation for you.

Yours sincerely,

Roland L.N. Hewson
Clerk and Finance Officer

*It refers to letter of 22/07/08
from Mr. Hewson to the
Planning Inspectorate*

*22/04/09 - requesting
information about the
Parish Clerk's involvement
with their extension.*

CHAIRMAN:
VICE CHAIRMAN:
CLERK & FINANCE OFFICER:

Mr. Laurie Tucker
Mr. Ray Angell
Mr. Roland Hewson

Tel: 01753 683386
Tel: 01753 680507
Tel: 01707 267958

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SLOUGH BOROUGH COUNCIL

STANDARDS INVESTIGATION

COUNCILLOR TUCKER

DOCUMENT 9.13

9.13

Mr. & Mrs L [REDACTED]
Daventry Close

[REDACTED]

6th July 2009

Mr. R.L.N. Hewson
Clerk and Finance Officer
Colnbrook with Poyle Parish Council
1 Swallow Gardens
Hatfield
Herts
AL10 8OR

Dear Mr. Hewson

Re: Erection of new front port and roof over garage at [REDACTED] Daventry Close, Colnbrook.

In your letter of the 22nd July 2008 to the Planning Inspectorate at Bristol, you stated that my garage was being used as a domestic room. This is a false statement. I therefore require, you to let me have the following information.

1. Who informed you of this untrue statement?
2. Was this made at a Services Committee Meeting or a full Council Meeting?
3. How many Parish Councillors were present?
4. How many voted against the porch and canopy roof?
5. What date was the meeting held?

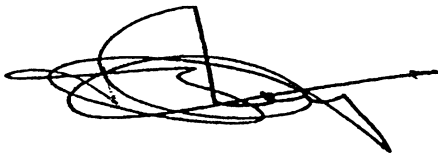
We also require you to correct this untrue statement in a letter to the Planning Inspectorate at Bristol forthwith and let me have a copy of such letter. If I do not receive such a letter, I will write to the Planning Inspectorate myself.

One further point, in the summer 2009 of Colnbrook with Poyle Parish Council Newsletter, page 6, you list The Parish Councillors record of attendance. We note that Cllr. Rakesh Pabbi has attended only 5 out of a total of 30 meetings. Surely this does not make him fit to represent this Parish.

Are Parish Councillors paid? If so, how much? By the year, month, week or number of attendances? Who makes the payments? Where does the money come from.

If I do not receive satisfactory answers to all my queries, I will enlist the aid of the information Commissioners Office.

Yours sincerely,



Mr. & Mrs. L [REDACTED]

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STANDARDS INVESTIGATION

COUNCILLOR TUCKER

DOCUMENT 9.15

9.15

Mr & Mrs L [redacted]
Daventry Close
[redacted]
[redacted]
[redacted]

27th July 2009

Mr. R.L.N. Hewson
Clerk and Finance Officer
The Parish Clerk
1 Swallow Gardens
Hatfield
Herts
AL10 8OR

Dear Mr. Hewson

Re: Erection of new front porch and roof over garage with pitched roof at Daventry Close, Colnbrook, Slough, Berkshire.

Thank you for your letter of the 22nd July 2009.

Would you please let me know the total amounts paid to the Chairman, Mr Laurie T [redacted], for each of the last three full years.

In point 1 of my letter of the 6th July 2009, I asked you who on your committee made a false statement regarding the alleged use of [redacted] as noted in your letter of the 22 July 2008 to the Planning Inspectorate at Bristol. You have not replied to this point.

Similarly you have not answered [redacted] of the 6th July 2009.

So the Committee considers that further correspondence with us is pointless. I will not cease my enquiries until I am satisfied.

I look forward to your early reply.

Yours sincerely,



Mr. & Mrs. L [redacted]

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STANDARDS INVESTIGATION

COUNCILLOR TUCKER

DOCUMENT 9.16

9.18

Mr & Mrs T. L. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

31 August 2009

Miss Ruth Bagley
Chief Executive
Slough Borough Council
Town Hall
Bath Road
Slough
SL1 3UQ

Dear Miss Bagley,

On Thursday 13th August Phil Rowe your Enforcement Officer came round to explain that he was to issue an Enforcement Notice the following Tuesday. After discussion, he was totally unaware of other properties on this estate without planning consent.

Phil Rowe was aware of the large development with two canopy's at 14 Fawsley Close but not numbers 5 and 49 Coleridge Crescent. Whether approved or not, Monday 24th August, I noticed number 10 Myrtle Close, consists of a large canopy, supported by two white pillars. Number 7 Myrtle Close is in the process of building a full length canopy over new porch and shows no planning consent. This build was completed only last week. It seems that only my property is targeted by Slough Borough Council.

I would also like to bring to your attention that my letter back in April to David Scourfield is still not acknowledged and questions remain un-answered. Further to my letter to you 12 August 2009 you still have not answered the questions and as Council Tax Payer we are entitled for right of reply.

I would like to inform you that today 31 August at 14.05, I overheard my extension being discussed and followed by an invitation from Mrs Fisher residing at 6 Daventry Close inviting the occupant of 1 Daventry Close to enter her property to be shown plans, obvious that Mrs Fisher is still in possession illegally of our plans that Slough Planning Department sent to Mr. Tucker who distributed them.

May I point out to you that this is against the law as they are copyrighted to the architect (please see letter from Slough Borough Council informing 37 Dawley Ride as to why they could not have plans regarding the build next to them) and why is Slough Borough Council dealing with a Parish Councillor who is not confidential and prospective people from this estate should be informed that their plans are liable for anyone to copy.

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COUNCILLOR TUCKER

DOCUMENT 9.17



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DOCUMENT 9.18



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COUNCILLOR TUCKER

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11 September 2009

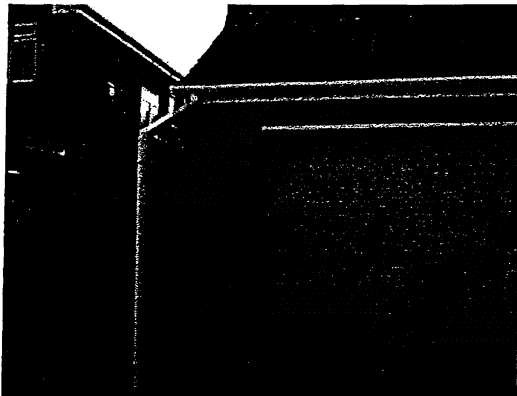
Department: Planning
Contact Name: Phil Rowe
Contact No: 01753 875621
Fax:
E-mail: Philip.rowe@slough.gov.uk
Your Ref:
Our Ref: P/13909/001

Mr T. L [redacted]
[redacted] Daventry Close
Colnbrook
[redacted]

Dear Mr L [redacted]

**Daventry Close, Colnbrook
Remedial works to front extension**

Further to my revisit to your property and our brief site meeting on Thursday 10th September 2009, with reference to the attached photos, I can confirm the following:



- I am satisfied that the tiled roof above the open area in front of the garage has been removed back in line with the original front building line to the property, and that the remaining, truncated roof with matching materials and white fascia board has been made good. In addition I note that all debris and materials associated with the removal have been taken from the land.
- The retention of a boundary wall at 2m in height is permitted development and it would not be expedient to take further action in respect of the resultant porch.

Thank you for your assistance in resolving this matter without recourse to formal enforcement action. On the basis of the work under taken I consider that this matter can be closed. If you have any questions, please contact me as above.

Yours sincerely

**Phil Rowe,
Planning Enforcement Officer**

Current position

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SLOUGH BOROUGH COUNCIL

STANDARDS INVESTIGATION

COUNCILLOR TUCKER

DOCUMENT 10

ATTENDANCE NOTE

Client: SBD Resources Directorate
Matter: Standards Investigation - Cllr Tucker
Date: 28 January 2010 (typed by PA from dictated notes)
File: 012730-COR-283
Standards Investigation - Cllr Tucker

Standards Investigation – Councillor Laurie Tucker Interview

DATE: 14 January 2010

TIME: 10.30am - 1.15pm

Cllr Tucker was accompanied by Mrs Sonia Smith of 3 Daventry Close, a neighbour and friend. Mrs Smith took notes throughout the meeting. At the end of the meeting a copy of the notes were taken by KKC, for the investigation file.

(Mr Tucker was also accompanied by his wife but she was not present at the interview and waited in the staff lounge at St Martin's Place).

Abbreviations

Councillor Laurie Tucker – LT
Sonia Smith, Neighbour/Friend – SS
Councillor Ray Angel – RA
Roland Hewson, Parish Clerk – RH
Councillor Laxman – KL
Councillor Clive Zeffret – CZ
Slough Borough Council – SBC
Local Authority - LA
Steven Quayle, Monitoring Officer - SQ
Kuldip Chana, Standards Investigator – KKC

Preliminaries

KKC read the interview preamble to LT. A copy was also provided to LT. A list of witnesses was also provided to LT. Confirmation was provided as to the number of interviews already conducted and the possible remaining number of interviews to be undertaken in the next couple of weeks.


012730-COR-283/92024

Signed: 

1

AS FAR AS I CAN RECALL

KKC advised LT that due to further information coming to light as a result of some of the interviews already conducted it is possible that a further clarification interview may be required with LT. KKC indicated that whilst this may not be ideal it may be necessary and that KKC would endeavour to deal with it by way of letter or telephone if at all possible.

Signed: 

Standards Investigation – Councillor Laurie Tucker Interview

DATE:14 January 2010

TIME: 10.30am - 1.15pm

<u>No</u>	<u>Question</u>	<u>Answer</u>
:		
	<u>Parish Council/ Committee/Member Duty/Role</u>	
1.	How long have you been a Member of the Parish Council?	Since 1995, since the inauguration of the Parish Council.
2.	Apart from your extensive experience, have you had any formal training for Member duties?	Various training sessions, some with the Berkshire Association of Local Councils, any training available within a reasonable distance I have attended.
3.	How many Committees do you chair?	The full Parish Council and the Finance and Policy Committee
4.	How many other Committees do you attend?	Services Committee – this is chaired by KL. Environmental Sub-Committee, the Emergency Committee which meets as and when if there are urgent things to consider such as planning matters.
5.	If the main chair is absent at a meeting how is another one appointment?	Elected by Members at the meeting.
6.	Does the Parish Clerk service all Committees?	He does not service the Environmental Sub-Committee. The Clerk lives in Hertfordshire. Meetings are on the 1 st and 3 rd Tuesday of each month.
7.	Do you note down things during the meeting?	I do, but the notes are destroyed once the full minutes are out.
8.	Is there any minute book?	No
9.	If there are any actions to be followed after a meeting, for example, a letter to be written, how is that action undertaken and by who?	If it is under planning then I might get delegated to do the writing of a letter, it depends on what the subject is. The letter is typed by the Parish typist. The letters used to go off under my own name. Following some advice from RH who stated that any letters to do with Parish Council business should go under the name of the clerk. This was about 2 or 3 years ago. It was bought to the note of the whole Council. I cannot be certain if it was before



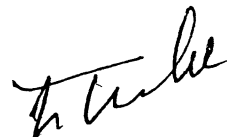
		or after the case of Daventry Close.
10	Who has the authority to sign off letters on behalf of the Parish Council?	The Parish Clerk.
11	How soon after a meeting do you get the minutes?	Full Council the minutes are circulated by the following weekend. For the Services Committee and Finance & Policy by the weekend. It depends on the mail.
12	Who services the Environmental Sub-Committee?	RA
13	How soon do you get the minutes for the Environmental Sub-Committee?	It varies, one or two weeks after the meeting but RA does endeavour to get the minutes out before the next full Council meeting.
14	It is noted that a typist undertakes some of the administration for the Parish Council, how is the typist instructed by the Parish Council, for example to write letters?	There can be a telephone call to the typist. A handwritten letter can be given to her and then she will type it up.
15	How are the minutes signed off as an accurate record?	Next full meeting, the next Full Council meeting or the meeting of the Services Committee.
16	The minutes provided to SQ by the Parish Clerk is September 2009 and sent to you in the investigation bundle, are they the formal signed off version of the minutes? (The minutes from various meetings were identified and looked at together with the confirmation from LT that he had already seen these minutes). The agreed minutes as identified in the bundle are:	LT confirmed that he had had seen these minutes before and that they were the formal signed off version by the Parish Council.

Date	Number in Schedule	Page Ref
10 April 2007	Document D	22
16 October 2007	Document E	25
4 December 2007	Document G	28
17 July 2008	Document I	32



21 July 2009	Document Q	42

<u>No.</u>	<u>Question</u>	<u>Answer</u>
	Parish Council/Daventry Close case etc	
17.	Are some Members more active than others?	Absolutely
18.	Which Members are more active?	Cllr Angel, Cllr Laxman, Cllr McDougall to a certain extent. Cllr Tucker also confirmed that he was one of the more active Members on the Parish Council because of his commitment to the role and due to duties as Chair of the Parish Council for a number of years.
19.	There was a general discussion about how members of the public communicated with the Parish Council and how the Members made themselves accessible to the public, there was consideration of local meetings and the surgeries.	There is Colnbrook chats, these are advertised annually, but there is poor attendance by the public particularly at the monthly surgeries. The monthly surgeries are about an hour and half and I circulate the dates in advance to the public and to the Parish Council Members. There are twice yearly newsletters. All Members are on a monthly rota and some Members attend more regularly than others. My view is that even if there is no attendance by the public, the surgeries should still be held because it is a public service that the Parish Council offers and should carry on regardless of the poor attendance.
20.	Generally how many Members would you say attend the Parish Council meetings?	Some Members are more regular and others are not.
21.	There was a general discussion about meetings and the general structure of the Committees etc	There was no in depth discussion since KKC already has this information from various other interviews.
22.	Are you familiar with the Code of Conduct for Members as adopted by the Parish Council?	Yes I am familiar with the Code.
23.	What training have you had on the Code of Conduct?	The Clerk has done some training but no formal training that I have attended from the

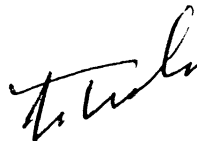


		LA, there was no training when the new Code came in, it was mostly dealt with by the Clerk by handing out the relevant information.
24.	How much training have other Members had on the Code of Conduct?	Not much training for Members
25.	What does a personal interest mean to you?	Anything which comes up on an Agenda which may have a financial or personal implication, something on which a decision could be made, for example, planning matters where you may be an agent for a company and you also sit on the Planning Committee, for example sitting on the liaison board of a Company
	a. What about other types of planning applications other than commercial ones.	Yes, domestic ones where you are very close then one would declare an interest because of the decision to be made and where you cannot go into a situation where you could not make a decision with an open mind, in a Parish Council lots of people are near neighbours but the more near neighbours than others then this would make a different emphasis on it.
	<p>KKC advised that they will be incorporated in the final report.</p> <p>KKC advised that her role was a fact gathering exercise and that if members of the public complain to a LA then the SQ is obliged to investigate. KKC fully understood LT's commitment to public service etc; interviews taken place with KL, RA, RH, Mrs Fisher, some of those on the petition; the complainant etc; some remaining possibly Cllor Nye and Rayner due to further information coming to light as</p>	<p>LT asked can I have copies of the witness statements?</p> <p>"I feel as if I am being put on trial. It is "kangaroo court". Having been on the Standards Sub-Committee myself I know that the Committee will simply follow your recommendations most of which will be based on your assumptions and thoughts. They will go by what your recommendation will be. I am being put on trial. I am an individual who has put 40 years of service. I have been a Church Warden for the Parish Church for 18 years. A School Governor for 13 years at Colnbrook School and Chair of Governors for 11 years. I have been a Parish Councillor for 15 years. The last 8 years has been Chair of Parish Council. I am being put on trial and it is a total imposition. Some allegations are</p>

	<p>a result of other interviews. KKC advised that Mrs T [REDACTED] not being interviewed in order to preserve privacy and KKC does not deem it necessary or appropriate as information available from other sources etc.</p>	<p>defamatory to me. I am taking legal advice as to what things are defamatory against me. I am glad that you are noting this down in your report. I also have some proof of evidence which I would like to give to you which relates to this interview. I can give them to you now or as we go through the interview. (Cllr Tucker provided KKC with two booklets which were the newsletters for the Parish from the summer and winter of 2009. It was agreed that other documentation would be submitted during the progress of the interview). I have three letters of support and I would like it recorded in the report that these letters are to be treated with confidentiality and the letters should be destroyed after the investigation has been completed. The letters can be used as part of the report and investigation file but they should be destroyed at the end."</p>
26.	What does a prejudicial interest mean to you?	I see this as a financial aspect
27.	What are your expectations about what a Member should do if he has a personal and prejudicial interest?	Declare it, withdraw from the meeting up until the time after the decision has been made.
28.	How are Parish Council meetings published?	In advance
29.	Can the public attend the Committee considering a planning issue?	Yes, the public can attend any Parish Council meeting except where there is an item under Part 2.
30.	Have any members of the public attended where a planning issue has been considered?	If there is a contentious issue, yes in the past but as a general rule the public have not attend.
31.	How are planning applications brought to the Parish Council's attention?	By the Clerk at a meeting, he brings the fortnightly bulletin from the SBC and we discuss the item connected with the Parish. Over the last three or four years I have the list sent directly to me from SBC so that I can monitor the planning applications in the Parish. Sometimes I may visit the site prior to the meeting but not always. This is only sometimes.



32.	What types of cases have been brought to the Parish Council which relate to planning?	Domestic to Terminal 5 type applications, some have major issues for the Parish Council.
33.	Has the Committee considered any planning cases where front porches have been an issue?	Yes quite regularly.
34.	Has the Committee considered any where domestic extensions have been issue?	If listed as a planning matter and we have concern regarding the local authority's policy relating to extensions and porches, these become too elaborate and we want to keep an eye on the situation as otherwise it changes the character of the area in the Parish.
35.	How did Daventry Close come to the attention of Committee? a. Did you do a pre-meeting site visit in respect of this planning application?	From the planning application list from SBC in 2007. No. When the list came through I knew it was there as from where I live I can't miss it.
36.	Did you go on any other site visits with Members?	No. The Environmental Sub-Committee sometimes meets in my house and sometimes in RA's house. When this issue came up and the other Members went on a site visit I declared an interest and left the room and the Committee went to the site. When the first extension came up, it is not the role of the Parish Council to police conditions it is the job of the Local Planning Authority. This does not take place and the Enforcement Team at SBC have been very weak. Mrs F [redacted] had concerns about what the people at number 4 Daventry Close were doing. I advised her how to proceed by complaining to the Planning Department at SBC. She wrote numerous letters and had visits from Planning Officers. If it came up at the meetings I would have let the other



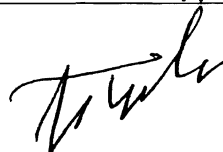
		<p>Members have any points of information which I had.</p> <p>The Parish Council wrote on one occasion concerning the height of the wall. It was a major issue that concerned the Parish Council and the letter was written about the height of the wall.</p> <p>Generally I gave Mrs F█████ advice and where to go to as a friend and how to complain to SBC.</p> <p>Mrs F█████ would compile the letter and I would read it and she would send it. I would not alter it. It was simply putting the hard facts in the letter which she did.</p>
37.	Did you speak to the owner's of Daventry Close?	No. During the period of the planning application I have not said a word to them.
38.	Mrs F█████ was obviously concerned and she had a number of complaints. Who brought the issues like those to the Committee's attention?	If it was on the list for the meeting then Members would pick it up. If SBC had not picked something up then we would ask the Clerk to contact the Planning Department at SBC.
39.	Were you aware of the complainant and the complaints?	I became aware from Mrs F█████ She is very upright but very unsure of anything, since her husband died she comes to me for advice, she came to me not as a Parish Councillor but as a neighbour and friend.
40.	Did you speak to the Complainant about 4 Daventry Close?	Yes in the early stages, the major concern was the height of the wall because she came across to see me and said the wall blocked her view from her porch to the end of the cul-de-sac, she said that she complained to SBC.
41.	Are you aware of what the issues were?	The height of the wall was the main issue. Mrs F█████ felt she was being imprisoned in her own home.
42.	Are you aware there was a petition?	Yes.
	14 th December 2007 – Letter provided to KKC, LT advised that Mrs F█████ had allowed LT to copy the letter and provide to me. This letter refers to the receipt by SBC	



	of the letter and petition concerning the development at 4 Daventry Close. The letter is from Teresa Clark, Democratic Services Officer.	
43.	Do you know who organised the petition? a. Which neighbour helped her? b. Living in the same household, then did Mrs Tucker speak to you about the petition.	Yes. Mrs F [REDACTED] organised it and because of her age she got one of the neighbours to get the petition signed. Mrs B T [REDACTED], a friend and neighbour. Mrs T [REDACTED] would have spoken to me but I would not allow her to do so. "My observation was that I did not want to know".
44.	Did you assist with the organisation of the petition?	I had no involvement in the petition other than signing it as an individual and as is my human right to sign it as a human being.
45.	Did you visit anyone requesting signatures on the petition?	No, I did not know who signed it until the papers I received as part of the investigation.
46.	One observation by the Complainant at Number 4 is that the petition is signed by people not even on the street, not part of the consultation process, do you have any observations about this point? (this refers to the signatures relating to Rodney Way).	They were directly affected because of the height of the wall and they were friends of Mrs Fisher. Both houses are on the bend. No. 3 is more towards Daventry Close and No. 5 is their neighbour.
47.	Did you assist with the submission of the petition directly received?	No. I had no involvement whatsoever with the petition.
48.	Do you know how the petition was submitted to SBC?	Don't know.
49.	Did you see any planning documents on 4 Daventry Close?	Yes, on the domestic application. Very limited plans, just 2 or 3 sheets of documents, saw them at the full Council and the Sub-Committee.
50.	Did you request any plans from SBC?	No, I did see plans at a meeting, I did not see any from Mrs F [REDACTED].
51.	Who requests the plans from SBC?	The Parish Clerk requests the plans from SBC.
52.	Did you take the plans away from the Parish Clerk at the	The Plans I had did not leave my house or my person. I am not sure when I got the



	meeting?	plans but it may have been at the first meeting where the application was first considered.
53.	Are you aware of anyone else requesting additional plans?	Yes. Mrs Fisher requested them from SBC.
	There was a break at 11.30am and the interview recommenced at 11.45am.	
54.	How would the public have had access to the plans?	Through the Parish Clerk all my contact details are made public and they could be invited to go to My Council and/or view them there as well.
55.	Did you speak to anyone at SBC about 4 Daventry Close, for example any Members or Officers?	<p>I met with an Enforcement Planning Officer earlier this year who had arranged to see Mrs Fisher. Mrs Fisher asked me to go across and listen to what he had to say. This was at the time when the Enforcement Notice was to be served. Prior to the meeting I asked Mrs Fisher to contact the Planning Officer and if he said it was fine for me to be present then I would meet with him and Mrs Fisher. Mrs Fisher told me that she had contacted him and he said it was fine.</p> <p>The Planning Enforcement Officer said that there was going to be a Court hearing and gave us a date. Following the meeting Mrs Fisher became agitated as she had not heard what had happened to the Court hearing and the Enforcement Notice. She rang SBC and was told that there was no Court hearing and no Enforcement Notice had been served. In a nutshell Mrs Fisher and I were told a pack of lies. For what means I can't tell you why. The meeting with the Planning Enforcement Officer had lasted 20 minutes. The meeting with the Planning Enforcement Officer was the only meeting I had with SBC regarding 4 Daventry Close.</p>
56.	Having looked at the Parish information I note that there are several extensions, many porches, for example looking at these photographs that	Photographs regarding 14 Fausley Close – The Complainant would not be aware that the Parish Council objected on various matters. Mr & Mrs Leybourne would not be aware of it. An appeal was refused



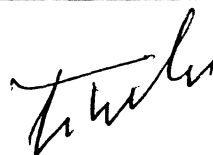
	<p>have been provided by the Complainant, do you have any comments or observations as to why the Daventry Close planning application came so pertinent for the Parish Council?</p>	<p>recently. The Parish Council objected as it was an over-development.</p> <p>4 Rodney Way – The Parish Council objected as this was an overdevelopment.</p> <p>The Parish Council is only advisory and it does not have any power to stop the Planning Department from approving the planning application. The approval of planning permission in over development cases is often much to the horror of the Parish Council. If there is an overdevelopment it changes the character and we hope that the local authority would uphold our views and often it does not.</p> <p>Some developments are without planning permission the structure has been completed. The planning enforcement is slow and I would say non-existent. We have been frustrated as a Parish Council and not getting any support from SBC Planning. We did use to have a policy “leave it to the neighbours” but we have altered this policy and we look closely at applications far more closely now. This is due to SBC not doing their job.</p>
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Consideration of Parish Council Meetings where the application was considered:

<p>57.</p>	<p>Minutes of the meeting 10th April 2007. Tell me what your recollection of the meeting is when the relevant planning application was considered?</p> <p>a. You will note that the declaration of interest is at the early part of the meeting and the item is not considered until</p>	<p>I declared an interest and left the meeting when the item on the agenda came up.</p> <p>The interest was declared in the early part and when the item came up I would have left the meeting.</p>
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	<p>much later. Do you have any observation about that point?</p> <p>b. You will note from the minutes that it is not recorded that you left the room. Do you have any comments about this point?</p> <p>c. During my investigation it has been confirmed that if it's not recorded in the minutes then it did not happen, do you have any comments about this?</p> <p>Minutes of 21st July 2009 were referred to and it was noted that when the matter came up at the meeting there is a clear indication in the minutes that there was a declaration of interest and when LT returned to the room.</p> <p>d. These are formal minutes and it is accepted that these are an accurate record of the meeting and if something is not recorded in the minutes then the view of the</p>	<p>I left the room. If it has not been recorded and it has not been picked up by me or other Members or the Clerk when the minutes were approved. Everyone has been negligent on not picking this up.</p> <p>The Clerk is just covering his back, you can take my word for it or you can take someone else's word.</p> <p>I recall this meeting because it was at Westfield Hall. The only other room at Westfield Hall is a store room. I remember because I was surrounded by junk in the store room.</p> <p>If the Clerk has not written it in the minutes then I cannot answer for that.</p> <p>Minutes were approved and it should have been picked up by everyone but it has not been.</p> <p>I left the room when Daventry Close came up and I recall leaving the room.</p> <p>We have not scrutinised the minutes as well as we should have done so.</p> <p>I recall leaving the meeting on 10th April 2007 as I recall it being at Westfield Hall. We have not picked up things about the minutes until the documents have been sent out by you (KKC) as part of the investigation.</p> <p>I can see where the difficulty is, the Parish</p>
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	<p>member of the public might observe you did not leave the room. What would be your comments about this?</p> <p>e. At the meeting information was provided about the wall where would the other Members have obtained that information?</p>	<p>Clerk and Members of the Parish Council have to be tight and rigid in the production of their minutes. This is an approved set of minutes and I can see the difficulty. The Parish has not scrutinised minutes enough and everyone should hold hands up to that.</p> <p>Information would have come from other Members, not from me as I was not there.</p>
58.	Do you have any other comments about the meeting on 10 th April 2007?	No.
59.	Do you have anything else to add on this point?	No.

Turning to Minutes of 16th October 2007

60.	Would the Vice-Chair remain in the chair throughout the meeting?	Yes, Cllr Laxman was absent.
61.	What is your re-collection of this meeting when the planning items were considered?	<p>The interest I had was carried forward to every meeting where Daventry Close was confirmed. All Members knew including the Parish Clerk that I would declare an interest on the Daventry Close. They knew where I lived.</p> <p>The Clerk and Parish Council have been "relaxed". The declared interest would have been carried over from day one.</p>
62.	The Parish Council made its decision to write a letter of objection. How was such communication approved?	Letter is written and sent by the Parish Clerk.
63.	Would the letter of objection have been approved before the clerk sent it out?	No system of approval unless a Member asks for a letter to be seen, there is trust in the clerk to do the job he is employed to do and he is the only paid employee of the Parish Council.



64.	The letter has been copied to you. Why was that? a. Do you have any other observations about the letter?	I would request the Parish Clerk to send me a copy and it was just to monitor the situation. I was not there when it was decided but I did not dictate the letter.
	Meeting of 4th December 2007	
65.	Do you have any recollection of this meeting?	It may have been in my house or RA's house, from reading the minutes I think this meeting was in my house because Cllr RA lives three minutes walk from Daventry Close whereas from my house it's just across the road.
66.	Do you recall the time of the meeting?	Usually in the evening round about 6.30-7pm is the start time.
67.	There was a site visit. Who attended the site visit?	Yes. RA, Cllr Rayner and Cllr Nye.
68.	Did you attend the site visit?	No
69.	Where were you when the site visit took place? <i>(LT to check his diary for any further information on this meeting and let KKC know)</i>	Most likely upstairs in my house or in my kitchen. If it was in RA's house I would have stayed at the house as I could not have walked from Winchester Close to Daventry Close I would probably have played with RA's grandson.
70.	Upon returning to the meeting the other Members, at point 3.1.11 informed you about their findings. Do you recall the purpose of this reporting back to you?	For information and no other reason.
71.	When did you return to the meeting?	I will have returned and carried on with the rest of the meeting.
72.	There is no record of it in the minutes.	Not recorded.
	Meeting of 17th July 2008	
	It was observed by KKC and LT that the whole of the	It indicates to me that there is a set of minutes missing – may be a meeting in

	minutes for this meeting are same not just the planning item.	between this. There is no explanation as to why the minutes are duplicated at all. The minutes are circulated to all Members, accepted and produced as an accurate record at the Services meeting or the Full Parish Council.
73.	Is there any explanation as to why the minutes are a duplicate copy, and they have been produced as an accurate record? <i>LT will consider his records to see if there should be another set of minutes or another meeting. Details to be provided to KKC.</i>	The minutes are typed by RA and they are circulated by the typist. They are approved by the Full Council and may be approved by the Services Committee as well because the Environmental Sub-Committee is a Sub-Committee of the Services Committee.
	Letter of 22nd July 2008	
74.	How did this letter come to be written? Where would the instructions to write the letter have come from? Do you have any observations on this letter? Do you know how this letter was progressed? Did you speak to the Clerk about the letter? Did he approve the letter of 22 nd July 2008? How would Members have obtained information about the garage?	It would have been from the instructions from one of the Committee Members. The Clerk sent the letter out when the appeal was going to take place. I wrote the letter. SBC would have advised the Parish Council regarding the appeal and there would have been a tight timescale and I may have had to write the letter. I have not made autonomous decisions without going through Council or Members of the Council or individual Members. What I recall is the garage. A comment was made, this condition was not complied with. There was a letter sent to Mrs Fisher from SBC which said that the garage is not to be used as a room (letter of 18 th June 2007 provided to KKC). I would have had this letter from Mrs Fisher and I would have




	<p>How do you know the condition was not being complied with?</p> <p>Who wrote this letter?</p> <p>If you wrote the letter after the Environmental Services Committee who would have approved the letter before it went out?</p> <p>Do you recollect RH, the Clerk stating that all correspondence should go through him. Perhaps a meeting in September 2008?</p> <p>Do you recall a meeting where the clerk may have said that he needs to see all the letters before they go out?</p> <p>Do you have the Clerk's authority to use his signature?</p>	<p>noted the point about the garage from that letter.</p> <p>The condition about the garage has not been complied with it was not then, it is not now and it will not be in the future.</p> <p>The information about the garage comes from my own observation, see it with your eyes "plastering walls" who plasters garage walls?</p> <p>It looks as if I did write the letter Mrs Fisher would have passed the letter to me from the word go.</p> <p>Some Members of the Committee asked me to write the letter.</p> <p>No, I do not think so.</p> <p>This is post-advice from our Clerk that formal letters ought to be signed by the Parish Clerk and should go out under his name.</p> <p>Previously documents used to go out under my own name.</p> <p>I don't use it, the typist has the electronic signature. It his instructions that letters should go out under his name.</p> <p>He did not say that all letters should be sent out by him. I presume he has seen it before.</p>
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	<p>Do you recollect RA saying that he agreed with the Parish Clerk saying that he should see all correspondence before it goes out?</p> <p>So is it your recollection that Members can write letters and send them directly to the typist who sends them out?</p>	<p>No arrangements between Parish Clerk and Members about letters being seen before they go out. He said any correspondence from the Council should go under his name.</p> <p>I did not say he had to dictate the letter or look at it as if he did he would have to visit the Parish more regularly than he does now. If he has said that the Parish Clerk wants to see letters before they go out I have not seen it circulated in any minutes.</p> <p>Perhaps reported at Services or Policy or full Parish Council. All correspondence should go out in his name but he did not say he had to send it out or dictated by him. This was said before July 2008.</p> <p>Post July 2008.</p> <p>No, only on 1 occasion he brought to the Parish Council's attention.</p> <p>Nothing said to me and not in an open meeting either. No recollection of RA saying yes that's the way it was. If that was the case why was it not in the minutes. It is a serious matter, a change with policy or from standing orders.</p> <p><i>(at this point Cllr Tucker wanted to end the meeting) (KKC advised that we had nearly finished in any event but had a few things to go through if he could bear with me)</i></p> <p>Members can send letters and can dictate letters and send out on Council's letterhead.</p> <p>Sorry to use verbal. All correspondence should go out in the name of the Parish Clerk. He has not indicated that they have to go through him before they go out.</p> <p>The Parish Council has been lax.</p>
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	<p>The authority to use the Parish Clerk's signature would that be written down anywhere? <i>(LT to check and let KKC know).</i></p> <p>KKC advised she was not aware of any checks on complainants and that investigations about complaints against officers and members have to be undertaken.</p>	<p>Unlikely to have any formal authority or note of it in minutes to use his signature.</p> <p>Question from LT – are there any pre-investigation checks made on the person complaining? These individuals have a vendetta against me and the local community.</p> <p>In July 2009 he was arrested for harassing my wife. There is a Thames Valley Crime Reference Number, Thames Valley Police made us go through mediation with people at number 4.</p> <p>At the end of the mediation I said to him "you keep out of my hair and I'll keep out of yours" but the meeting was a complete waste of time. Anything said to them they will ignore. They have switched the vendetta from me to Mrs F[REDACTED]. They are bullying Mrs F[REDACTED], they are against me personally and the residents of Daventry Close.</p> <p>The 2009 instant has had a major impact on my health and what his family has done to my wife.</p> <p>The harassment and mediation was pre-August 2009 and it's following that mediation that Mr & Mrs Leybourne made this complaint against me. It is following my complaint to the Police about him harassing my wife.</p>
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Signed: 

	<p>KKC provided a copy of interview preamble and copy of witnesses to Cllr Tucker.</p> <p>The meeting ended at approximately 1.15-1.20pm. Mrs Tucker was collected from the staff lounge and taken to the reception area.</p>	<p>LT handed KKC various documents including the letters of reference. KKC reminded LT and SS about the confidential nature of the investigation and not to discuss the contents of the interview with anyone else. KKC advised that a draft set of notes from the interview will be sent to LT probably next week. KKC advised that she noted the difficulties between the neighbours on Daventry Close and that she was trying to conduct a fair and thorough investigation. KKC thanked LT and SS for attending the interview. KKC reminded LT that there may need to be a further meeting or telephone conference when and if the Clerk provided any further details about any other meetings and also there was still a number of other witnesses to interview which may throw up some further details which are may require clarification from Cllr Tucker.</p>
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Kuldip K Channa
 Litigation Solicitor
 On Behalf of the Monitoring Officer

SURE
 BLS WTW

I hereby declare that this a true and accurate record of the interview on 14 January 2010 and this is an agreed record of that interview.

Signed: *[Signature]*
 NAME: Cllr Tucker

Date: 25-07-10

012730-COR-283/92024

Signed: *[Signature]*

20

NOTE AS FAR AS I CAN RECALL OF ALL PAGES

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STANDARDS INVESTIGATION

COUNCILLOR TUCKER

DOCUMENT 10.1

This is a case of the complainant putting 2 and 2 together and making 5.

I did make the proper declarations of interest in the relevant Parish Council meetings and this is recorded in the Minutes kept by the Clerk.

I did not have a prejudicial interest to declare because I was never part of a body that had decision-making powers in respect to this planning application. The Parish Council is of course a statutory consultee with regard to planning applications within its boundaries and is invited to give its views to better inform the Borough Council – having declared an interest I chose to withdraw from the room while this matter was being discussed by fellow Parish Councillors, and this too is recorded.

In so far as Parish Councillors concluded they wished to object to this planning application, this does not constitute a “decision” regarding the application; in such cases Parish Councillors are merely communicating an opinion to the Borough Council that they consider there are certain planning grounds for rejecting the application which are detailed for further investigation and consideration by the Borough Council’s Planning Officers and/or Planning Committee. Subsequently, both Slough’s Planning Officers and the Planning Inspectorate in Bristol independently took the view that there were indeed planning grounds for rejecting this application.

The Parish Council did not adopt any different approach in this case to that which it would normally follow. It is the case that it mostly comments on planning applications for commercial properties and often takes the view with residential applications that it would leave it to “the neighbours” to raise planning objections. This is not an abdication of responsibility but a recognition both that “the neighbours” have a more intimate (24/7) knowledge of the properties concerned, and that the impact of the proposed development may be very localised.

The “leave it to the neighbours approach”, therefore, is dependent on Parish Councillors having a general feeling about whether the proposed development will have an impact beyond an immediate neighbour; hence there are many examples of it expressing an opinion about a proposed development in or near a Conservation Area, or Green Belt, or with a Listed Building, or where there is concern that the development will be out-of-character, over-bearing or undesirable, such as conversions of garages where on-street parking is inadequate and “Slough Sheds” in back-gardens. Indeed, there are inevitably going to be occasions where the Parish Councillors are “the neighbours” – it would be unreasonable for a neighbour to be silenced simply because they were also a Parish Councillor or not to make their concerns known to other Parish Councillors (just as any member of the public could). There may be a concern as to whether undue influence was used but it is Minuted that I declared an interest and withdrew while the matter was discussed by other Parish Councillors; the official view of the Parish Council on this matter was their view independently arrived at; the Parish Council did not communicate its views on this development in

anyway different from how it would normally communicate such views.

I understand that there is also an allegation that I orchestrated the opposition to this development – that is not true. In the first instance I was approached on the matter by Mrs Doris F [REDACTED], the next-door neighbour most affected by the development. I shared her concerns, though I would not be affected to the same degree. Mrs F [REDACTED] told me other residents shared her concern and she wanted to raise a petition; I told her that in my experience a petition would only count as one objection and it would be better for neighbours to write letters of objection – I know subsequently several did write letters of objection but Mrs F [REDACTED] persisted in wanting to circulate a petition and being elderly and a little timid she asked my wife to take the petition around our Close for her; it was entirely my wife's personal choice to do this. The petition was addressed to Slough Borough Council and I saw no conflict of interest in signing it.

As regards how Mrs Fisher came to have copies of the plans of the proposed development; it is claimed that these came from the Parish Council and it is suggested that I did something improper in supplying them. This claim is meant to support the view that I orchestrated the opposition. Neither I nor the Parish Council supplied Mrs Fisher with a copy of the plans of the development; Mrs Fisher quite properly obtained a copy of the plans from the Planning Department of Slough Borough Council and this confirmed to be the case in letters from both Slough Borough Council and Mrs Fisher.

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COUNCILLOR TUCKER

DOCUMENT 10.2

10.2 14 January 2010
Submitted by Councillor Thax

Taking pride in our communities and town

22 March 2007

Department: Development Control
Contact Name: Mr. Zoc Pankaluic
Contact No: 01753 875839
Fax: 01753 875869
Email: zoc.pankaluic@slough.gov
Our Ref:
Your Ref:

Mrs Fisher
4 Daventry Close
Slough

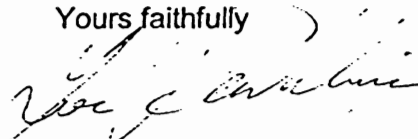
Dear Mrs Fisher,

RE: Plans for 4 Daventry Close

As you requested the plans for 4 Daventry Close are enclosed.

If you have any questions, please do not hesitate to contact me on the above number

Yours faithfully



For Head of Development Control

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COUNCILLOR TUCKER

DOCUMENT 10.3

10.3 14 January 2010
Submitted by Cavalier Tucker

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Slough

Borough Council

Taking pride in our communities and town

18 June 2007

Department: Development Control
Contact Name: Mr. Zoc Pankaluic
Contact No: 01753 875839
Fax: 01753 875869
Email: zoc.pankaluic@slough.gov.uk
Our Ref:
Your Ref:

Mrs D. F [REDACTED]
● Daventry Close
Colnbrook
Slough
[REDACTED]

Dear Mrs F [REDACTED]

RE: Conditions for ● Daventry Close

As per our telephone discussion, please find the conditions set out below.

1. Time (5 years to commence the development)
2. Approved Drawings. To be in accordance with Drawing 26207/A; Date: Feb 07 06; Recd On: 27/04/07
3. Materials to match existing house
4. No flank wall Windows in side elevation facing (no. 4 Daventry Close)
5. Garage use restriction (garage not be used as a habitable room)

Yours faithfully

[REDACTED]
For Head of Development Control

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COUNCILLOR TUCKER

DOCUMENT 10.4

10.4 14 January 2010
Submitted by Councillor The

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Slough
Borough Council

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Law and Corporate Governance

Contact Name: Teresa Clark
Telephone : 01753 875018
E-mail: teresa.clark@slough.gov.uk

Your Ref:
Our Ref :

Mrs D F [REDACTED]
[REDACTED] Daventry Close
Slough
Berkshire

14 December 2007

Dear Mrs F [REDACTED]

Planning Application P/13909/001- Location: [REDACTED] Daventry Close, Colnbrook

I am writing to acknowledge receipt of your letter and petition concerning the development at the above address. I have circulated a copy to all Members of the Planning Committee and also to your local Ward Councillors and the Commissioner for Planning and Transportation.

The contents of the petition will be taken into account when the application is brought to the Committee or dealt with under delegated powers. If the application is submitted to the Planning Committee, you will be invited to attend the meeting to observe the proceedings.

Yours sincerely

[REDACTED]

Teresa Clark
Democratic Services Officer

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COUNCILLOR TUCKER

DOCUMENT 10.5

10.5

LETTERS OF
SUPPORT
TO
LAURIE CHANNA

[REDACTED]

29 October 2009

TO WHOM IT MAY CONCERN

LAURIE T [REDACTED], Daventry Close, Colnbrook

I have known Laurie for at least 25 years, principally through our Church connections i.e. St Thomas' Colnbrook and St Michael's, Horton.

Laurie worked tirelessly for St Thomas', both ecclesiastically and through his involvement in so many community projects for the village. As Governor of Colnbrook Church of England Primary School, he invited me to join their special festival assemblies. I know he was very involved for years with that School, in both management and church activities.

Laurie has served many of the Vicars of St Thomas' and I am sure they would all attest to his faithful service to church and congregation.

Laurie is a Parish Councillor, also he serves at the Westgate School on the Appeals Committee.

Latterly Laurie and his wife Bea have been helping us at St Michael's Church Horton, to sustain that small parish church. Laurie has a wealth of knowledge on church charity work, and is our Charity Commission Treasurer. He serves on the Church Council where his counsel is greatly valued.

In the last couple of years Laurie's mobility has suffered, but though his health has prevented his whole sphere of involvement as before, nevertheless he is still serving the church and community very successfully. We would be much the poorer for his withdrawal.

Laurie and his wife Bea are two of life's blessings.

Beryl Walters
Licensed Lay Minister

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COUNCILLOR TUCKER

DOCUMENT 10.6

10.6

[REDACTED]

October 30th 2009

To whom it may concern:

Character reference for:- Laurie T [REDACTED] Daventry Close, Colnbrook

I have known Laurie for over 30 years, initially when he served as church warden at St. Thomas' Church Colnbrook. During that time he was a loyal and hard working member of the church. He conducted meetings efficiently and fairly. He listened to everyone's views and earned the trust and respect of the whole congregation. He worked tirelessly to install kitchen and toilet facilities into the church; getting grants and overseeing the whole project.

I have also known Laurie as a school governor and a friend.

He is a wise man who has common sense and lives his life showing understanding of national and local issues. He is reliable, a man of integrity who gives freely of his time to work for the good of others. He is a highly respected man in the local community and is known as someone who has balanced views, with a strong sense of social awareness and the needs of others. He also has strong family support .

Despite ill health he has continued his commitment to the church and the local community and has kept a positive outlook and a sense of humour.

Should you need any further information please contact me.

[REDACTED]

Janet M [REDACTED]
tel: [REDACTED]

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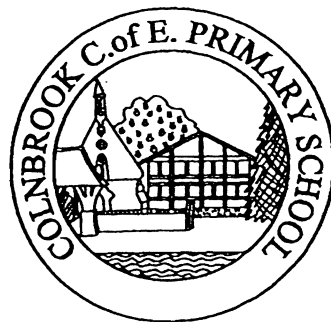
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COUNCILLOR TUCKER

DOCUMENT 10.7

Colnbrook C E Primary School
High Street, Colnbrook, Berks SL3 0JZ
Tel: 01753 683661 Fax: 01753 689302
Email: mail@colnbrook.slough.sch.uk

10.7



HEADTEACHER: Mrs Janice Brown IPD, NPQH

18th November 2009

Dear Sir,

I have chosen to write the following letter in support of Mr Laurie T [REDACTED], as I have had many different occasions to work with him over the past five years that we have known each other. To my knowledge he is unaware that I have written this letter.

As a Headteacher of the local primary school, I have worked with Mr T [REDACTED] to improve standards of attainment in the school, by recruiting experienced teachers and investing in new technology for use in classrooms as well as improving the learning environment outdoors for all children that attend the school. Laurie has always invested a significant amount of time and taken a great deal of pride in the achievements of all our children whatever their age. Through his work with the Parish Council he has supported our achievements through sponsorship and shields for events such as 'Writer of the Term' and our 'Village Quiz Nite', both important and significant events in the school and village calendar as a result of his support. Laurie has always endeavoured to attend assemblies, end of term plays and events for which the school and staff are always very appreciative.

Throughout this time, I have always found Laurie to be extremely reliable and very open and honest with his opinion and support when required. There have been many occasions when Mr T [REDACTED] has been asked to attend more serious matters in connection with his work as Parish Councillor, as well as a School Governor, during this time I have always been able to rely on his fair and unbiased opinion. He has always worked in a professional and confidential manner, for which I will always be very grateful.

Mr T [REDACTED] has many connections with other people, both in the village and wider afield. He is always willing to help and support the school and the children in anyway he can. He is a friend to the school in a number of ways and one we are all proud to know. He provides us with immeasurable support in so many ways it is difficult to quantify; however, the lasting nature of this is testament in itself to a lasting and valuable bond that we would be the poorer if it were not there.

...Cont.



The situation that Mr T [REDACTED] finds himself in has had a large detrimental effect on both the health and well being of Mr T [REDACTED] and his family. Whilst the school appreciates that we do not always see eye to eye with everyone on all occasions we find it difficult to accept that an individual who would do much to help anyone should find themselves in such a challenging and difficult position as this.

As a school we would ask that our thoughts and experiences of the work that Mr T [REDACTED] does to support the school and the people in the local community be considered when the case is heard against Mr T [REDACTED] later this month.

Yours sincerely

[REDACTED]

Mrs J. B [REDACTED]
Headteacher

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Published by COLNBROOK with FOYLE PARISH COUNCIL
Summer 2009

Colnbrook
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PARISH COUNCIL
Newslette



2009 REMEMBRANCE SERVICE AT ST. THOMAS' CHURCH COLNBROOK
Published by COLNBROOK with FOYLE PARISH COUNCIL
Winter 2009

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STANDARDS INVESTIGATION

COUNCILLOR TUCKER

DOCUMENT 11


ATTENDANCE NOTE

Matter: Standards Investigation - Cllr Tucker
Date: 06 January 2010 (draft typed on 6, 7 & 8 January 2010)
File: 012730-COR-283
 Standards Investigation - Cllr Tucker
Amendments made on 12 January 2010 (17:30 hours) during a telephone conversation with Mr Hewson.

6 January 2010 – record of telephone interview with the Parish Clerk – Mr Roland Hewson
Time: 4:15 to 6:50pm

First call at 4:02pm – Mr Hewson needed time to put things away and then attend to the telephone call – agreed to telephone again at 4:15pm.
 Second call at 4:15pm.

	Abbreviations: KKC – Kuldip Channa RH – Roland Hewson LT – Councillor Laurie Tucker RA – Councillor Ray Angell SQ – Steven Quayle SBC – Slough Borough Council PC – Parish Council	
A	Initial formalities – Agreed to proceed with interview. Reminder provided of the contents of my letter of 30 December 2009; RH - Questions raised: Keeping information confidential and criminal offence implications; KKC – explained the legislation regarding keeping the contents of interview and any other matters associated with the investigation confidential; RH - Who commits criminal offence? KKC – witness being interviewed. KKC – interview preamble read out. Any questions. RH - no except as discussed above.	

Signed: 

	<p>KKC – meeting not being tape recorded but a written record to be made. Was it being recorded by RH? RH – No KKC – Did RH have an advisor/friend present? RH – No KKC – was RH in a place free from interruptions and able to speak openly? RH – yes KKC – saying if need for break , then can stop interview as necessary. KKC - Read interview preamble. RH - No questions.</p> <p>Note: some part of the interview on the office mobile, but it cut out so home landline used for remainder of interview. During later part of interview, both KKC and RH needed to use another telephone handset as batteries were low. This did not cause any real problems for the continuity of the interview.</p>	
No	Question	Answer
B	Parish Clerk duties/role/committees/Parish Council processes	
	1.How long been a member of Parish clerk?	.15 yrs, since the formation of the Parish Council. It was formed on 1 April 1995.
	2.Apart from extensive experience – any other formal training for parish clerk duties?	No – Parish Clerk since 1979, first at Britwell – for 12yrs and Denham prior to this.
	1. How many committees does the Parish Council have?	Full Parish Council (Emergency Committee which sits in between if no committees sitting; can be called at any time). Services Committee – Cllor Laxman Policy & Finance Environment sub- committee



		Ad hoc committee for example the group set up to plan the 15 yrs celebrations for the Parish Council. LT is Parish Council Chair and Chair of Policy and Finance and the Services Committee. Each committee has its own Chair.
	2. How often do they meet?	Parish Council once per month; most others once a month. Meetings are mostly once a fortnight. Environment sub meets as and when necessary.
	3. Do you service all the committees?	Main committees. Not the Environment Sub as this is dealt with by Ray Angell.
	4. Do you note down things during the meetings?	Yes, hand written note made. The note is destroyed once minutes are approved.
	5. Is there a minute book?	No
	6. How soon after a meeting are minutes typed?	Minutes are formalised the next day. Generally typed the next day and send out for example if a meeting takes place on Tuesday, the Minutes would be sent out by Thursday.
	8a. So on average there is a two day turn around period for minutes?	Yes
	7. Are the minutes typed by you or someone else?	Typed by agency. I write them up in long hand and they are sent to office services for typing.
	9a. So the Minutes are typed up by someone else, written in long hand by you and then an agency worker types them up?	Yes – office services.
	8. How the are minutes signed off as an accurate record?	The minutes are signed off at the following Parish Council meeting or at the next committee meeting.
	10a. Who signs them off?	The relevant Chair from previous meeting.
	9. The Minutes provided to SQ, the Monitoring Officer in September 2009 – are they the formal signed off version?	Yes



	11a. Identifying the meeting dates and minutes from bundle of documents.	Agreed: 10 April 2007 16 Oct 2007 4 Dec 2007 17 July 2008 21 July 2009
C	Parish Council Members and planning issues	
	10. Are some members more active than others? 13a. Who are the more active members?	Very much so. More active members are Laurie Tucker, Chair of the Parish Council Vice-Chair - Ray Angell K Laxman, Mike Rayner, Councillor Jones and Zeffert
	11. How do members contact the public e.g. surgery? 14a. How do the public know about these?	Monthly surgery Advertised in advance. There is a rota and a Councillor attends them. (Only problem about attendance has been with the District Councillor, as often we have to find cover as he fails to attend.) Surgery is held in the village hall. Notice board in the Parish. Cards distributed with Parish councillors details. There is a newsletter twice a year. It is a 6 monthly update, one at Christmas and one in the summer. There is a Parish Council website.




	12. How active would you say is LT as a member?	Over and above other members – as chair of Parish Council he has specific responsibilities and greater involvement to make the Parish Council operate. Its to continue the practical operation of Parish Council. He has a role equivalent to the Mayor.
	13. How often does he chair meetings?	From the Annual Report, in terms of percentage of attendance – LT's has been 100% He has chaired all 10 Parish Council meetings. From the 10 Policy & Finance meetings he has chaired all but one for which he was delayed at SBC and RA took Chair at that one.
	14. How are decisions about who will Chair a meeting made at, before or during meeting?	Generally if the Chair is not there then the Vice Chair will take the meeting, but if both absent then members present will select one member.
	15. Generally how many members at the meetings on average?	Every councillor is a member of every committee so they can attend any of the meetings. On average there is about 75% at each meeting, so out of 12 councillors there are usually 9 at most meetings.
	16. What is a quorum meeting?	For Parish Council 5 members and for committee 3 members
	17. Are you familiar with the code of conduct as adopted?	Indeed yes
	18. What training have you had on the code of conduct?	No formal training, I have been in local government for 50years. When the revised code came out and it was open to consultation we went through it. The adopted code by council is as it was presented in model, this is best practice.



	19. How much training have members had on the Code of conduct?	<p>The training depends on SQ as when he delivers it.</p> <p>Every new member given opportunity to attend training given by monitoring officer.</p> <p>Generally training if there is an update on the code itself.</p> <p>All members issued with booklet with code.</p> <p>We go through the procedure with any new councillors following an election. When members are issued with the Standing Orders they are issued with the Code and finance regulations.</p>
	20. What does personal interest mean to you?	<p>This is a mute point as a question but it is an interest affecting individual councillor or members of his family, a financial interest.</p>
	21. What does prejudicial interest mean to you?	<p>It depends on what the interest relates to.</p> <p>This particular thing at the moment for example the Parish Council has no powers of decision on the application, it is just a consultee like anyone else.</p> <p>If a Member has planning application on his street he would have an interest. But in this particular case he has no power to make or pass planning application.</p> <p>In other cases for example in developments sums of money have been offered for example £500 for the Parish Council to support a planning application, this is clearly wrong in cases like Johal.</p>
	22. What are your expectations about what a member should do if he has a personal and prejudicial interest?	<p>Declare it ; leave meeting; remain if the Chair gives permission; cannot take part unless on a point of clarification.</p>
	23. How are the parish meetings published?	<p>Agendas published in advance; agenda issued with minutes of last</p>



		meeting so generally about a fortnight in advance; placed in Library, newspapers notice boards of which there are 5 throughout Colnbrook; the website.
	24. Can public attend committee considering a planning issue?	Yes – When Monitoring Officer and Standards Chair visited the council a member of the public attended and SQ congratulated the council on its handling of the situation. We try to ensure anyone can attend.
	25. Have any members of the public attended on a planning application? 25a. What about objectors?	On large projects the applicant will attend with his architect for example on a hotel application; for example Jflex, Grundons, Public houses At one meeting there were 30 objectors opposed to the Jflex application; this is in the Royal Borough but affects Colnbrook as it is close to the boundary/border.
	26. How are planning applications brought to committee's attention?	Fortnightly list of applications is sent by SBC; List read out at Parish Council or committee meeting and members decide if plans are to be requested and seen. If it is a small extension then unlikely to call for plans or make comment. There is a tendency to make comment on large developments and larger extension on domestic properties or commercial sites.
	27. How many planning applications has the committee considered since 2006? (how many on average a month or year?)	Depends on the number of applications made, in the last few months the numbers have dwindled. There have been 10 at one meeting or just 2 the next. The main difficulty is SBC only allow 21 days to consult and this is difficult sometimes to manage as it



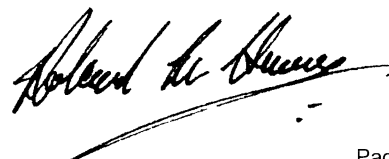
		is a short time, so not all applications may be considered within the short time scale.
	28. What types of cases have they been?	<p>Every type of planning application is considered. The Parish Council decide whether to see plans or visit the site.</p> <p>There are no party politics as this is left outside the meeting.</p> <p>Representations have been made on LANC (aircraft noise), charitable trust.</p> <p>The interests of Colnbrook are considered and not anything on a personal basis.</p> <p>Leading members are fervent about interests of Colnbrook.</p>
	29. Has committee considered any where front porches have been an issue?	<p>We have in past where the front porch application upsets the building line of the street and have made comments about the application.</p> <p>There have also been comments on extension of houses.</p>
	30. Has committee considered any applications where extensions were an issue?	<p>Yes information is picked from the planning list and it describes the site. Comments more usual on situations where there is an application to demolish one unit and put two in its place or put another one up twice as high.</p> <p>On rear domestic extensions no comment unless large one.</p> <p>Generally on smaller ones the terminology in the Minutes might say "leave to neighbours".</p> <p>If there was a house in conservation area we would wish to ensure English heritage are consulted and might comment in that way so as to prompt SBC consult them if not done so.</p> <p>Generally they do but it is just a note of the Parish's comment and reminder.</p>

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		If the Parish Council is opposed to any application it has to say why to SBC and it has to have valid planning reasons.
	<p>31. How did 4 Daventry Close come to attention of committee?</p> <p>34a. Do you recall asking for the plans?</p> <p>34b. What would be the normal process to obtain the plans?</p> <p>34c. Do you recall if any member took the 4 Daventry Close ones away?</p>	<p>Originally on the fortnightly planning application list and plans would have been requested.</p> <p>No I do not recall doing it but recall seeing them.</p> <p>I would call SBC. The plans would be sent to my home and I would bring to council meeting. They would be available on table next to me at the meeting.</p> <p>Sometimes a councillor may take them away.</p> <p>I am assuming that LT may have taken them to discuss with neighbour. It is an assumption as I have no specific recollection.</p>
	32. Did you go with members on any site visits on the Daventry Close case?	No
	33. Did you speak to the owners of 4 Daventry Close?	no
	34. Was there a "champion" member on the Daventry Close case?	Not that I recall; LT lived in the same road and he declared an interest and it was dealt with by other members; (may have been RA who is Chair of the Environment Sub-Committee and – he does minutes for that Committee and RA makes verbal report to the Parish Council)
	35. Were you aware of who the complainant was in this case?	<p>I was not aware at start but I know Mrs Fisher, the neighbour did complain during development. She may have complained to LT but I am assuming this and don't know for sure. I am not aware how Mrs Fisher complained.</p> <p>Members did instruct me to write to SBC. There is a letter of 18 October 2007. SBC did not respond to that</p>



	<p>38a. Who approved the letter of 18 October 2007?</p> <p>38b. Who approved the letter before it went out?</p> <p>38c. Councillor Tucker is copied into the letter – what was the reasons for this?</p>	<p>letter.</p> <p>The letter asks SBC to look at the site. If SBC had looked at it then there would have been a stop to it. If SBC did not look at it then SBC not done their job properly.</p> <p>The letter was sent out by me without further consultation with members. There was a discussion and I was asked to write the letter. I would have put the discussion into planning terms in the letter. Comments can only be put in planning terms. Generally I write the letter and there is no further consultation with any members. It has been decided at the meeting and I write the letter and send it off.</p> <p>Letter copied to him, I am assuming so he could tell Mrs Fisher that Parish Council had followed up her complaint.</p>
	36. Did you speak to the complainant, Mrs Fisher?	No
	37. Were you aware of what the issues in the case were?	I had hearsay information but not about development. I heard about the difficulties Mrs Fisher was experiencing, there were difficulties between the neighbours.
	38. Are you aware that there was a petition?	Not until Standards Investigation, probably heard about the petition from KKC.
	39. Do you recall requesting the plans for Daventry Close?	Possibly but not sure. The planning docs etc include the application, the plan of site & full plans themselves, they are comprehensive documents.
	40. Do you recall copying documents or	Not aware documents copied. Until



	plans?	something is approved there is no copyright issues. Plans can be viewed. We would not have copied them, certainly not done this.
	41. Are you aware of anyone else requesting additional plans?	No. I assume that SBC informed neighbours and assumed neighbours may have asked for them but don't know that they did for certain.
	<p>42. Did you receive any plans in the case?</p> <p>42a. Are you aware if anyone else received any plans?</p> <p>42b. If you had received any plans where would they be kept?</p> <p>42c. What would happen to plans once the decision had been made – would they be sent back to SBC?</p> <p>42d. Do you recall if you have the plans in a box – is it possible to check?</p> <p>42e. How would public have had access to the plans?</p> <p>42f. Are you aware who from the Parish Council may have sent them to a member of public for example Mrs Fisher?</p>	<p>Not sure.</p> <p>No</p> <p>If decision made at the meeting then take plans back home. If members wanted to look at site or consult with neighbours then they may take them away until Parish Council had made a decision.</p> <p>No, not sent to SBC, they are kept in a storage box at my house.</p> <p>This is asking an awful lot. I only work 13 hours a week and there is only just me doing the administration. They could be anywhere in the garage, at St Thomas or somewhere else in the house.</p> <p>Probably through the member contacted originally. If someone is elderly then someone will take them to them and let them see them.</p> <p>Not aware and I did not send any to Mrs Fisher.</p>




D	Various Parish Council and Committee Meetings and 4 Daventry Close	
	Meeting of 10 April 2007 – Parish Council Meeting	
	<p>43. Tell me what your recollection of the meeting is when planning applications considered?</p> <p>43a. Where is the letter? Searching bundle – not in the bundle. RH went to pick up chronological bundle of documents which he keeps on Parish Council business. Letter was found. Briefly read out. Copy requested to be sent to KKC.</p> <p>Agreed that RH to check the minutes of 17 April meeting and send KKC a copy.</p>	<p>None other than what is in the Minutes. Looking at minute PC/06/108 It seems there was no site plans. Clerk instructed to write letter.</p> <p>It ought to be with the bundle provided to SQ.</p> <p>Letter dated 11 April 2007. It was sent to SBC. The letter states, “thank you for application plans. It is noted there is no site plan. Parish Council objects as it is over development of the site. The side extension reaches the boundary of plot and blocks the neighbouring occupier’s light. A site plan is requested so it can go back to the Parish Council on 17 April.”</p> <p>It was just missing the site plan the council had the rest of planning application.</p>
	<p>44. The declaration is at PC/06/104, the planning item is considered much later at PC/06/108, second page of the Minutes, did LT withdraw from the meeting?</p> <p>44a. If LT left the meeting would you have recorded it?</p>	<p>I do not remember that. Members leave meeting if their own extension is being discussed, they would leave the meeting. On that occasion I do not remember and could not say if he left the meeting.</p> <p>LT having declared an interest would not have been able to speak on it, unless it was on a point of information and there was permission from the Chair.</p>



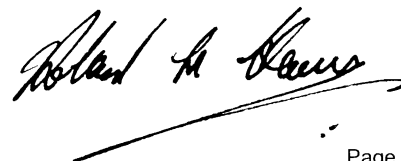
	<p>44b.LT is the Chair of the meeting, it is not recorded who took over this item?</p> <p>44c.Do you recall LT leaving the room?</p> <p>44d. Who brought the item to the table at that meeting if LT not speak on it?</p> <p>44e. Who advised or voiced what the objections were?</p>	<p>The Vice Chair would have done so, it is automatically he who takes the Chair for that item.</p> <p>My judgement is that he remained. Nothing untoward which sticks out as standing out form crowd. The standard practice is if Chair declares interest then Chair would not speak on it. He would have remained in room but not taken part in discussion. More than likely this is what happened if it is not recorded that he left the room.</p> <p>Follow the process.</p> <p>The group at meeting would decide the objections and this can only be on planning grounds and I put them into planning terms in the letter.</p>
	<p>45. Any other comments about the meeting/explanation or anything to add?</p>	<p>No</p>
	<p>Meeting of 16 October 2007 – Services Committee Meeting</p>	
	<p>46. It is noted that the Vice Chair was in Chair - would that be for throughout meeting?</p>	<p>Yes – Councillor Zeffert was in the Chair</p>
	<p>47. Do you have any recollection of the meeting itself?</p> <p>47a. Councillor Tucker was present at that meeting and 4 Daventry Close considered at SER/07/32, do you recall if he declared an interest and/or withdrew from the meeting?</p>	<p>No, only what is recorded in the Minutes.</p> <p>It would have been noted on minutes if LT had left but if it is not noted then he did not leave or declare an interest. I cannot be certain about what happened at the meeting but it would have been noted in minutes.</p> <p>You can see from the Minutes that LT had large portion of reports to make at this committee and it is</p>



	<p>47b. Who would have passed on the complaints about the extension?</p>	<p>likely that he may not have left the meeting when the planning item was considered.</p> <p>LT passed on complaint from neighbours. It is likely to have been LT who reported information to committee.</p> <p>It is a point of information. It was asking Parish Council to support the neighbour in getting an SBC Planning Officer to look at the site. The Parish Council is only a consultee and not the decision maker. It is not the decision making process.</p>
	<p>48. What were the instructions to contact SBC?</p> <p>48a. It is copied to LT, why?</p> <p>Agreed that as discussed above there would have been no further approval by members as the letter would have been sent out directly by RH.</p>	<p>It is what is contained in letter of 18 October 2007.</p> <p>LT would have asked for a copy of it at the meeting and I would have copied it to him.</p>
	<p>Meeting of 4 Dec 2007 - Environment Sub Committee This committee is not serviced by RH. RA deals with all the administration for this Committee. No further questions raised with RH.</p>	
	<p>Meeting of 17 July 2008 – Environment Sub Committee This committee is not serviced by RH. RA deal with all the administration for this Committee. No further questions raised with RH.</p>	
	<p>Meeting of 21 July 2009 – Services Committee</p>	
	<p>49. At SER/09/17, there are no declarations of interest?</p>	<p>There is no declaration as the correspondence was sent to me and I brought it to the members attention at the meeting. There was no</p>



	<p>49a. It is noted that he returned to the meeting after the item, is this your usual method of recording such things in the minutes?</p>	<p>declaration at the beginning as it was not an agenda item as such. It was under a general heading of correspondence with no list of specific letters. When the item of ● Daventry Close came up, LT declared an interest and left the meeting.</p> <p>Yes as it happened, it would be recorded in the Minutes.</p>
	<p>50. Do you recall the gist of the discussion or debate by members on this item? It was a hard line to take to have no more communication with a member of the public?</p>	<p>This was not the first letter from him. He had lost his planning application and he had lost his appeal and he was niggling away looking for someone to blame. One of the points raised was why was I objecting to a planning application when I lived in Hatfield. He queried everything I said including asking for the Chairman's allowance. It appeared to become personalised by Leybournes. There was no point in dealing with it anymore and needed to be brought to an end. Parish Council could not review the planning decision.</p>
	<p>51. Do you recall who suggested that there should be no more correspondence with the Leybournes?</p>	<p>Likely to have been Councillor Hood or RA.</p>
	<p>52. Who approved the final version of letter?</p>	<p>It was sent off and there was no approval. In the Standing orders, only the Parish Clerk can issue orders. Formal letters should be sent by Parish Clerk. (reference made to the email regarding the booking of the Village Hall for Standards Investigation).</p>
	<p>53. Referring to the letters, in particular to the letter of 22 July 2008 sent to the Planning Inspectorate, and the details about the garage in the letter, where did</p>	<p>I did not write this letter. It follows Environment Sub Committee meeting. Someone from that Committee used the office services</p>



	<p>this information come? The garage information may not have affected the Inspector's decision but it is important for the complainants as they say that this is incorrect?</p> <p>56a. This is obviously very serious, are you saying that someone else wrote this letter and has used your signature without your authorisation and the letter had gone out to the planning inspectorate before you knew about it?</p> <p>56b. Do you know who did this?</p> <p>56c. Would office services have record of the person instructing them to write the letter?</p> <p>56.d How did you deal with this with members?</p> <p>56e. Do you have any comments about who may have written this letter?</p>	<p>company of the Parish Council and they have my electronic signature and that has been used on the letter.</p> <p>The letter had gone out and then I received a copy from office services. The Parish Chairman and Councillors can write in their own name and they should use their own signature and not mine.</p> <p>Yes</p> <p>No comment.</p> <p>Would not have thought so.</p> <p>At a council meeting, (possibly the first meeting in September after the Summer recess), I said that a letter had been written in my name and that I remind all councillors that I need to have sight of it before it goes out.</p> <p>I would not have expressed this in this forceful way. I would not have been so categorical and would have left some get out point in the letter.</p> <p>As I have said in my letter of 8 July 2009 to the L [REDACTED], the Inspector would have made his findings on planning grounds and not on a consultee's documents. The use of the garage was of no planning significance.</p> <p>I make no comment.</p>
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	<p>56f. You say it was after the Environment Sub Committee, there were only four members present so it has to be one of those four?</p> <p>56g. Looked at the Minutes and agreed the other relevant members at the meeting were Ray Angell, M Rayner and M Nye.</p> <p>Generally discussed that in view of this new information, then I would have to interview the other three members at the meeting of 17 July as well as LT.</p>	<p>Yes, one of the four.</p>
	<p>54. Anything else to add?</p>	<p>No</p>
	<p>55. Any questions?</p>	<p>No</p>
<p>E</p>	<p>General discussion: Saying that only an investigation can ascertain the information to decide what it is all about and draw conclusion from the evidence. Explaining the reasons for asking RH to advise LT, since I had only been appointed and had only made contact with RH and not any contact with LT. The information about the investigation had come to the attention of the Leybournes during a telephone conversation with SQ and it was important that LT was informed immediately and that is why I had telephoned RH asking him to advise LT immediately. Advising that the letter about the compliant from the Leybournes was dated 24 August 2009. SQ's report to the Standards Sub Committee is dated 15 September. I was appointed mid October. Then LT wanted various documents, time needed to consider them, then it was half term and both I and LT were away, then there were issues about where the meetings should be held, so whilst there has been activity on the case it has been background work. The guidance allows 6 months for an investigation. I was aiming to get a report done by mid December but that has not</p>	<p>General Discussion: This may be malicious complainant and a neighbour dispute. SBC has taken it too far with this investigation. Do not recollect similar action with other Parish councillors and district town councillors. LT on the standards committee. Parish Council is not decision maker in this case. LT had no authority to make decision in this case, what we said we did so as consultee and it can be ignored or accepted. There was no personal prejudice here. Advising LT about the investigation should have come from the Monitoring Officer. The investigation has taken too long, many months. We have not seen the complaint. LT's health has been affected. He is upset and in my view he may not remain as a Parish Councillor and it would be a sad loss for Colnbrook.</p>



	<p>been possible and now I am aiming for the February committee. Information collating takes time as it needs to be written up then sent to the interviewee and then finalised etc. I note the pressures on LT, in terms of his health and I am doing my best to deal with it as quickly as possible.</p> <p>Saying that LT has been provided with all the relevant details about the compliant etc.</p> <p>Advising again that the information should remain confidential and should not be discussed with anyone. I will be using the information to compile my report. This will then be sent to LT and the final report then provided to Standards Sub Committee. I will send RH a copy of the interview notes of today. He can approve the notes.</p> <p>Saying thank you to RH for his honesty and integrity in answering my questions.</p>	
	Interview terminated at 6:50pm	

Kuldip K Channa
 Litigation Solicitor
 On behalf of the Monitoring Officer

I hereby declare that this a true and accurate record of the interview on 6 January 2010 and this is an agreed record of that interview.

Signed: 

Date: 2nd March 2010

NAME: RICHARD L.N. HEWSON

Signed:  18

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SLOUGH BOROUGH COUNCIL

STANDARDS INVESTIGATION

COUNCILLOR TUCKER

DOCUMENT 11.1

Correspondence:

The Parish Clerk
1, Swallow Gardens
Hatfield, Herts.
AL10 8OR

COLNBROOK with POYLE PARISH COUNCIL



Our Ref: RLNH/JSB/070240

11th April 2007

Development Control Division
Slough Borough Council
PO Box 580, Wellington House
20 Queensmere, High Street
Slough
Berkshire. SL1 1FB

Dear Sir,

P/13909/000 – New Extensions at Daventry Close

Thank you for sending the above application plans to the Parish Council, although it was noted that there was no site plan. Nevertheless the Council wishes to object to this proposal as an overdevelopment of the site. The size of the side extension appears to reach almost to the boundary of the plot, and certainly impinges on the neighbouring property and the occupiers light etc.

I should be grateful to receive a site plan if available which I shall then take back to my Council on 17th April 2007.

Yours faithfully,

Roland L.N. Hewson
Clerk and Finance Officer

The meeting on the 17th April 2007 was a Services Committee. There is no mention of this proposal and as far as I am aware the requested site plan was never received or sent.

*18th Jan 2010
17.00 hr*

CHAIRMAN:	Mr. Laurie Tucker	Tel: 01753 683386
VICE CHAIRMAN:	Mr. Ray Angell	Tel: 01753 680507
CLERK & FINANCE OFFICER:	Mr. Roland Hewson	Tel: 01707 267958

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SLOUGH BOROUGH COUNCIL

STANDARDS INVESTIGATION

COUNCILLOR TUCKER

DOCUMENT 12

ATTENDANCE NOTE

Client: SBD Resources Directorate
Matter: Standards Investigation - Daventry Close
Date: 12 January 2010 – Interview Notes
File: 012730-COR-283

Interview with Councillor Ray Angell

DATE: 12 January 2010

TIME: 03:02 – 04:30pm

Abbreviations

Councillor Laurie Tucker – LT
 Councillor Ray Angel – RA
 Roland Hewson, Parish Clerk – RH
 Councillor Laxman – KL
 Councillor Clive Zeffret – CZ
 Slough Borough Council – SBC
 Local Authority - LA
 Steven Quayle, Monitoring Officer - SQ
 Kuldip Chana, Standards Investigator – KKC

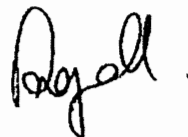
Preliminaries

KKC read the interview preamble to RA. A copy was also provided to RA. A general neutral discussion regarding progress of case and witnesses. It was noted that time was short for the interview, probably only an hour since RA was attending another meeting in the same building at 4pm.

No:	Question	Answer
	Duties/role/Parish Committees	
1.	How long have you been a Parish Councillor?	1996
2.	Do you any formal training for Member	no

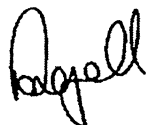
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Signed:

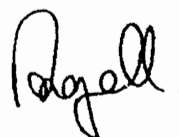


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	duties?	
3.	How many Parish Committees are there?	Finance and Policy, Services of which the publicity, environment and planning are sub-committees,
4.	How many do you attend?	Everyone, if not on holidays or other special reasons
5.	How many do you Chair?	Chair of the Environment Sub Committee , also Chair other meetings if LT not present or he has declared an interest
6.	Does each Committee have its own Chair?	LT chairs the Parish Council, the Finance and Policy; I am the vice chair; KL chairs the Services Committee and CZ is the vice chair
7.	If the main Chair is absent, how is another one appointed?	One of us will naturally take over or if LT or RA not present then the Clerk will ask for a deputy to take over.
8.	If actions are to be taken who would approve them after the Committee meeting has taken place?	RH attends the Parish meeting and Finance and Services and he will action from the meetings. Environment Sub – Committee, "I do this". I provide to councillors and discuss at the Parish meeting for example an expenditure item I would ask for approval by Members .
9.	If the Parish Clerk has written any letters following instructions from Committee, is there any approval mechanism before the letter is sent out?	He will have been told to write specifically, for example could he write on these lines, we will have gone through it and given him an idea of what we wanted to be written down in the letter. Clerk writes the letter. We might just really talk it over say RH to LT or RH to me or the other way around, so it depends on what it is.
10.	Do you note things down during meetings, for example during the Environment Sub Committee?	Take notes and scribe minutes from that.
11.	Is there a Minute book?	No. Notes are handwritten, typed and then throw away written copy .
12.	How soon after an Environment Sub Committee meeting do you get the Minutes?	Quite quickly. I try to get it to councillors before the next full Parish meeting which is every two weeks. I try to get the minutes out in about two or three days .



13.	Who types the Minutes for the Environment Sub Committee?	RA
14.	How are the Minutes from the Environment Sub Committee signed off as an accurate or formal record?	They are presented to a Parish Council meeting. Generally not signed off by the Environment Services Sub-Committee because "its not that much of a formal meeting". I present the minutes to the Parish Council meeting, and there may be approval for some actions for example something like "buy three new litter bins".
15.	So would the minutes be regarded as formal minutes once you present them at the Parish Council?	Yes, an accurate record once accepted by Parish Council Meeting.
16.	How are minutes of the Environment Sub-committee circulated in particular minutes of 4 December 2007 and 17 July 2008?	I email them to the typist and a copy is sent by Janet Beasley to Members. She does other typing and is paid by Parish Council. It is contract work.
17.	Will you be able to provide me with her details?	Yes I probably have her email and can let you have it when I get a chance.
	Parish Council Members and Daventry Close	
18.	Are some Members more active than others on the Parish Council?	That is a bit of a leading question. I have views on this. I have been a resident since 1976, been part of the residents association and school governor etc. I would say that active are LT, RA, MN, PH, HJ, CZ, and KL and the others are active to some degree.
19.	Are there meetings for the public, such as surgeries?	Yes, sit there for an hour and no-one attends, people attend if they have a complaint. There is Colbrook Chat, leaflets etc.
	<i>KKC - Other general questions were not put to RA since time was short for the interview. KKC advised RA of other general information she had about Parish Council such as quorum meetings etc.</i>	



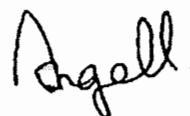
20.	Are you familiar with the Code of Conduct for Members as adopted by the Parish Council?	RH keeps us in check. I have not studied it in depth. RH asks if interest to declare and we say "yes" or "no". As I recall it is a matter of being sensible.
21.	What training have you had on the Code of Conduct?	No, don't recall any training. New Councillors given training. We rely on RH to run through things as they should be done.
22.	What does a personal interest mean to you?	It is something where I would object to something which I personally do not like but it could be good for the Parish Council. If it directly affected me I would declare an interest. For example if neighbours had an extension and I objected to it I would declare an interest or if it was something down the street, I would not partake in its consultation.
23.	What does a prejudicial interest mean to you?	I have not come up against it.
24.	What are your expectations about what a member should do if he has a personal and prejudicial interest?	Declare it. Tell us and we would need then to go through it. We would discuss it quite clearly for example, CZ had a planning application and we did a site visit. He declared an interest. We could not understand what he was doing from the plans so we looked into it closely. I am in the construction business. We asked questions of CZ and did a site visit. We do not make exceptions.
25.	Can members of the public speak at committee meetings?	Yes, Parish Council meeting and speak. Services Committee and Finance and Policy they can speak if they are invited to do so. Environment Sub-Committee, sometimes it is in LT's house and sometimes in my house. There are no public able to attend these meetings. If there was a problem we would probably have a separate meeting.



26.	How do planning matters come to the attention of the Parish Council?	Planning sheet from SBC. Generally say "leave it to neighbours". If there was an over-development we would say so. We have no power to make the decision. We can only voice our opinion as the Parish Council. SBC will do what they want to do.
27.	Has the Committee considered cases where front porches have been an issue?	Not that I can remember but it does not say that we have not done so.
28.	Has the Committee considered cases where front extensions have been an issue?	Yes we get lots of them. There are lots of extensions in the Parish but its when they are outside the planning consent that it is a problem and we have to do something about it.
29.	How did Daventry Close come to the attention of the Parish Council?	Neighbours complaint; and we can send an email to S Hogg and get him to investigate from SBC. We try to email the same person. Do a chaser sometimes. If there is planning permission then there are no problems for us.
30.	Did you go on a site visits on Daventry Close? Where was site visit conducted from, Village Hall?	Yes. Meeting may have been in LT house or RA house, not sure. I did state that as one set of minutes said it is just across the road that, that would depict the meeting was at LT's house whilst the other set of minutes said just around the corner which would suggest my house.
31.	Did you speak to the owners?	No
32.	Was there a "champion" Member for the 4 Daventry Close case?	Not really. LT declared interest and this brings our attention to it and we knew that he would object to it and that we needed to have our own views on it. We wrote to SBC. LT had declared an interest because he was objecting to it.



	Do you recall what objections were made by LT?	Not verbatim. It was not according to the planning permission. A direct neighbour had spoken to him. There was a problem with the garage etc.
33.	Were you aware who the complainant was?	Yes
34.	Did you speak to the Complainant?	No
35.	Were you aware of the issues in the case?	See previous answer above.
36.	Are you aware there was a petition? Did you help to organise the petition?	Yes I was aware of the petition. I did not know how many people had signed it. Generally people are advised to write individual letters. No, I believe it was a neighbour but would not be able to swear to it.
37.	Did you see any plans for the application on 4 Daventry Close?	Yes, probably from RH
38.	Are you aware of anyone else asking for any additional plans?	No
39.	If the Parish Council received any plans where would they be kept?	RH would take them back. We would look at them at a meeting. Sometimes a Member may take them away and could be looked at next meeting. CZ is an architect and we may have asked for his advice or something like that.
40.	Are you aware how Mrs Fisher may have obtained the plans, did the Parish Council send them to her?	No, don't know. Guess would be "no". Don't know how she got them.
	Various Parish Council Meetings	
	<i>KKC - Due to pressure of time the meetings of 10 April 2007 and 16 October 2007 were not considered.</i>	
	Meeting of 4 December 2007	
41.	There appears to be no time on Minutes, no Chair recorded or where it was, what are your comments about these observations?	I can't recall the time of the meeting. I can see this now looking at the Minutes in this way. The meeting would have been at my house or that of LT. I cannot remember precisely where this one was. Looking at the Minutes I can see that things should be noted and they are not on there. It is noted as result of this and we will try to make sure how



		we record things in the future.
42.	Was there a site visit to Daventry Close?	Yes
43.	Who attended the site visit? A letter was to be written, how was this decided – the letter of 6 December 2007? Who wrote the letter?	LT did not attend site visit. He had declared an interest. LT came back to meeting when we came back. There was a decision to write a letter outside at the site visit. We had made the decision to write the letter. I spoke to RH on 5 December 2007. I made a telephone call to RH because it was recess, the letter was to be sent by RH because no meeting until January 2008.
44.	The Minutes record that a report was made to LT, why was that done as he had declared an interest?	It would have come up at the next meeting and just told him like any other member of the public.
	Meeting of 17 July 2008	
45.	The Minutes appear identical to those of 4 December 2007, can you have a look at them now?	Yes, I do the Minutes and I have used cut and paste.
46.	There was another site visit, did you attend that site visit?	Yes
47.	Had LT declared an interest and left the meeting?	Yes
48.	The Minutes record that a report was made to LT, why was that done as he had declared an interest?	Its cut and paste.
49.	Did LT return to the meeting as it is not recorded that he did?	My recollection is that we did another site visit. It was seven months later and a new site visit was needed. Nothing had changed from the first time. It was the same thing. I think I have used cut and paste. I am not a typist and it is easy for me to cut and paste. There is no admin support. I "do it myself".
50.	So the Minutes of 17 July 2008 are a copy of the Minutes of 4 December 2007?	Yes, cut and paste.
51.	The Minutes were approved by being formally accepted at the next Parish meeting?	Yes
52.		

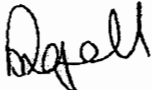
	The letter of 22 July 2008, from the Parish to the Planning Inspectorate, is written directly after the meeting of 17 July, how did it come to be written?	Spoken to RH, I probably said to him and he would have done it and he could have read letter out to me. I cannot be 100% that I did have the conversation with him. I cannot remember for sure.
53.	As the Chair of that Sub Committee, did you ask anyone else to write the letter?	I am Chair of the Environment Sub Committee if I am present. I would not begin to hazard a guess. I know where you are taking me. It should go to RH.
54.	The Clerk has no recollection of this letter being sent by him, he did not authorise anyone to use his signature, how would this letter have been written and by whom after the Environment Sub-Committee?	The next meeting would have been in September. I cannot remember RH saying anything about it. He would have copied it to us and would have advised us what to do. "It was not me. I would not know that address there (<i>reference Planning Inspectorate address</i>). The usual protocol is for RH to write the letters for the Chair. RH would do it. Honestly can't remember. I do remember RH saying that all correspondence should go through him and I agreed saying that's how it should be done. I can't comment on the letter now. My recollection is that I must have asked RH to do it but it was a long time ago. The usual practice would be send Minutes to Janet and she would send them out. Both Committees were in recess. I might have forgotten to ring him. Where would the address have come from? I would have written to the planning at SBC. I did not tell Janet Beasley to write the letter on my behalf. I have only spoken to her about Minutes.
55.	Do you have anything else to add?	No, not really. Parish Council in this position because SBC not done their job. SBC planning should have followed everything up and it happens time and



		<p>time again. Don't know whether they are short of Planning Officers, it's a bit galling and for what has happened "they should be brought to book". People contravene planning and it should be followed up. Rules are there to be followed. Skips are a problem for Parish Council but SBC not done anything; parking is a problem but nothing is done by SBC. We have learnt from this and we will record everything now. If SBC Planning had followed things through we would not be in this situation. If they had made site visits and done things etc.</p>
	<p><i>KKC and RA had a general discussion about some general matters on the case. RA concerned about the letter of 22 July 2008 and how it came to be written especially if Clerk is clear that he did not write the letter. KKC thanked RA for his time; advised of next steps and that notes of interview will be sent to him for approval; may be included/quoted in the report; unlikely to be called for oral evidence by KKC as hopes to deal with it on paper; RA reminded of confidentiality again.</i></p>	

Kuldip K Channa
 Litigation Solicitor
 For and on behalf of the Monitoring Officer

I hereby declare that this a true and accurate record of the interview on 12 January 2010 and this is an agreed record of that interview.

Signed: 
 NAME: Ray Angel

Date: 23rd February 2011

PRIVATE & CONFIDENTIAL

SLOUGH BOROUGH COUNCIL

STANDARDS INVESTIGATION

COUNCILLOR TUCKER

DOCUMENT 12.1

12.1

Channa Kuldip

From: RayAngell [REDACTED]
Sent: 03 February 2010 22:00
To: Channa Kuldip
Subject: Re: [REDACTED] Daventry Close Investigation

Kuldip

It is very difficult to assess whether any minutes are missing as the Environment Committee does not meet at a regular interval. It is more on a need to meet basis and quite often at quite short notice if something crops up.

As for the time was it not started in August last year?

Your

Ray Angell

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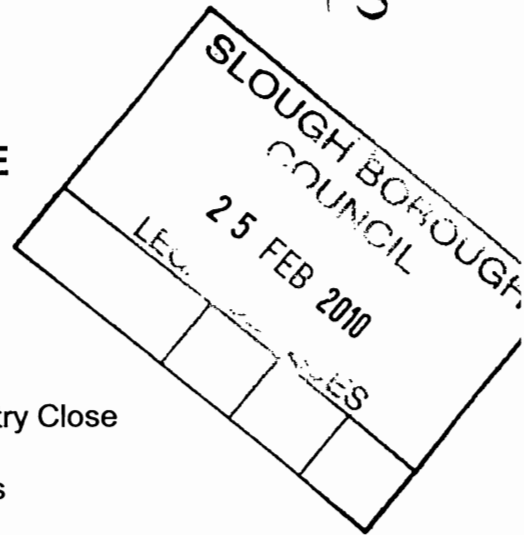
STANDARDS INVESTIGATION

COUNCILLOR TUCKER

DOCUMENT 13

13

ATTENDANCE NOTE



Client: SBD Resources Directorate
Matter: Standards Investigation - 4 Daventry Close
Date: 20 January 2010 – Interview Notes
File: 012730-COR-283

Interview with Councillor Clive Zeffret
DATE: 20 January 2010
TIME: 08:40 – 09:50am

Abbreviations

- Councillor Laurie Tucker – LT
- Councillor Ray Angel – RA
- Roland Hewson, Parish Clerk – RH
- Councillor Laxman – KL
- Councillor Clive Zeffert – CZ
- Slough Borough Council – SBC
- Local Authority - LA
- Steven Quayle, Monitoring Officer - SQ
- Kuldip Chana, Standards Investigator – KKC

Preliminaries

KKC read the interview preamble to CZ. A copy was also provided to CZ. A general neutral discussion regarding progress of case and witnesses. CZ advised that he was self employed and that attending the interview was costing him money. KKC advised that she would attempt to deal with it as swiftly as possible and was grateful for his time.

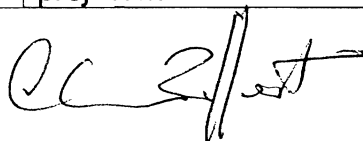
Signed:

A handwritten signature, likely of Clive Zeffert, written in black ink. The signature is stylized and includes a long horizontal stroke extending to the right.

No:	Question	Answer
	Duties/role/Parish Committees	
1.	How long have you been a Parish Councillor?	Three years
2.	Are some Members more active than others on the Parish Council?	Some Members are less active. It is clear by attendance at meetings. I attend about 90% of the meetings but I am not active on outside bodies like other Members.
3.	How active would you say LT is?	No one is more active than LT. He attends 100%. He is in poor health. He does an unbelievable amount of work and he does work on outside bodies. He is a man of great integrity.
4.	What Committees are you on?	Vice Chair of the Services Committee.
5.	How many times do you Chair meetings?	Only in the absence of Councillor Laxman. I have chaired about 5/6 of them.
6.	If the main Chair is absent, how is another one appointed?	It is pre-set. The Vice Chair will take over immediately. It is already laid down. LT explains the situation and say who will chair the meeting.
7.	Are you familiar with the Code of Conduct for Members as adopted by the Parish Council?	Yes I am familiar with it; all Members are made familiar with it.
8.	What training have you had on the Code of Conduct?	Not any formal training; it is a large document and duty of each councillor to get informed about it.
9.	What does a personal interest mean to you?	Regarding a planning application if in a close vicinity or personal knowledge of the applicant, anything which might suggest you have an unbalanced view of the situation, that is your personal interest. For example, a bus shelter on my land, to give you a personal example, the Members reviewed the case rigorously, much attention was given to the case, as a Parish Councillor I cannot assume it will not be looked at carefully.
10.	What does a prejudicial interest mean to you?	If you have knowledge of the applicant and an adverse opinion of the application and your attitude to it may be biased and therefore would be prejudicial.

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Signed:

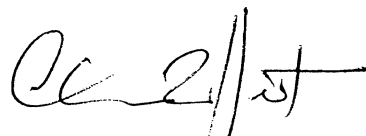


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11.	What are your expectations about what a member should do if he has a personal and prejudicial interest?	At the beginning of ay meeting, all Members are asked for declaration of interests and that is made clear. It is a standard situation and you must declare and it always happens. You are not present for the item on the agenda.
12.	How do planning matters come to the attention of the Parish Council?	Parish Council has no planning control over planning applications. SBC has absolute control. Parish Council gives its opinion and it has no power. It is a body which gives its corporate opinion on planning applications.
13.	What types of case have they been?	Some of strategic importance; large applications for example depots impact on the road structure; there is added pollution and concentration of traffic and then there is employment so a balance has to be reached; there are also dozens of extension applications.
14.	Has the Committee considered cases where front porches have been an issue?	Yes, there have been some.
15.	How did Daventry Close come to the attention of the Parish Council?	Through the planning list from SBC.
16.	Did you go on a site visit?	No
17.	Did you speak to the owners?	No
18.	Was there a "champion" Member for the 4 Daventry Close case?	Not at all. All applications are discussed. The case involved a high brick wall and it was not acceptable as far as planning was concerned and the added area was rejected by planning. There is a lack of understanding as the Parish Council cannot take action. Someone has disregarded the planning laws. There were two major applications considered as well as this minor one. SBC should be taking enforcement action but it has gone on for years and the applicant is more and more encouraged to carry on and feels they are invincible.



19.	Did you speak to the Complainant?	No
20.	Are you aware what the issues were?	Yes, there was a high wall and a porch addition and it was without planning permission.
21.	Are you aware there was a petition?	I had nothing to do with it but I believe a neighbour did one and it being in the bundle of papers today is the first sight I have had of it. I see LT and Mrs Tucker on there, they are neighbours and that is normal and outside of any council work.
22.	<p>Looking at Minutes of meeting of 10 April 2007, p20, What is your recollection of the meeting when the planning applications were considered?</p> <p>Can you recall what happened or is it the standard process that you are recalling?</p> <p>This meeting was at Westfield Hall, where would a Member declaring an interest have gone to leave the meeting?</p>	<p>Some Members talk and talk and LT tries to control the meeting so this does not happen.</p> <p>The Clerk introduces the item. He was advised to write the letter. I have a vague recollection. There was a small discussion and people gave their views. The standard procedure was followed.</p> <p>I think I am pretty sure it happened. I can't say I remember that person doing this or that but I know LT would have followed the standard procedure. There is no question of LT taking part in any discussion. The Clerk would not allow this miss procedure to happen.</p> <p>Stand out in the lobby. I had to do this for my application.</p>
23.	Looking at Minutes of the meeting of 16 October 2007, do you have any recollection of this meeting?	After I have left the meeting, it goes out of my mind.
24.	What about any declarations?	<p>On the full Parish Council Minutes, a declaration is noted. It looks like an oversight by the person doing the Minutes.</p> <p>I don't have a recollection of it. LT would not get involved in the discussion because he knows it is his close neighbour and he is fully aware of the implications if he did so being a close neighbour.</p>



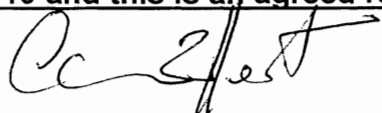
25.	If the Parish Clerk has written any letters following instructions from Committee, is there any approval mechanism before the letter is sent out?	The item is discussed. Plans will be passed around. Members make comments. There would be declaration of interests. Concerns would be formalised and suggest what needs to be done. The Parish Clerk writes on behalf of the Parish Council. Parish Clerk does not come back as it has been approved at the meeting.
26.	<p>Looking at the Minutes of 21 July 2009, at p42, do you have any recollection of this meeting?</p> <p>Do you have any observations about LT leaving the meeting?</p>	<p>We would all have our own opinions. LT's influence would not be necessary as every Member would not be in support of the applicants.</p> <p>When the situation comes to the fore then there is intense discussion. Nothing transgressed on previous meetings. On writing it in the Minutes it does not weigh on the discussion. Here there was more detailed discussion and LT declares and leaves the room.</p>
27.	What are the reasons why this application came to the attention of the Parish Council so often?	I have not visited the site but I understand the wall was in contravention of planning rules. I know the wall was built without planning permission and retrospective permission was refused. Planning permission is not refused unless it is causing a problem to neighbours.
28.	Do you have anything else to add?	I have said everything really. Its very sad such a stress put on LT and he is revered in the village and in serious poor health and he has done nothing except good service. For someone to make a complaint like this and spend tax payers money like this, it should have been stopped in its infancy.
	<p><i>KKC and CZ had a general discussion about some general matters on the case.</i></p> <p><i>KKC thanked CZ for his time; advised of next steps and that notes of interview will be sent to him for approval; may be included/quoted in the report; unlikely to be called for oral</i></p>	



	<i>evidence by KKC as hopes to deal with it on paper; CZ reminded of confidentiality again.</i>	
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Kuldip Channa
Litigation Solicitor
For and on behalf of the Monitoring Officer

I hereby declare that this a true and accurate record of the interview on 20 January 2010 and this is an agreed record of that interview.

Signed: 
NAME: CLIVE ZEFFERT

Date: 24/02/2010

Signed: 

PRIVATE & CONFIDENTIAL

SLOUGH BOROUGH COUNCIL

STANDARDS INVESTIGATION

COUNCILLOR TUCKER

DOCUMENT 14

ATTENDANCE NOTE

Matter: Standards Investigation - Cllr Tucker

Date: 30 December 2009

File: 012730-COR-283
Standards Investigation - Cllr Tucker

Record of telephone conversation with Mrs F██████ - 16 December 2009 at 4:30pm

1. I explained to Mrs F██████ my role and that this was a voluntary interview and that she was not obliged to answer any questions. She could stop the interview at any time. She agreed to talk to me as part of the investigation. She was elderly and wanted to get the interview done as soon as possible.
2. Questions:
 - a. Plans –
 - i. With regard to the plans for building works at Daventry Close – did she have a full set/copy of the plans? YES
 - ii. How did she obtain a copy of the plans? FROM SBC
 - iii. Did she collect them from the offices? NO – SBC SENT THEM TO HER. SHE HAS A LETTER DATED 22 MARCH 2007 FROM ZOE PANTALINIC, SAYING THAT SHE CAN ASK HIM ANY QUESTIONS. “I WAS NOT HAPPY WITH WHAT THEY WERE DOING, WHEN THEY STARTED TO DIG, I SAID HE WAS NOT ENTITLED TO DO IT, HE SAID HE COULD DO WHAT HE LIKED, I WAS NOT HAPPY SO I ASKED FOR THE PLANS”.
 - iv. Do you recall discussing the plans in your lounge with Mr Leybourne? YES, I SHOWED THEM TO HIM, HE ASKED WHERE I GOT THEM FROM AND I TOLD HIM FROM SBC. WE TALKED ABOUT THE WORKS THAT HE WAS DOING ON THE BUILDING.
 - v. What happened to the plans? I SENT THEM BACK TO SBC.
 - vi. Do you remember when or to whom? NO
 - vii. Have you had any dealing with the Parish Council about the plans? NO, IT HAS ALL BEEN THROUGH SBC.

viii.

b. Petition

- i. Do you recall the petition? YES
- ii. Do you know who organised the petition? NO, CAN'T REMEMBER, ONE OF THE NEIGHBOURS DID IT, I WAS ASKED TO SIGN IT, NEIGHBOURS KNEW I WAS NOT HAPPY WITH THE WORK. "RESIDENTS WERE UPSET". I AGREED WITH PETITION. I DID NOT ORGANISE IT OR TAKE IT AROUND, SOMEONE ELSE DID THIS.
- iii. Was anyone from the Parish Council involved with the Petition? NO, I DEALT WITH IT THROUGH SBC.
- iv. Do you recall what happened to the petition? IT WAS SENT TO SBC. I HAVE LETTER FROM SBC (14/12/07) SAYING THANK YOU FOR THE PETITION.

c. Council Meetings

- i. Did you attend any planning committee meetings at the town hall? NO
- ii. Did you attend any planning committee meetings at the Parish Council? NO - DEALT WITH IT ALL THROUGH SBC; DIFFERENT PEOPLE CAME FROM SBC, MR MANN, MR CHRISTOPHER, DIFFERENT PEOPLE CAME FROM THE COUNCIL.
- iii. Did anyone from Parish Council come to see you? NO
- iv. Did any Parish Councillors contact you? NO; SOME PEOPLE WERE UPSET BY THE BUILDING WORK.

3. Would you like to add anything else?

- a. "WHEN HE BUILT WHAT HE SHOULD NOT HAVE DONE SO I CONTACTED THE COUNCIL. I OBJECTED TO THE WALL SIZE. HE BUILT MORE THAN HE SHOULD HAVE DONE SO. I KNEW HE WAS NOT CO-OPERATING. HE IS NOT A NICE CHARACTER. I OBJECTED TO THE WORK. NOW IT IS 2M HIGH. I STILL OBJECT TO IT AS I CANNOT SEE END OF CUL DE SAC FROM MY HOUSE. I CANNOT WAVE TO MY FAMILY LEAVING. I AM 85 YEARS OLD".
4. I asked if I could contact Mrs F█████ again in case I had any more questions. She said she did not mind if I did so.
5. Mrs F█████ asked if the investigation had any detrimental effect on her? I ADVISED HER THAT IT DID NOT DO SO AND THAT I WAS APPOINTED TO GATHER FACTS ABOUT THE SITUATION AND REPORT TO THE MONITORING OFFICER. SHE WAS SIMPLY

HELPING ME TO PIECE TOGETHER THE FACTS AND THERE SHOULD BE NO DETERIMENT TO HER FROM MY INVESTIGATION.

6. Conclusion:

- i. Agreed to send her a copy of the notes of the conversation. She could make additions or amendments and then send them back to me.
- ii. Thanked Mrs F[REDACTED] for her co-operation and time. She said she was glad to have been able to help.

Kuldip K Channa
Litigation Solicitor
For and on behalf of the Monitoring Officer

PRIVATE & CONFIDENTIAL

SLOUGH BOROUGH COUNCIL

STANDARDS INVESTIGATION

COUNCILLOR TUCKER

DOCUMENT 15

[REDACTED]
[REDACTED]
[REDACTED]

15

Re Notes from Interview -
Amendments.

1. Time 10 am - 11 am
2. Burglary 2008
3. Delete Alex Add Nicholas
4. Delete Mrs F [REDACTED] Mrs T [REDACTED] did
not have mobile phone with her

[REDACTED]

SLOUGH BOROUGH COUNCIL			
24 FEB 2010			
LEGAL SERVICES			

ATTENDANCE NOTE

Client: SBD Resources Directorate
Matter: Standards Investigation - Daventry Close
Date: 20 January 2010 – Interview Notes
File: 012730-COR-283

~~Interview with Mr. R [REDACTED] - Daventry Close – direct neighbour to Mr & Mr L [REDACTED]~~

DATE: 20 January 2010
TIME: 8:40 – 9:50am

①

Preliminaries

KKC thanked Mr R [REDACTED] for attending the interview. KKC explained the investigation was relating to the planning permission at Daventry Close. KKC read the interview preamble to Mr R [REDACTED]. He accepted the confidentiality position and said he was keen to put the neighbours side of the story to KKC. He had no problems with keeping the information confidential and understood the interview preamble letter as read out to him.

No.	Question	Answer
	KKC said that her questions surrounded the petition and how it came to be organised and who was involved. KKC showed Mr R [REDACTED] the petition.	Mr R [REDACTED] pointed to the details on the petition and advised that “the last two signatures are my wife’s and mine”.
	Who organised the petition?	Mrs. F [REDACTED] organized the petition. There was an informal discussion about the petition.
	How do you know it?	There was an informal discussion when he built the unauthorized extension. Mrs. F [REDACTED] talks a lot and does nothing. She is old.
	Did you help Mrs F [REDACTED] take the	She asked Mrs. T [REDACTED] do take it around.

	petition to other neighbours?	This was taken around before the parish meeting about the planning took place, but I am not 100% certain about this.
	Are you a close friend of Mrs F [redacted]?	We have been neighbours and friends since 1968. My wife and I bought the house when it was built from new. We picked the plot. It only cost £6,250 then. We put down a 50% deposit. Basically we are friendly with all the neighbours. We used to be friendly with people at number 4 too, just to say "hello" to at first and also took parcels in for them. But now we ignore each other.
		When the neighbours first moved in, they were not sure about the fence dividing our properties. They did not know who's it was and they wanted to put up a high fence. I said to them it is your prerogative. We had some climbing shrubs on the fence. When we were away one weekend all the climbing shrubs had been chopped and cut back and a new fence had gone up. We felt upset about the shrubs. For the previous 30 years it's been a fine neighbourhood and everyone has been friendly with each other. If anyone asked for help we would give it. If the people at number 4 asked for help we would give it but now we do not take parcels in for them anymore. The situation has got worse because of the planning problems and the extra works they have done without the permission.
	Did you help Mrs T [redacted] with the petition?	No
	Do you know anyone who may have helped Mrs T [redacted]?	Mrs. Tucker went around on her own but not 100% sure if anyone else did help. Councillor Tukcer could not go around with Mrs Tucker because he cannot walk very far. He finds it difficult to walk.
	Are you friends with the T [redacted]s?	Over the last ten years we have become more friendly with the T [redacted]
	Mr R [redacted] advised KKC of the following information about the	This started after the application and when we had been in touch with SBC

<p style="text-align: center;">②</p>	<p>situation with the L [REDACTED], the planning permission and general neighbourhood issues</p>	<p>planning department objecting to the application. It has got worse over the last two years.</p> <p>On January 20, our house was broken into. We were away for a few days. Our neighbour at number 1 had a key to take in mail. The rear patio door had been forced open. We asked number 4 if they had heard any noise. After about 10 or 15 minutes she came back and said that Mr L [REDACTED] had heard something on Tuesday night but we were still in the house then so we just ignored this information.</p>
		<p>Over the last year or so we have had things thrown over the fence, such as soiled pants. Mrs T [REDACTED] flung them back over the fence. We did not say anything about the soiled pants to the neighbours.</p> <p>Mrs L [REDACTED] tried to trim a tree with a TPO on it. I advised the planning office. There is a slight overhanging but they have to get permission from Rodney Way as it is in their garden. It is about 15 feet over the leylandi tree.</p> <p>We had to call the police again because a climbing rose which was on our side of the fence had been cut back. They would have had to climb over the fence to cut it. The fence is 7 feet high. The PCSO came over and said anyone coming over would have been noticed by people at Rodney Way. I told the PC it might be people at number 4 and he said "oh no not them". The PSCO said that "I have had dealing with them and had to help with the youngest son".</p> <p>I spoke to the Planning Inspector at Bristol. We wrote to Bristol objecting and we got a letter back. We then heard, possibly from the planning people at SBC that Mr L [REDACTED] objected to the refusal.</p>

[REDACTED SIGNATURE]

		<p>Then Mrs R [REDACTED] told us that he had appealed and she showed me letters she had received.</p> <p>With regard to the Parish Council, We have not discussed it with Mr T [REDACTED]. We have not contacted Councillor T [REDACTED]. Perhaps in hindsight we should have done but we were waiting for the SBC Enforcement Officers' decision.</p> <p>The objection relates to the fact that it is out of keeping with the street. There is no porch on the other side of the street. My house has the original porch and it is smaller. Their porch is much larger. They have fitted a downstairs toilet. I am not sure how it is slotted into the sewage system.</p>
<p>(3)</p>	<p>Does Mr L [REDACTED] do the building work himself?</p>	<p>Some work he did, external work was done by a builder, no name or board on the van or when the materials arrived there was no names on the vans.</p> <p>Have they been aggressive to you? The young daughter would open the window and shout, "Fuck off our garden". I ignored it because she does not know what she is doing. It is probably what she has heard in her house being used by the others. The young boy Alex has encouraged the girl to do these types of things. She has trampled Mrs Fisher's plants and the father has watched them. Someone walked over our flowerbeds in the front garden. The young boy is the troublemaker.</p> <p>We are old enough to ignore it but it can cause bad feelings. It is difficult sometimes.</p> <p>Sometimes it is too noisy. When we are watching TV, there is slamming of doors and yelling. One day I had to tell him to</p>

[REDACTED SIGNATURE]

(4)	<p>stop knocking out a fireplace on our adjoining wall as it was past 9pm and it was very disturbing. He had all day to do it and did not have to do it so late. You can hear yelling most evenings. We have got immune to it.</p> <p>The L [redacted] made a complaint to the police about Mrs Tucker about taking photographs of the children. Mrs F [redacted], Mrs T [redacted] and Mrs R [redacted] were in the front at the time. Mrs T [redacted] does not have a camera on her mobile. The police asked us and we told them that she does not have a camera on her mobile and she did not take photographs.</p> <p>Generally there is animosity between the L [redacted] and T [redacted]s and Mrs F [redacted]. Mrs F [redacted] has had trouble with the children walking on her garden. When the scaffolding was up, she did let them hang it over her side of the area but the children would throw sand at her windows. I have seen sand marks on her windows.</p> <p>Another, just a petty thing really, I saw Mrs L [redacted] chucking leaves from our tree over the garden as if we would not notice. We all have recycling bags, it could have just been put in them. She dropped the bag on our side but I like to be neighbourly and gave it back.</p> <p>A lot of the things that happen are petty and annoying.</p> <p>When the Parish Council objected to the planning permission this is when it all started I would say.</p> <p>The building work on the extension is "shipshod". I know about construction work as I was an accountant for a construction firm in Reading for a good</p>
-----	--



		<p>few years. Where he has had to comply with the enforcement action he has left bricks chipped with rough edges facing Mrs F█████'s property. There should have been a concrete finish to the work.</p> <p>The L█████ were not happy with the objections. The neighbours want to keep the Close in keeping with the character of the area.</p> <p>There was no objection to the original plans, we were happy with the extension but when the porch came out it was without planning permission and out of keeping with the Close. He wants to rule Daventry Close and neighbours don't want him to.</p> <p>I would say that he knew what he was doing about the planning permission and going beyond current planning permission. He had exceeded the permitted extra space. He could build a per centage of the property but he exceeded the amount and got away with it.</p> <p>When they first came they were reasonable neighbours. If they do not get their own way, they get annoyed, first it was with Mrs F█████ and then the T█████s, especially in the last two years. The children throw stones at them etc. A lot of it is pettiness on the part of the Leybournes.</p>
	Do you add anything else?	No. General discussion regarding Mr R█████ past work and the neighbourhood.
	KKC reminded Mr R█████ about confidentiality and advised on the process and unlikely she would be calling him as a at any hearing as all	



	should be dealt with as a paper report by her. KKC thanked Mr R [REDACTED] for his time in helping with the investigation.	

Kuldip Channa
 Litigation Solicitor
 For and on behalf of the Monitoring Officer

I hereby declare that this a true and accurate record of the interview on 20 January 2010 and this is an agreed record of that interview.

Signed:

[REDACTED]

Date: 23.2.2010.

NAME:

[REDACTED]

PRIVATE & CONFIDENTIAL

SLOUGH BOROUGH COUNCIL

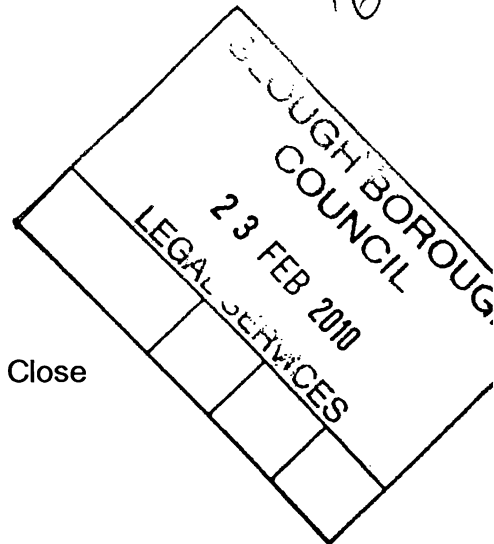
STANDARDS INVESTIGATION

COUNCILLOR TUCKER

DOCUMENT 16

16

ATTENDANCE NOTE



Client: SBD Resources Directorate
Matter: Standards Investigation - [redacted] Daventry Close
Date: 5 January 2010 - Notes of interview
File: 012730-COR-283

Telephone interview with Mrs C [redacted], a neighbour signing the petition

DATE: 5 January 2010

TIME: 12:52pm

Abbreviations:

KKC – Kuldip Channa – Investigation Officer

SBC – Slough Borough Council

Preliminary

KKC thanked Mrs C [redacted] for being available for the telephone interview. KKC explained the investigation was relating to the planning permission at [redacted] Daventry Close. KKC briefly explained the interview preamble and she accepted the confidentiality position and happy to talk to KKC. She had no problems with keeping the information confidential and understood the situation.

No.	Question	Answer
	KKC said that her questions surrounded the petition and how it came to be organised and who was involved. Confidentiality reminder; advised regarding the investigation and report process.	
	Mrs C [redacted] gave KKC the following information	The petition was taken around by "B". This is Beatrice T [redacted]. The neighbours were in general agreement and Mrs Tucker took the petition around on behalf of Mrs F [redacted]. Mr L [redacted] is a "nasty man", this is the man at number [redacted] Daventry Close. The plans were fine but then what was built was not. "I cannot see Mrs Fisher now" because of the

		building. It is out of order and not like the rest of the houses. I did not go around with the petition and I just signed it.
	<p>KKC reminded Mrs C [redacted] about the confidentiality and process. There was a general discussion about the use of the information in a public report. KKC asked if Mrs C [redacted] was happy with this and she confirmed that she was. KKC advised that she will send a copy of the notes to her and that she can consider the information again and discuss any matters with KKC then as well as necessary.</p>	

Kuldip Channa
 Litigation Solicitor
 For and on behalf of the Monitoring Officer

I hereby declare that this a true and accurate record of the interview on 5 January 2010 and this is an agreed record of that interview.

Signed: [redacted]

Date: 20-2-2010.

NAME: [redacted]

Signed: *M. E. Godey*

PLEASE SEE BELOW – PLEASE SIGN AND DATE ONE COPY OF THIS LETTER AND RETURN TO ME IN THE PRE PAID ENVELOPE PROVIDED.

5 January 2010

Dear Mrs C [REDACTED]

**Re: Planning Permission in relation to [REDACTED] Daventry Close, Colnbrook
Pre interview information**

My name is Kuldip K Channa (you already have my details) and I have been appointed as a Standards Investigator by Steven Quayle, who is the Monitoring Officer for Slough Borough Council. Mr Quayle in his role as Monitoring Officer has responsibility for Colnbrook with Poyle Parish Council.

This is an interview for the purposes of gathering information about a complaint about the circumstances surrounding the planning permission in respect of various works at 4 Daventry Close.

I will be taking notes, but I am not tape recording this interview.

I am conducting this interview under the powers given to the Monitoring Officer by the Local Government Act 2000 and The Standards Committee (England) Regulations 2008.

I will issue a formal report. Parts of the notes of this interview may be included in the draft and final report.

If the matter is considered at a hearing, notes of this interview may be submitted as evidence. Witnesses may be called at that hearing. I am unlikely to call any witnesses to give oral evidence at the hearing but, it is possible that a party, such as a Parish Councillor may wish to call you as a witness. You will be contacted by that party separately if this is the case, however in my view it is unlikely you will be called as a witness under these circumstances. If you provide me with information of a sensitive or private nature, I will advise the Monitoring Officer and Standards Sub Committee (who may refer the matter to the Adjudication Panel for England) to keep this information confidential. This is, however, their decision and they may disagree with my recommendation and allow the information you have provided to me to be made public.

Please treat any information provided to you during the course of this investigation as confidential. In addition, there are statutory restrictions on the disclosure of information obtained during an investigation. This is covered by Section 63 of the Local Government Act 2000 and disclosure of information contrary to this is a criminal offence.

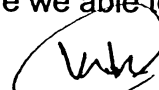
Do you have any questions about what I've said?

Is there any reason why the interview cannot go ahead today?

Do you have a fixed end time?

Please request a break at any time during the interview I will offer you a break around every hour and I may decide to take a break to assist me in my role, even if you do not feel you need one.

Are we able to continue with the interview today?


Kuldeep K Channa
Litigation Solicitor
For & on behalf of the Monitoring Officer

NAME:.....

SIGNATURE:.....

DATE:..... 29-2-2019

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SLOUGH BOROUGH COUNCIL

STANDARDS INVESTIGATION

COUNCILLOR TUCKER

DOCUMENT 17

ATTENDANCE NOTE

Client: SBD Resources Directorate
Matter: Standards Investigation - 4 Daventry Close
Date: 22 January 2010 – Interview Notes
File: 012730-COR-283

Amended by letter received by SBC on 23 February 2010

Telephone interview with Mrs W [redacted] – diagonally opposite neighbour to number [redacted] Daventry Close

DATE: 22 January 2010
TIME: 10am – 10:15am

Abbreviations:
 KKC – Kuldip Channa – Investigation Officer
 SBC – Slough Borough Council

Preliminary

KKC thanked Mrs W [redacted] for being available for the telephone interview. KKC explained the investigation was relating to the planning permission at [redacted] Daventry Close. KKC read the interview preamble to Mrs W [redacted]. She accepted the confidentiality position and happy to talk to KKC. She had no problems with keeping the information confidential.

No.	Question	Answer
	KKC said that her questions surrounded the petition and how it came to be organised and who was involved. Confidentiality letter read; advised re investigation and report process.	
1.	General overview of the issues surrounding the planning permission for number [redacted] Daventry Close?	
2.	Who organised the petition?	Doris (Mrs F [redacted]) asked for it. She is not able to take it around so Mrs T [redacted]

		knocked on the doors.
3.	Who came around to see you with the petition?	Mrs T [REDACTED]
4.	Was there any pressure to sign the petition?	I was aware about the issues and concerns. There was no pressure to sign it.
5.	Did you have any dealings about this with Councillor Tucker?	No, only Mrs T [REDACTED]
6.	Are most of the residents elderly in the Close?	No, its about fifty/fifty; there are seven houses; four belong to retired people; several people with children now.
7.	Do you have anything else to add?	I have had no contact with Mr T [REDACTED] about the planning permission only Mrs T [REDACTED] about the petition.
	KKC reminded Mrs W [REDACTED] about the confidentiality and process. There was a general discussion about the use of the information in a public report. KKC asked if Mrs W [REDACTED] wanted any of the information omitted and she confirmed that she did not want to do. KKC advised that she will send a copy of the notes to her and that she can consider the information again and discuss any matters with KKC then as well as necessary.	

Kuldip Channa
 Litigation Solicitor
 For and on behalf of the Monitoring Officer

I hereby declare that this a true and accurate record of the interview on 22 January 2010 (as amended) and this is an agreed record of that interview.

Signed:

Date:

NAME:

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SLOUGH BOROUGH COUNCIL

STANDARDS INVESTIGATION

COUNCILLOR TUCKER

DOCUMENT 18

5th January 2010

Ms Kaldip Channa,
Department of Borough Secretary & Solicitor,
Slough Borough Council,
Town Hall, Bath Road, Slough, SL1 3UQ

SLOUGH BOROUGH COUNCIL		
08 JAN 2010		
LEGAL SERVICES		

Dear Ms Channa,

Planning Application, 4 Daventry Close, Colnbrook

Thank you for your letter of 30th December relating to your investigation of the circumstances surrounding consideration of the planning application for a side extension and front porch at 4 Daventry Close. I was aware of concerns being expressed by neighbours about this proposed development, especially from Mrs Doris F [redacted] – who is the most affected.

As a borough councillor for Colnbrook at that time I had been asked by Mrs F [redacted] how she might go about objecting to this development. I explained that as a then member of the Planning Committee and SBC's Commissioner for Planning I could only advise her on the process to be followed and could not express an opinion about the proposed development as this would be considered pre-determination if the matter were to subsequently come before me in these aforementioned roles.

I was also aware that Mrs F [redacted] had initiated a petition. My wife was approached to sign it by another neighbour, Mrs Bea T [redacted], who was circulating it on Mrs F [redacted]'s behalf, as Mrs F [redacted] is in her 80s. My wife said that her signing it might cause a conflict of interest problem for me. I was not asked to sign it. I believe this was because my position was understood, namely that as a Planning Committee member I could not express an opinion on a matter that might go to that Committee, and that as the Commissioner in charge of the Department handling the application and responsible for enforcement action, should the matter come to that, I could not give the appearance of lobbying "my officers".

I trust this clarifies my position, and that of my wife, in this instance. However, should you have any remaining questions about this that you wish to ask please feel free to telephone – my mobile number may be the best to contact me on: 07785 723764.

Yours sincerely,

[Redacted signature block]

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SLOUGH BOROUGH COUNCIL

STANDARDS INVESTIGATION

COUNCILLOR TUCKER

DOCUMENT 19

ATTENDANCE NOTE

Client: SBD Resources Directorate
Matter: Standards Investigation - Cllr Tucker
Date: 05 January 2010
File: 012730-COR-283
Standards Investigation - Cllr Tucker

Telephone attendance with Cllor Laxman.

Explanation that I was unable to attend for the interview due to the bad weather etc.

Asking if we could re-arrange the meeting. He advised that he could not do so due to personal health reasons. For the same reason he did not feel he could really add much to the investigation. He has little recollection of the meetings. He has been ill over the last year or so. His main recollection is about the fact that it was agreed that there should be no further communication about 4 Daventry Close. He thinks cllor Hood may have suggested this course of action. Nothing more could be achieved with the continuing correspondence. He believes cllor Tucker left the meeting when the matter was being considered by the others.

He said he could not assist much more than this. He was unlikely to be available. He shared some personal health issues which he did not want repeated or made public.

Thanking him for his time.
KKC.

Kuldip K Channa
Litigation Solicitor

PRIVATE & CONFIDENTIAL

SLOUGH BOROUGH COUNCIL

STANDARDS INVESTIGATION

COUNCILLOR TUCKER

DOCUMENT 20

STANDARDS INVESTIGATION

COUNCILLOR TUCKER

INTERVIEW BUNDLE OF DOCUMENTS

SLOUGH BOROUGH COUNCIL

STANDARDS INVESTIGATION COUNCILLOR TUCKER

List of Members attending Parish meetings together with relevant Chair details.

	10 April 2007	16 October 2007	4 December 2007	17 July 2008	21 July 2009
Member					
Tucker	X Chair	x	x	x	x
R Angell	x		x	x	x
Ghatora	x	x			x
Hood	x				x
Jones	x	x			
Laxman	x				X Chair
MacDougald	x				x
Rayner	x	x	x	x	
Mrs Underhill	x				x
Zeffert	x	X Chair			X Vice Chair
Nye		x	x	x	x
Pabbi		x			

SLOUGH BOROUGH COUNCIL

SUMMARY OF COMPLAINT

- 1. **Complainant:** Mrs & Mrs T L [REDACTED]
- 2. **Subject Matter:** Parish Cllr Laurie Tucker (Colnbrook with Poyle Parish Council)
- 3. **Date(s) of Alleged Breach:** 10th April 2007, 16th October 2009 and July 2008
- 4. **Précis of the Complaint:**

The Complainants' letter dated 24th August 2009 is not as clear as it might be but the allegations appear to be as follows:-

- (a) Cllr L Tucker has failed to declare a personal and prejudicial interest when the Parish Council considered the application for planning permission at its meetings on 10th April and 16th October 2007 and at the time the Parish Council considered the appeal in July 2008 and further did not withdraw from the meetings contrary to paragraphs 10 and 12 of the Parish Council's Code of Conduct.
- (b) Cllr L Tucker has breached paragraph 4 of the Code of Conduct by disclosing the planning documents sent in confidence to the Parish Council.

The complaint is within jurisdiction. The Subject Member was a Member of the Parish Council at the time of the alleged breaches.

5. **Other relevant information/documentation**

The Parish Council at my request have produced the documentation attached to their letter dated 13th September 2009.

6. **Supporting Papers**

Complainants' letter dated 24th August 2009 together with listed documents.

Copy of Policy Guidance on the assessment and review of complaints about the conduct of members is also attached.

SM Quayle 15th September 2009

Mr & Mrs T. L. [REDACTED]
[REDACTED]
[REDACTED]

24th August 2009

Mr Steven Quayle
Borough Secretary and Solicitor
Slough Borough Council
Town Hall
Bath Road
Slough
SL1 3UQ

Dear Mr Steven Quayle,

I would like to give you some information on the background of Mr Tuckers' character and activities.

To start with he decided to contact the water board because I was cleaning my driveway, this resulted in a follow up letter from Thames Water, and he even suggested to them that I should be put on a water meter.

During March 2008 next incident was a telephone call to the RSPCA to say that we were killing birds; I blocked up a hole in my roof to stop birds nesting which was a necessity for the health and safety of my three small children. A visit from the Inspector followed who left satisfied.

Further to these incidents, Mrs. Tucker has been showing an unhealthy interest in my children by watching them very closely and according to the children taking photographs (without our permission) when asked to refrain from doing so I was arrested for harassment. Is this the type of conduct fitting for a Parish Councillor and his wife?

Mr. Tucker has been victimising and intimidating our family for years as he holds a personal vendetta against us and our children.

To support these claims I have enclosed a letter from a former neighbour of the Tuckers that have no reprisals from them now they lived there for 3 years and had to move.

My complaint is relating to Mr. Tuckers miss-use of council papers entrusted to him in confidence from the Slough Planning Department and to which he distributed to a member of the general public. He has not remained impartial as set out in the councillors code of conduct and has deliberately lied to the planning inspectorate.

I was requested to visit one of my neighbours to do with my planning application when inside the property I was confronted with a full set of plans of my proposed extension with complete dimensions. Please see copy letter which explains that plans are not for distribution as they are the copyrighted to the architect

Who gave permission for these plans to be distributed?

We have letters from Slough Borough Council stating that the Parish Council are initial to a copy of these plans as part of the consultation process, surely these plans and everyone else's should remain confidential.

The Parish Council have not got involved in any of the other domestic applications on the estate aside 4 Daventry Close, is this because he resides in the same Close and has personal issues with us.

Many other property's have erected front extensions on the estate without the benefit of permission and the Parish council have not commented on these or taken any action address can be supplied.

Mr Tucker put his signature on a petition to oppose our application in the process of organising this, a lot of pressure was placed on the neighbours to sign the petition and even people not overlooking our property but residence in other roads have been canvassed.

The Parish Council led by Mr. Tucker have also organised meetings without informing us, therefore ensuring the outcome of said meetings, as no representation for our side of the case.

Then we have the deliberate lie to the inspectorate regarding our garage being used as a domestic room when in fact it is still a garage, after requesting this statement to be retracted by the Parish Council, they have refused and also will now not acknowledge any of our correspondence.

Is this the kind of activity we can expect from Parish Councillors especially as confidential information is sent to them.

There is no doubt that Mr Tucker has abused his position when he should have remained confidential.

We now have no alternative but to remove our canopy above the garage or face an ENFORCEMENT NOTICE from Slough Borough council due to the influence and intimidation of the parish council what an injustice.

Yours sincerely,



Mr & Mrs T. L. [REDACTED]

Enclosed

- 1 Letter from David Scourfield 5th February 2008
- 2 Letter from neighbour
- 3 Copy of petition
- 4 Letter to inspectorate
- 5 Letter from Parish Council 22nd July 2009

Taking pride in our communities and to

Department: Development Control
Contact Name: David Scourfield
Contact No: 01753 875866
Fax:
E-mail:
Your Ref:
Our Ref: DS/JC

Mrs B J Y
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]

Dear Mrs Y [Redacted]

Re: [Redacted]

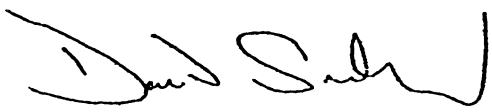
I refer to your letter dated the 17th January, 2008 to Ruth Bagley, Chief Executive of Slough Borough Council regarding the proposed development at 35 Dawley Ride. I have been asked to reply to your concerns on behalf of the Chief Executive.

With regard to your recent visit to My Council, I understand that you were shown plans of the development which did not contain any dimensions. The plan submitted would have been to an identified scale and therefore it would be possible for the professional Planning Officer or those advising any interested parties to ascertain the exact dimensions of the proposed extensions. In the case of the development at 35 Dawley Ride the plans do in fact contain some annotated reference to the width and length of the relevant extensions. With regard to receiving a copy of these plans I am afraid that these are copyrighted to the Architect and therefore cannot be copied to interested residents.

With regard to your comments submitted in October, 2007 I can confirm that your letter dated 28th October, 2007 is on file and will be considered alongside other relevant material planning facts when the case is formally determined. However, I am still in negotiation with the applicants and their agent regarding the precise scale and massing of the proposal, particularly at first floor level. Indeed, I recall that these concerns were discussed with you when I visited you at your home in early December 2007. You raised issues relating to sunlight and daylight and the outlook from your rear conservatory. I would thank you for the time that you gave me within your property which has allowed me to further my negotiations with the applicant.

If you wish to have any further information with regard to this application, please do not hesitate to contact me.

Yours sincerely



David Scourfield,
Head of Development Control



17.08.09

The Ombudsman
P O Box 4771
Coventry
CV4 0EH

Dear Sirs

RE: Enforcement Order on Daventry Close, Coinbrook. Ref: 09007028.

Having written a letter in support of Mr and Mrs Leybourne's appeal we felt we had to write to you in the hope that you can recommend to the council that they should reverse their decision or at least reach an agreement which suits both parties. Even the Enforcement Officer called it "extreme".

The Leybourne's have suffered a virtual hate campaign over the last 18 months or so instigated by Mr and Mrs Tucker and Mrs Fisher and having previously lived in Daventry Close we can quite understand how upsetting this has been. We couldn't even remove a bush from our front garden without Mrs Fisher running across the road to ask what we were doing. We could go into more details but would like to keep this letter fairly short and to the point. Suffice to say we lived in the close for only three years and although our decision to move was not entirely due to the neighbours it was a major contributory factor.

Mr and Mrs Tucker organised the petition to the Council and I'm sorry to say that had it not been for them and Mrs Fisher this awful situation would not have arisen. I know Mr and Mrs Smith did not sign the petition, as Mr Smith was a councillor at the time but neither did they feel they could support the Leybourne's against the Tucker's even though they think the frontage looks very nice and they live directly opposite. That should tell you something. There were also two names on the petition of people whose houses are actually in Rodney Way!! We could go on but I am sure Mr and Mrs Leybourne will give full details in their letter.

When you look round the estate and see the amount of houses with almost identical porches, canopies etc. even in the small closes it really does make you think that these people are being dealt with very harshly indeed. One of the houses even has a block paving drive which we believe is now illegal and more than one has no planning permission at all. We appreciate that there have to be guidelines but then these rules should apply to all not just to people who are being victimised by two of their neighbours. It is fairly apparent that had they lived in any other road nobody would have batted an eyelid and we would not be writing to you now.

Whatever the problems we do hope someone from your department can intervene and a compromise be reached. It would be very sad to see the whole construction having to be moved when it has been up for so long and has really not affected the lives of anyone living in the close.

Yours faithfully

S.M. & D.J.

5

PETITION

PLANNING APPLICATION P/13909/001

We the undersigned, being near neighbours of 4 Daventry Close, object to the over-development of the said property which changes the whole character of the road and obstructs the view.

Name	Address	Signature
MR. W. TUCKER	7 Daventry Close " " "	[Signature]

Note: 14 signatures in total on petition.

6 copy

Correspondence:

The Parish Clerk
1, Swallow Gardens
Hatfield, Herts.
AL10 8OR

COLNBROOK with POYLE
PARISH COUNCIL



RECEIVED
23 JUL 2008
PINS AA PEP

Our Ref: RLNH/JSB/080305

22nd July 2008

Planning Inspectorate
Room 3/14 Eagle Wing
Temple Quay House
2 The Square
Bristol
BS1 6PN

Dear Sir,

Appeal By: Mr & Mrs [redacted]
Proposal: Erection of new front porch and roof over garage with pitched room
Location: [redacted]
Planning Inspectorate Ref: A/08/2077884/WF

We have been advised by Slough Borough Council that the above appeal was lodged on the 20th June 2008. If this information is correct, it begs the question why this appeal is being dealt with when it is outside the permitted time limit. Slough Borough Council advised the Appellant on 17th December 2007 of its intention to issue an Enforcement.

This Parish Council objected to Planning Application P/13909/001 and continues to do so. The proposals are of keeping to the character of the cul-de-sac in which the property is located. As part of the conditions placed on this property, the garage was to remain as a garage and not to be used as a domestic room. This condition has not been complied with.

The Appellant might claim that there is another dwelling converted into a cul-de-sac on the same estate. This has been constructed without the necessary Planning Consent.

Please advise this Council of the decision of the appeal.

Yours faithfully,

R.L.N. Hewson
Clerk and Finance Officer

7

Correspondence:

The Parish Clerk
1, Swallow Gardens
Hatfield, Herts.
AL10 8OR

COLNBROOK with POYLE PARISH COUNCIL



Our Ref: RLNH/JSB/090327

22nd July 20

Mr & Mrs I [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Dear Mr & Mrs Leybourne

Erection of new front porch and roof over garage at 4 Daventry Close, Colnbrook

Thank you for your letter of 16th July 2009 relating to the above. The Services Committee considered this and the earlier correspondence at its meeting on 21st July 2009.

The Planning Inspectorate would have viewed the premises of any appealed decision prior to arriving at its own conclusion to ascertain and facilitate its resultant observations. In the knowledge of this usual procedure my wording to you is as it was. The Council now considers that further correspondence with you on these matters is pointless and have instructed me accordingly.

As regards allowances, the only allowance paid is to the Chairman.

Yours sincerely,

R.L.N. Hewson
Clerk and Finance Officer

CHAIRMAN:

VICE CHAIRMAN:

CLERK & FINANCE OFFICER:

Mr. Laurie Tucker

Mr. Ray Angell

Mr. Roland Hewson

Tel: 01753 683386

Tel: 01753 680507

Tel: 01707 267958

- A) Minutes of the Annual Meeting of the Parish Council held at the Village Hall, Colnbrook on Tuesday 8th May 2007. I would refer you to Item PC/07/04.
 - B) Model Code of Conduct so adopted.
 - C) Agenda for Council Meeting for 10th April 2007.
 - D) Minutes of the Council Meeting for 10th April 2007 – References PC/06/104 and PC/06/108(a) This referred to the original application number P/13909/000 which is apposite in providing the whole picture. SBC approved this application.
 - E) Minutes of the Services Committee meeting held at the Village Hall on Tuesday 16th October 2007 – Complaint from neighbour – Reference SER/07/32.
 - F) Letter dated 18th October 2007 sent to SBC arising from 'E' – No answer received from SBC.
- PARISH COUNCIL IN RECESS 20th November 2007 - 8th January 2008. Matters dealt with by Environmental Sub-Committee.
- G) Environmental Sub-Committee Minutes Tuesday 4th December 2007 – Items 3.1.4 to 3.1.11 refers.
 - H) Letter of objection sent 6th December 2007 on application P/13909/001.
-
- I) Minutes of Environment Sub-Committee Meeting held on 17th July 2008. Items 3.1.5 to 3.1.12 refer. Attention is drawn to 3.1.6.
 - L) Letter to Planning Inspectorate dated 22nd July 2008.
 - M) Appeal Decision Notice dated 11th November 2008.
 - N) Letter dated 6th July 2009 'requiring' me to provide information.
 - O) My reply dated 8th July 2009.
 - P) Further letter from appellant dated 16th July 2009.
 - Q) Service Committee minutes dated 21st July 2009 – Item SER/09/19(i).
 - R) My reply dated 22nd July 2009.
 - S) Appellant response dated 27th July 2009.
 - T) My notification to him of Chairman's allowance information dated 25th August 2009.

PRIVATE & CONFIDENTIAL

SPECIAL DELIVERY

Correspondence:

The Parish Clerk
1, Swallow Gardens
Hatfield, Herts.
AL10 8OR

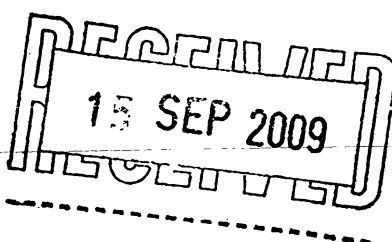
**COLNBROOK with POYLE
PARISH COUNCIL**



Our Ref: RLNH/JSB/090335

13th September 2009

Steven Quayle Esq.
Borough Secretary and Solicitor
Slough Borough Council
Town Hall, Bath Road
Slough
SL1 3UQ



Dear Mr Quayle

Re:- Complaint of Conduct of Councillor L. Tucker

Thank you for your letter of 2nd September 2009 concerning the above. I enclose copies of correspondence etc as requested viz:-

- A) Minutes of the Annual Meeting of the Parish Council held at the Village Hall, Colnbrook on Tuesday 8th May 2007. I would refer you to Item PC/07/04.
 - B) Model Code of Conduct so adopted.
 - C) Agenda for Council Meeting for 10th April 2007.
 - D) Minutes of the Council Meeting for 10th April 2007 – References PC/06/104 and PC/06/108(a). This referred to the original application number P/13909/000 which is apposite in providing the whole picture. SBC approved this application.
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 - H) Letter of objection sent 6th December 2007 on application P/13909/001.

CHAIRMAN:
VICE CHAIRMAN:
CLERK & FINANCE OFFICER:

Mr. Laurie Tucker
Mr. Ray Angell
Mr. Roland Hewson

Tel: 01753 683386
Tel: 01753 680507
Tel: 01707 267958

SBC subsequently refuses the application, and appellant informed by notice dated 17th December 2007.

PARISH COUNCIL AGAIN IN RECESS 2nd July 2008 to 2nd September 2008.

- I) Minutes of Environment Sub-Committee Meeting held on 17th July 2008. Items 3.1.5 to 3.1.12 refer. Attention is drawn to 3.1.6.
- L) Letter to Planning Inspectorate dated 22nd July 2008.
- M) Appeal Decision Notice dated 11th November 2008.
- N) Letter dated 6th July 2009 'requiring' me to provide information.
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- ~~P) Further letter from appellant dated 16th July 2009.~~
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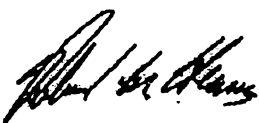
The Parish Council has been at pains not to personalise this issue in the way the appellant has attempted to manoeuvre. The allegation regarding garage use came from the next-door neighbour. The appellant's vehicles appear never to be put away, but in the overall scheme of things would seem to be a minor point. In any event a quick inspection by a planning officer would resolve the matter without creating an issue with the next-door neighbour.

Similarly the minutes of the Environment Sub-Committee's decision reveals the names of the councillors. (Three councillors form this and the Emergency Committee with extra members if required). See Item 'U' – Extract from Standing Orders Items S031. Planning during recess has to be dealt with in this way.

If you require any further assistance or information I shall of course try to help. It is a pity that complainants cannot be held liable for the time it takes.

Please advise me of your Assessment Sub-Committee's decision in due course.

Yours sincerely,



R.L.N. Hewson
Clerk and Finance Officer

A

COLNBROOK WITH POYLE PARISH COUNCIL

Minutes of the Annual Meeting of the PARISH COUNCIL held at the Village Hall, Colnbrook on Tuesday 8th May 2007, commencing at 7.40pm.

PRESENT Councillor L. Tucker (Chairman)
Councillor R. Angell (Vice Chairman)
Cllrs. Ghatora, Hood, Jones, Laxman, MacDougald, Nye, Pabbi, Rayner,
Mrs Underhill and Zeffert

Officer Present: Mr. R.L.N. Hewson (Clerk and Finance Officer)

Thames Valley Police: Inspector Andy Boomer

Members of Public: Mr Jim Forrest

PC/07/01 ELECTION OF COUNCILLORS

All Councillors made their declaration of Acceptance of Office and signed their written undertakings to abide by the Council's Code of Conduct.

PC/07/02 ELECTION OF CHAIRMAN 2007-2008

Cllr L. Tucker was re-elected unanimously and accepted the Office.

PC/07/03 ELECTION OF VICE-CHAIRMAN 2007-2008

Cllr. R. Angell was re-elected unanimously and accepted the Office.

PC/07/04 NEW MODEL CODE OF CONDUCT ORDER 2007 (SI NO. 1159)

The Parish Council unanimously AGREED to adopt the new Model Code unaltered with immediate effect.

PC/07/05 CHAIRMAN'S ALLOWANCE 2007-2008

It was unanimously AGREED that this remains unchanged at £1,300. *Ally*

PC/07/06 TO APPOINT MEMBERS TO SERVE ON THE SERVICES COMMITTEE AND THE FINANCE & POLICY COMMITTEE

It was unanimously AGREED that all members serve on both Committees.

PC/07/07

APPOINTMENT OF REPRESENTATIVES ON OUTSIDE BODIES:

- a) Village Hall Committee – Cllrs. MacDougald and Tucker.
- b) Youth and Community Centre – Now defunct.
- c) Colnbrook Community Partnership – Cllrs. Angell, Tucker and Rayner.
- d) Westfield Residents Association – Cllrs. Pabbi and Mrs Underhill.
- e) Berkshire Association Local Councillors – Contact – Cllr. Tucker.
- f) H.A.C.A.N. – Cllr. Rayner.
- g) L.A.A.N.C. – Cllrs. Ghatora, Jones and Tucker.
- h) Local Focus Forum – Cllrs. Nye, Tucker and Zeffert.
- i) Grundon Environment Group – Cllrs. Ghatora, MacDougald, Tucker and Mrs Underhill.
- j) Biffa Environment Group – Cllrs. Angell, Nye and Tucker.
- k) S.A.L.C. – Cllrs. Angell and Tucker.
- l) Richard Goade Trust – Cllrs. Mrs Underhill and Tucker. (Was a 4 year appointment the previous year).

PC/07/08

TO FIX DATES AND TIMES OF MEETINGS FOR THE FORTHCOMING YEAR

It was unanimously AGREED that as from 1st June 2007 Council Meetings be on the first Tuesday of the month and Committee Meetings on the third Tuesday of the month. Council meeting venues to alternate between the Village Hall and Westfield Hall.

PC/07/08

ANNUAL REPORT OF THE RICHARD GOADE TRUST

Cllr Tucker outlined the new Trust status and gave a financial statement (copy attached).

The meeting closed at 8.30pm.

SIGNED:.....

DATE:.....

SCHEDULE
THE MODEL CODE OF CONDUCT

Part 1
General provisions

Introduction and Interpretation

- 1.—(1) This Code applies to you as a member of an authority.
- (2) You should read this Code together with the general principles prescribed by the Secretary of State(a).
- (3) It is your responsibility to comply with the provisions of this Code.
- (4) In this Code—
- “meeting” means any meeting of—
 - (a) the authority;
 - (b) the executive of the authority;
 - (c) any of the authority’s or its executive’s committees, sub-committees, joint committees, joint sub-committees, or area committees;
- “member” includes a co-opted member and an appointed member.
- (5) In relation to a parish council, references to an authority’s monitoring officer and an authority’s standards committee shall be read, respectively, as references to the monitoring officer and the standards committee of the district council or unitary county council which has functions in relation to the parish council for which it is responsible under section 55(12) of the Local Government Act 2000.

Scope

- 2.—(1) Subject to sub-paragraphs (2) to (5), you must comply with this Code whenever you—
- (a) conduct the business of your authority (which, in this Code, includes the business of the office to which you are elected or appointed); or
 - (b) act, claim to act or give the impression you are acting as a representative of your authority,
- and references to your official capacity are construed accordingly.
- (2) Subject to sub-paragraphs (3) and (4), this Code does not have effect in relation to your conduct other than where it is in your official capacity.
- (3) In addition to having effect in relation to conduct in your official capacity, paragraphs 3(2)(c), 5 and 6(a) also have effect, at any other time, where that conduct constitutes a criminal offence for which you have been convicted.
- (4) Conduct to which this Code applies (whether that is conduct in your official capacity or conduct mentioned in sub-paragraph (3)) includes a criminal offence for which you are convicted (including an offence you committed before the date you took office, but for which you are convicted after that date).
- (5) Where you act as a representative of your authority—

(a) See the Relevant Authorities (General Principles) Order 2001 (S.I. 2001/1401).

- (a) on another relevant authority, you must, when acting for that other authority, comply with that other authority's code of conduct; or
- (b) on any other body, you must, when acting for that other body, comply with your authority's code of conduct, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject.

General obligations

3.—(1) You must treat others with respect.

(2) You must not—

- (a) do anything which may cause your authority to breach any of the equality enactments (as defined in section 33 of the Equality Act 2006(a));
- (b) bully any person;
- (c) intimidate or attempt to intimidate any person who is or is likely to be—
 - (i) a complainant,
 - (ii) a witness, or
 - (iii) involved in the administration of any investigation or proceedings, in relation to an allegation that a member (including yourself) has failed to comply with his or her authority's code of conduct; or
- (d) do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, your authority.

(3) In relation to police authorities and the Metropolitan Police Authority, for the purposes of sub-paragraph (2)(d) those who work for, or on behalf of, an authority are deemed to include a police officer.

4. You must not—

- (a) disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, except where—
 - (i) you have the consent of a person authorised to give it;
 - (ii) you are required by law to do so;
 - (iii) the disclosure is made to a third party for the purpose of obtaining professional advice provided that the third party agrees not to disclose the information to any other person; or
 - (iv) the disclosure is—
 - (aa) reasonable and in the public interest; and
 - (bb) made in good faith and in compliance with the reasonable requirements of the authority; or
- (b) prevent another person from gaining access to information to which that person is entitled by law.

5. You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute.

6. You—

- (a) must not use or attempt to use your position as a member improperly to confer on or secure for yourself or any other person, an advantage or disadvantage; and
- (b) must, when using or authorising the use by others of the resources of your authority—

(a) 2006 c.3.

- (i) act in accordance with your authority's reasonable requirements;
- (ii) ensure that such resources are not used improperly for political purposes (including party political purposes); and
- (c) must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986(a).

7.—(1) When reaching decisions on any matter you must have regard to any relevant advice provided to you by—

- (a) your authority's chief finance officer; or
- (b) your authority's monitoring officer,

where that officer is acting pursuant to his or her statutory duties.

(2) You must give reasons for all decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by your authority.

Part 2

Interests

Personal interests

8.—(1) You have a personal interest in any business of your authority where either—

(a) it relates to or is likely to affect—

(i) any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by your authority;

(ii) any body—

(aa) exercising functions of a public nature;

(bb) directed to charitable purposes; or

(cc) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union),

of which you are a member or in a position of general control or management;

(iii) any employment or business carried on by you;

(iv) any person or body who employs or has appointed you;

(v) any person or body, other than a relevant authority, who has made a payment to you in respect of your election or any expenses incurred by you in carrying out your duties;

(vi) any person or body who has a place of business or land in your authority's area, and in whom you have a beneficial interest in a class of securities of that person or body that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital (whichever is the lower);

(vii) any contract for goods, services or works made between your authority and you or a firm in which you are a partner, a company of which you are a remunerated director, or a person or body of the description specified in paragraph (vi);

(viii) the interests of any person from whom you have received a gift or hospitality with an estimated value of at least £25;

(ix) any land in your authority's area in which you have a beneficial interest;

(a) 1986 c.10.

- (x) any land where the landlord is your authority and you are, or a firm in which you are a partner, a company of which you are a remunerated director, or a person or body of the description specified in paragraph (vi) is, the tenant;
- (xi) any land in the authority's area for which you have a licence (alone or jointly with others) to occupy for 28 days or longer; or
- (b) a decision in relation to that business might reasonably be regarded as affecting your well-being or financial position or the well-being or financial position of a relevant person to a greater extent than the majority of—
 - (i) (in the case of authorities with electoral divisions or wards) other council tax payers, ratepayers or inhabitants of the electoral division or ward, as the case may be, affected by the decision;
 - (ii) (in the case of the Greater London Authority) other council tax payers, ratepayers or inhabitants of the Assembly constituency affected by the decision; or
 - (iii) (in all other cases) other council tax payers, ratepayers or inhabitants of your authority's area.
- (2) In sub-paragraph (1)(b), a relevant person is—
 - (a) a member of your family or any person with whom you have a close association; or
 - (b) any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors;
 - (c) any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or
 - (d) any body of a type described in sub-paragraph (1)(a)(i) or (ii).

Disclosure of personal interests

9.—(1) Subject to sub-paragraphs (2) to (7), where you have a personal interest in any business of your authority and you attend a meeting of your authority at which the business is considered, you must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.

(2) Where you have a personal interest in any business of your authority which relates to or is likely to affect a person described in paragraph 8(1)(a)(i) or 8(1)(a)(ii)(aa), you need only disclose to the meeting the existence and nature of that interest when you address the meeting on that business.

(3) Where you have a personal interest in any business of the authority of the type mentioned in paragraph 8(1)(a)(viii), you need not disclose the nature or existence of that interest to the meeting if the interest was registered more than three years before the date of the meeting.

(4) Sub-paragraph (1) only applies where you are aware or ought reasonably to be aware of the existence of the personal interest.

(5) Where you have a personal interest but, by virtue of paragraph 14, sensitive information relating to it is not registered in your authority's register of members' interests, you must indicate to the meeting that you have a personal interest, but need not disclose the sensitive information to the meeting.

(6) Subject to paragraph 12(1)(b), where you have a personal interest in any business of your authority and you have made an executive decision in relation to that business, you must ensure that any written statement of that decision records the existence and nature of that interest.

(7) In this paragraph, "executive decision" is to be construed in accordance with any regulations made by the Secretary of State under section 22 of the Local Government Act 2000(a).

(a) See the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations (S.I. 2000/3272).

Prejudicial interest generally

10.—(1) Subject to sub-paragraph (2), where you have a personal interest in any business of your authority you also have a prejudicial interest in that business where the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest.

- (2) You do not have a prejudicial interest in any business of the authority where that business—
- (a) does not affect your financial position or the financial position of a person or body described in paragraph 8;
 - (b) does not relate to the determining of any approval, consent, licence, permission or registration in relation to you or any person or body described in paragraph 8; or
 - (c) relates to the functions of your authority in respect of—
 - (i) housing, where you are a tenant of your authority provided that those functions do not relate particularly to your tenancy or lease;
 - (ii) school meals or school transport and travelling expenses, where you are a parent or guardian of a child in full time education, or are a parent governor of a school, unless it relates particularly to the school which the child attends;
 - (iii) statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of, such pay;
 - (iv) an allowance, payment or indemnity given to members;
 - (v) any ceremonial honour given to members; and
 - (vi) setting council tax or a precept under the Local Government Finance Act 1992.

Prejudicial interests arising in relation to overview and scrutiny committees

11. You also have a prejudicial interest in any business before an overview and scrutiny committee of your authority (or of a sub-committee of such a committee) where—

- (a) that business relates to a decision made (whether implemented or not) or action taken by your authority's executive or another of your authority's committees, sub-committees, joint committees or joint sub-committees; and
- (b) at the time the decision was made or action was taken, you were a member of the executive, committee, sub-committee, joint committee or joint sub-committee mentioned in paragraph (a) and you were present when that decision was made or action was taken.

Effect of prejudicial interests on participation

12.—(1) Subject to sub-paragraph (2), where you have a prejudicial interest in any business of your authority—

- (a) you must withdraw from the room or chamber where a meeting considering the business is being held—
 - (i) in a case where sub-paragraph (2) applies, immediately after making representations, answering questions or giving evidence;
 - (ii) in any other case, whenever it becomes apparent that the business is being considered at that meeting;unless you have obtained a dispensation from your authority's standards committee;
- (b) you must not exercise executive functions in relation to that business; and
- (c) you must not seek improperly to influence a decision about that business.

(2) Where you have a prejudicial interest in any business of your authority, you may attend a meeting (including a meeting of the overview and scrutiny committee of your authority or of a sub-committee of such a committee) but only for the purpose of making representations,

answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.

Part 3

Registration of Members' Interests

Registration of members' interests

13.—(1) Subject to paragraph 14, you must, within 28 days of—

- (a) this Code being adopted by or applied to your authority; or
- (b) your election or appointment to office (where that is later),

register in your authority's register of members' interests (maintained under section 81(1) of the Local Government Act 2000) details of your personal interests where they fall within a category mentioned in paragraph 8(1)(a), by providing written notification to your authority's monitoring officer.

(2) Subject to paragraph 14, you must, within 28 days of becoming aware of any new personal interest or change to any personal interest registered under paragraph (1), register details of that new personal interest or change by providing written notification to your authority's monitoring officer.

Sensitive information

14.—(1) Where you consider that the information relating to any of your personal interests is sensitive information, and your authority's monitoring officer agrees, you need not include that information when registering that interest, or, as the case may be, a change to that interest under paragraph 13.

(2) You must, within 28 days of becoming aware of any change of circumstances which means that information excluded under paragraph (1) is no longer sensitive information, notify your authority's monitoring officer asking that the information be included in your authority's register of members' interests.

(3) In this Code, "sensitive information" means information whose availability for inspection by the public creates, or is likely to create, a serious risk that you or a person who lives with you may be subjected to violence or intimidation.

C

Correspondence:

The Parish Clerk
1, Swallow Gardens
Hatfield, Herts
AL10 8QR

COLNBROOK with POYLE PARISH COUNCIL



Our Ref: RLNH/JSB

28th March 2007

To: Cllrs. Angell, Ghatora, Mrs. Gipps, Hood,
Jones, Laxman, MacDougald, Rayner,
Tucker, Mrs Underhill and Zeffert.

Dear Councillor,

I hereby give notice of, and request your attendance at, a meeting of the PARISH COUNCIL to be held at the Westfield Hall, Colnbrook on Tuesday 10th April 2007, commencing at 7.30pm.

Yours faithfully,

Roland L.N. Hewson
Clerk and Finance Officer

AGENDA

1. APOLOGIES FOR ABSENCE

To receive apologies for absence if any.

2. MINUTES

(i) To approve as a correct record the Minutes of the Parish Council meeting held on 13th March 2007 (Minutes PC/06/91-101) copies sent.

3. DECLARATION OF INTERESTS BY MEMBERS

To note declarations of Members' interests in respect of items on the Agenda.

4. SERVICES COMMITTEE

To receive the report of the Services Committee Meeting held on Tuesday 27th March 2007.

5. FINANCE & POLICY COMMITTEE

- (a) To receive the report of the Finance Policy Committee Meeting held on Tuesday 27 March 2007.
- (b) To approve the list of payments in the sum of £2,042.00 (inc. VAT) from 14th February 2007 – 13th March 2007.
- (c) To authorise grants of:
 - (i) £80 to the Berkshire County Blind Society
 - (ii) £400 to St. Thomas Churchyard Maintenance
- (d) Colnbrook Recreation Ground
 - (i) 3 litter bins at £261.00 each.
 - (ii) Column and floodlights for basketball pitch and general area - £2,100.
 - (iii) Extra dog waste bins at £113.00.
 - (iv) 2 planter seats at £369.00 each.

6. VILLAGE CHAT – 31/03/2007

Next chat in September 2007

7. PLANNING

R/O 'Crown Quaker Head Public Hse'

To consider any applications relating to the Parish of Colnbrook with Poyle.

8. CHAIRMAN'S CORRESPONDENCE

M. Rogers

9. OUTSIDE BODIES

To receive any information from members on Outside Bodies.

10. EXCLUSION OF PRESS AND PUBLIC

The Chairman will move that the Press and Public be excluded from the remainder of the meeting on the grounds that publicity would be prejudicial to the public interest by virtue of the confidential nature of the business to be transacted.

Quiz Night - Colnbrook School 26th April

8.40

D

COLNBROOK WITH POYLE PARISH COUNCIL

Minutes of the meeting of the PARISH COUNCIL held at the Village Hall, Colnbrook (Westfield Ha being closed) on Tuesday 10th April 2007 at 7.45pm.

PRESENT Councillor L. Tucker (Chairman)
Councillor R. Angell (Vice-Chairman)
Cllrs. Ghatora, Hood, Jones, Laxman, MacDougald, Rayner, Mrs Underhill and Zeffert

Officer Present: Mr. R.L.N. Hewson (Clerk and Finance Officer)

Slough Borough Council: Cllr D. Smith

Members of the Public: One member present

PC/06/102 **APOLOGIES FOR ABSENCE**

None received.

PC/06/103 **MINUTES**

The minutes of the Council meeting held at the Village Hall, Colnbrook on Tuesday 13th March 2007 were approved as a true record and signed by the Chairman.

PC/06/104 **DECLARATIONS OF INTERESTS BY MEMBERS**

Cllr Tucker declared an interest in the planning application of 4 Daventry Close as he lives in the same Close.

PC/06/105 **SERVICES COMMITTEE**

Cllr. Laxman submitted the minutes of the meeting held on Tuesday 27th March 2007.
RESOLVED:- that the minutes be received.

PC/06/106 **FINANCE AND POLICY COMMITTEE**

(a) Cllr. Angell submitted the minutes and reported on the meeting held on Tuesday 27th March 2007.
RESOLVED:- that the minutes be received.

(b) Lists of Payments

The list of payments in the sum of £2,042.00 (inc. VAT) from 14th February 2007 – 13th March 2007 was received.
RESOLVED:- that the payments list be confirmed and approved.

(c) Grants

RESOLVED:- that grants as follows be made to:-

- (i) £80 to the Berkshire County Blind Society;
- (ii) £400 to St. Thomas Churchyard Maintenance.

(d) Colnbrook Recreation Ground

RESOLVED:- to accept Services Committee recommendation to purchase:-

- (i) 3 litter bins @ £261.00 each;
- (ii) Column and Floodlights for basketball pitch and general area - £2,100.00 (plus installation costs);
- (iii) That a dog-waste bin be supplied with a root-fast enclosed post at £113.00.
- (iv) That 2 planter seats @ £369.00 each be provided.

PC/06/107 VILLAGE CHAT 31/03/07

The Chairman reported on a very successful morning where over a hundred members of the public attended. The Council decided to hold a further event in September, and to continue with the Parish Council monthly surgeries. The possibility of combing some with the Police Surgery at Westfield Hall was also mooted.

The Council also decided that a newsletter be distributed following the Council Election in May together with a new information card.

PC/06/108 PLANNING

- a) P/13909/000 – Erection of a 2 storey side extension at 4 Daventry Close – No site plans but Clerk instructed to write a letter of objection.
- b) P/13516/001 – Construction of single storey rear extension and conversion of existing detached at 12 Winchester Close – Leave to neighbours.
- c) P/11075/007 – Old Vicarage – Clerk instructed to obtain plans – Chairman to establish the exact nature of the apparent minor alterations (internal and wash facilities for wheelie bins). That being so there would be no objections.

PC/06/109 CHAIRMAN'S CORRESPONDENCE

Just two items both from Grundon Waste Management Ltd regarding the article in the Slough Express of March 30th. The Clerk was instructed to send copies to all Councillors.

PC/06/110 OUTSIDE BODIES

The Chairman reported that he had attended the following:

- Wednesday 14 March 2007 Thames Valley Police, Gee Nagra re PCSO Contract.
- Thursday 15 March 2007 Grundon Liaison Meeting.
- Tuesday 20 March 2007 Planning meeting (Town Hall).
- Wednesday 28 March 2007 SBC Rights of Way Officer, Jaquie Wheeler, re rights of way in Colnbrook.
- Friday 30 March 2007 Johal Skip Hire, Colnbrook By-Pass re Planning Application.
- Friday 30 March 2007 Colnbrook C of E Primary School - Termly Prize-Giving.
- Saturday 31 March 2007 Colnbrook Chat (Village Hall).

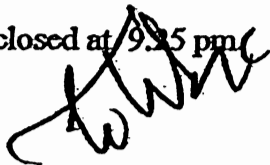
and will be attending:

- Wednesday 18 April 2007 Reception, Queens Award for Voluntary Service (Town Hall).
- Thursday 19 April 2007 Planning Committee (Town Hall).
- Tuesday 24 April 2007 Police Forum (Village Hall).
- Wednesday 25 April 2007 Local Access Forum (Town Hall).
- Thursday 26 April 2007 Colnbrook C of E School Quiz Night.
- Saturday 28 April 2007 Parish Surgery (Village Hall)

PC/06/111 EXCLUSION OF PRESS AND PUBLIC

The Chairman moved and it was AGREED that the Press and Public be excluded from the remainder of the meeting on the grounds that publicity would be prejudicial to the public interest by virtue of the confidential nature of the business.

The meeting closed at 9.35 pm



SIGNED:.....

DATE 2nd May 2007.....

15

COLNBROOK WITH POYLE PARISH COUNCIL

Minutes of the SERVICES COMMITTEE meeting held at the Village Hall, Colnbrook on Tuesday 16th October 2007, commencing at 7.30pm.

PRESENT Cllr. C. Zeffert (Vice-Chairman in the chair)
Cllrs. Ghatora, Jones, Nye, Pabbi, Rayner and Tucker

Officer Present: Mr. R.L.N. Hewson (Clerk and Finance Officer)

SER/07/28 APOLOGIES FOR ABSENCE

Received from Cllrs. Angell, Hood, Laxman, MacDougald and Mrs Underhill.

SER/07/29 MINUTES

The minutes of the Services Committee meeting held on Tuesday 18th September 2007 were approved as a true record and signed by the Vice-Chairman.

SER/07/30 ENVIRONMENT SUB-COMMITTEE

Cllr Tucker outlined a number of issues viz:-

- i) Xmas trees to be erected and lit the first week in December.
- ii) Central island outside Cavendish Stores – ascertain ownership and either seek to obtain same, or permission to erect bollards and looped chains to deter parking.
- iii) Winter pansies to be planted in Council troughs.
- iv) Contact the 'George' and ask them to refrain from standing their menu board around the flower trough. (Manager has agreed to refrain and has moved the board).

SER/07/31 PUBLICITY COMMITTEE – 2008 CALENDARS

Lowest quotation of £4,132.00 is recommended (plus VAT).

SER/07/31A PCSO'S MONITORING SUB-COMMITTEE

Cllr. Tucker reported that the sub-committee had not met, but he had attended a recent NAG meeting where regrettably both inspector and sergeant had tendered their apologies. Various incidents of speeding by youngsters in their cars was raised by members as a current issue and although the PCSO's had made an undoubted impact within the Parish, they needed the back-up support of regular officers.

15

A 'clean-up' of the conservation area and Westfield was planned for the coming Saturday supervised by the PCSO's. Cllr. Tucker said that he had suggested that the village hall be opened for access to the toilets and asked Cllr. Rayner's permission. Cllr. Rayner gave permission providing that Cllr. Tucker remained on the premises to ensure that it was kept clean and in order until he locked up afterwards.

SER/07/32 PLANNING MATTERS

- i) P/13909/000 – Erection of a 2 storey side extension and single storey rear extension at 4 Daventry Close – Complaints received that a 3 metre wall had been constructed a mere 4 inches from the neighbouring property, and that the actual construction is larger than that agreed. The Clerk was instructed to contact Slough Borough Council on this matter.
- ii) P/13310/009 – Application at Unit 7 Chancery Gate, Colnbrook for extension of existing mezzanine floor etc – Clerk instructed to write a letter of objection.

SER/07/33 QUESTIONS TO CHAIRMAN ARISING FROM THE COUNCIL MEETING ON 02/10/2007

Cllr. Tucker reported that he had attended a meeting at the town Hall concerning the Grundon Incineration Licence Changes – The Environment Agency responsible for issuing the licence without consultation, although invited to the meeting did not attend. Grundon was not invited. Other local authorities including L.B. Hillingdon were represented. The meeting was a constructive one and further meetings were planned for the future – the next date would be in January 2008. There were to be 5 monitoring stations in the area, supervised by Slough Borough Council and the Emission Results would be publicised on Grundon's website.

Cllr. Tucker also informed the Committee that the official opening of Phase I of the improvements to Pippins Park would be on Saturday 3rd November from 10 am until noon. Various activities were planned including a 5-a-side soccer tournament between the two schools.

The meeting closed at 8.30 pm.

SIGNED: [Signature] DATE: 20/10/07

Correspondence:

The Parish Clerk
1, Swallow Gardens
Hatfield, Herts.
AL10 8OR

COLNBROOK with POYLE PARISH COUNCIL



Our Ref: RLNH/JSB/070260

18th October 2007

Planning Control and Enforcement
Slough Borough Council
Town Hall, Bath Road
Slough
Berkshire. SL1 3UQ

Dear Sir,

**P/13909/000 – Erection of a 2 storey Side Extension and
Single Storey Rear Extension etc. at Daventry Close**

The Parish Council has received complaints concerning the above approved application currently under construction.

It is alleged that a 3 metre wall has been built some 4 inches from the neighbour's boundary, that the extensions are larger than those approved leading directly to a loss of light and amenity to the neighbours.

It is also stated that complaints have also been made to the Planning Department by the neighbour who says that she was told that nothing could be done until the work was finished! Clearly there appears to be a lack of understanding or a breakdown in communication.

In any event the Parish Council would ask for the site to be inspected against the said application and a note of reply informing us of your findings.

Thanking you in anticipation.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Roland L.N. Hewson'.

Roland L.N. Hewson
Clerk and Finance Officer

Copy: L. Tucker – Chairman

CHAIRMAN:
VICE CHAIRMAN:
CLERK & FINANCE OFFICER:

Mr. Laurie Tucker
Mr. Ray Angell
Mr. Roland Hewson

Tel: 01753 683386
Tel: 01753 680507
Tel: 01707 267958

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Colnbrook with Poyle Parish Council
Environment Sub-Committee Meeting 4th December 2007

Item No.	Heading	ACTION
1.0	Members Present Laurie Tucker LT Ray Angell RA M Rayner MR M Nye MN	
2.0	Apologies for Absence Dave Macdougall	
3.0	<u>Planning</u> 3.1.1 Planning No. P-2529-001 Land at Drift Way . Erection of Block 4 2 storey 1 bed units. No overall objection 3.1.2 LT to contact agent as ascertain who owns the land. 3.1.3 Planning No. P-14108-000 63 Coleridge Crescent. Change of use A1 to A5 for take away food. Clerk to write objecting. 3.1.4 Planning No. P-13909-001. 4 Daventry Close. LT expressed an interest and left the room. 3.1.5 This application is for a new front porch and roof over the garage with pitched roof. 3.1.6 RA informed the meeting that this was, if they remember an ongoing appeal for retrospective planning permission and has been refused planning permission by SBC. 3.1.7 RA suggested a site visit as it is across the road. 3.1.8 RA, MR & MN walked to 4 Daventry Close to inspect the work carried out to date. 3.1.9 It was agreed by all that this was an extreme over development and contravened the existing planning permission as stated by SBC. 3.1.10 All agreed that a letter of objection be written to SBC without delay. 3.1.11 All parties returned to the meeting and informed LT of their findings and that a letter be sent without delay.	LT

Colnbrook with Poyle Parish Council
Environment Sub-Committee Meeting 4th December 2007

3.1.12	P-09139-001 80 Severn Crescent Westfield. Erection 2 storey rear extension with gable end pitched roof. No objection leave to neighbours.	
3.1.13	P-09982-010 Tan House Farm. Area 22 Lakeside, variation to condition No. 6 of P-09982-007 to allow 24 hour operation within the materials recovery facility.	
3.1.14	No objections but clerk to write requesting conditions.	LT
4.1	Colnbrook Recreation Ground	
4.1.1	LT suggested that the goal posts be moved and the existing goal mouths re-seeded in the spring.	
4.1.2	It was decided that we should plant two new trees in the park to replace the leaning tree of Colnbrook and the one that had been broken.	RA
4.1.3	RA said that the park is being well used by all age groups and was terrific to see.	
4.1.4	LT said we should contact Kam Bhatti for some dog notices to be erected around the park.	LT
5.0	Bus Shelters	
5.1.1	RA said that he would like to see the flower troughs on the top of the new bus shelter at Crown Meadow come the spring.	RA
6.0	Colnbrook Clock	
6.1.1	RA reported that he and Laurie had been to George lines and they would be helpful in supplying the building materials for the plinth.	
6.1.2	RA reported that 'K' had spoken to Robert Leishman and he would be willing to carry out the building works to the plinth.	
7.0	Grass verges	
7.1.1	RA reported that the Wexham Nursery will plant the remaining trees for CCP very soon.	
7.1.2	LT mentioned that the park would benefit from additional trees and the leaning tree of Colnbrook should be replaced with a new one.	
7.1.3	LT mentioned that the verge opposite Rodney Way could do with re-generating and it was decided that some shrubs should be planted there.	
7.1.4	RA said he would contact Paul at Wexham Nursery for costings.	

**Colnbrook with Poyle Parish Council
Environment Sub-Committee Meeting 4th December 2007**

7.1.5	LT mentioned that a resident in Westfield complained about the verges on the Estate and that they need grass cutting and tidying. However, the verges on this estate are either owned by the residents or the housing estates and beyond our remit.	
8.0	Christmas Lighting	
8.1.1	LT said that he would like to see a large banner across the high street wishing everyone a happy Christmas from the Parish Council	
8.1.2	RA said he would look at the feasibility of supporting the banner across two lampposts.	RA
9.0	AoB	
9.1.1	LT reported that he had written to Jerry Rathbun first select man Colebrook Town Hall.	
9.1.2	He had sent 36 newsletters and 36 calendars to him and the compliments of the season to the people of Colebrook USA.	
9.1.3	LT said that he had attended a NAG meeting (Neighbourhood Action Group) and reported on the meeting.	
9.1.4.	LT advised that funding maybe available to meet the costs from SBC.	

The above recommendations and expenditure to be proposed at the next meeting of the council.

Ray Angell

Correspondence:

The Parish Clerk
1, Swallow Gardens
Hatfield, Herts.
AL10 8OR

H
COLNBROOK with POYLE
PARISH COUNCIL



Our Ref: RLNH/JSB/070263

6th December 20

Planning Department
Slough Borough Council
Town Hall, Bath Road
Slough
Berkshire. SL1 3UQ

Dear Sir,

Planning Application P/13909/001

Daventry Close, SL3 0PW

Appeal Decision
29/10/07
000 6/03/07

The Parish Council again objects to this application.

1. It is a gross over-development of the property.
2. It is totally out of keeping with the rest of the road.
3. The building is over the building line creating a president to other properties on the estate.
4. The development is already taking place before permission has been approved.
5. The development is intrusive to neighbours and other residents.
6. A brick wall over two metres in height has been built, for which planning permission was obtained.

Yours faithfully,

Roland L.N. Hewson
Clerk and Finance Officer

CHAIRMAN:

VICE CHAIRMAN:

CLERK & FINANCE OFFICER:

Mr. Laurie Tucker

Mr. Ray Angell

Mr. Roland Hewson

Tel: 01753 683386

Tel: 01753 680507

Tel: 01707 267958

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**Colnbrook with Poyle Parish Council
Environment Sub-Committee Meeting 17th July 2008**

4.0	Colnbrook Recreation Ground	
4.1.1	LT suggested that the goal posts be moved and the existing goal mouths re-seeded.	
4.1.2	It was decided that we should plant two new trees in the park to replace the leaning tree of Colnbrook and the one that had been broken.	
4.1.3	RA said that the park is being well used by all age groups and was terrific to see.	
4.1.4	LT said we should contact Kam Bhatti for some dog notices to be erected around the park.	
5.0	Bus Shelters	
5.1.1	RA said that he would like to see the flower troughs on the top of the new bus shelter at Crown Meadow next year.	RA
6.0	Colnbrook Clock	
6.1.1	RA reported that he and Laurie had been to George lines and they would be helpful in supplying the building materials for the plinth.	
6.1.2	RA said that 'K' had spoken to Robert Leishman and he would be willing to carry out the building works.	
7.0	Colnbrook Fire Tender	
7.1.1	RA reported that he and Laurie had been to George lines and they would be helpful in supplying the building materials for the plinth.	
7.1.2	K said that he had spoken to Robert Leishman and he would be willing to carry out the building works.	
8.0	Grass verges	
8.1.1	RA reported that the Wexham Nursery will plant the remaining trees for CCP very soon.	
8.1.2	LT mentioned that the park would benefit from additional trees and the leaning tree of Colnbrook should be replaced with a new one.	
8.1.3	LT mentioned that the verge opposite Rodney Way could do re-generating and it was decided that some shrubs should be planted there.	
8.1.4	RA said he would contact Paul at Wexham Nursery for costings.	RA

**Colnbrook with Poyle Parish Council
Environment Sub-Committee Meeting 17th July 2008**

8.1.5	LT mentioned that a resident in Westfield complained about the verges on the Estate and that they need grass cutting and tidying. However, the verges on this estate are either owned by the residents or the housing estates and beyond our re-mit.	
9.0	Christmas Lighting	
9.1.1	LT said that he would like to see a large banner across the high street wishing everyone a happy Christmas from the Parish Council	
9.1.2	RA said he would look at the feasibility of supporting the banner across two lampposts.	RA

The above recommendations and expenditure to be proposed at the next meeting of the council.

Ray Angell

Correspondence:

The Parish Clerk
1, Swallow Gardens
Hatfield, Herts.
AL10 8QR

COLNBROOK with POYLE PARISH COUNCIL



Our Ref: RLNH/JSB/080305

22nd July 2008

Planning Inspectorate
Room 3/14 Eagle Wing
Temple Quay House
2 The Square
Bristol
BS1 6PN

Dear Sir,

Appeal By: Mr & Mrs I [REDACTED]
Proposal: Erection of new front porch and roof over garage with pitched room
Location: [REDACTED] Daventry Close, Colnbrook, Slough [REDACTED]
Planning Inspectorate Ref: A/08/2077884/WF

We have been advised by Slough Borough Council that the above appeal was lodged on the 20th June 2008. If this information is correct, it begs the question why this appeal is being dealt with when it is outside the permitted time limit. Slough Borough Council advised the Appellant on 17th December 2007 of its intention to issue an Enforcement.

This Parish Council objected to Planning Application P/13909/001 and continues to do so. The proposals are of keeping to the character of the cul-de-sac in which the property is located. As part of the conditions placed on this property, the garage was to remain as a garage and not to be used as domestic room. This condition has not been complied with.

The Appellant might claim that there is another dwelling converted in a cul-de-sac on the same estate – This has been constructed without the necessary Planning Consent.

Please advise this Council of the decision of the appeal.

Yours faithfully,

R.L.N. Hewson
Clerk and Finance Officer

CHAIRMAN:
VICE CHAIRMAN:
CLERK & FINANCE OFFICER:

Mr. Laurie Tucker
Mr. Ray Angell
Mr. Roland Hewson
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Tel: 01753 683386
Tel: 01753 680507
Tel: 01707 267958

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Appeal Decision

Site visit made on 14 October 2008

by Paul Dignan MSc PhD

an Inspector appointed by the Secretary of State
for Communities and Local Government

The Planning Inspectorate
4/11 Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

Tel: 0117 372 6372
email: enquiries@plins.gsi.gov.uk

Decision date:
11 November 2008

Appeal Ref: APP/J0350/A/08/2077884

Daventry Close, Colnbrook, Slough, [REDACTED]

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr and Mrs [REDACTED] against the decision of Slough Borough Council.
- The application Ref. P/13909/001, dated 23 October 2007, was refused by notice dated 17 December 2007.
- The development proposed is: Front porch and roof over garage.

Decision

1. I dismiss the appeal.

Reasons

2. The appeal property is a semi-detached house in a short cul-de-sac. The development for which planning permission is sought, a front porch with a pitched roof which extends across the front of an integral garage to the property boundary, has already been built. In addition to the modest porch it involves the forward projection of the end wall of the house along the property boundary to a maximum height of 3.5m to support the roof in front of the garage. The overall result is a substantial structure some 6m in width which dominates the front of the dwelling. There are a number of similar structures in the wider area, but none of the other houses in Daventry Close have been extended in this manner. Only one of the other houses in the Close has a small projecting porch, but this dwelling is not prominent in the street scene which, with the exception of the appeal dwelling, is characterised by dwellings without forward projecting elements. In this context I consider that the structure appears overly dominant, visually intrusive and incongruous in the street scene. I find therefore that the development conflicts with Policies H15, EN1 and EN2 of the adopted Local Plan for Slough 2004 which collectively aim to ensure that such development is compatible with the original dwelling and its surroundings.
3. Accordingly, having considered all other matters raised, I conclude that the appeal should be dismissed.

Paul Dignan

INSPECTOR



The Planning Inspectorate

Room: 3/04
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

Direct Line: 0117-372-8160
Switchboard: 0117-372-8000
Fax No: 0117-372-8443
GTN: 1371-8160

<http://www.planning-inspectorate.gov.uk>

The Parish Clerk
1 Swallow Gardens
HATFIELD
Hertfordshire
AL10 8QR

Your Ref:

Our Ref:

Date:

APP/J0350/A/08/2077884/WF

11 November 2008

Dear Sir/Madam

Town and Country Planning Act 1990

Appeal by Mr & Mrs L [REDACTED]

Site at Daventry Close, Colnbrook, Slough, [REDACTED]

I enclose a copy of our Inspector's decision on the above appeal.

Leaflets explaining the right of appeal to the High Court against the decision, our complaints procedures and how the documents can be inspected are on our website - www.planning-inspectorate.gov.uk/pins/agency_info/complaints/complaints_dealing.htm - and are also enclosed if you have chosen to communicate by post. If you would prefer hard copies of these leaflets, please contact our Customer Services team on 0117 3726372.

If you have any queries relating to the decision please send them to:

Quality Assurance Unit
The Planning Inspectorate
4/11 Eagle Wing
Temple Quay House
2 The Square, Temple Quay
Bristol BS1 6PN

Phone No. 0117 372 8252

Fax No. 0117 372 8139

E-mail: complaints@pins.gsi.gov.uk

Yours faithfully

Robert Döwler



N

Mr & Mrs L [Redacted]

6th July 2009

Mr. R.L.N. Hewson
Clerk and Finance Officer
Colnbrook with Poyle Parish Council
1 Swallow Gardens
Hatfield
Herts
AL10 8OR

Dear Mr. Hewson

Re: Erection of new front port and roof over garage at 4 Daventry Close, Colnbrook.

In your letter of the 22nd July 2008 to the Planning Inspectorate at Bristol, you stated that my garage was being used as a domestic room. This is a false statement. I therefore require, you to let me have the following information.

1. Who informed you of this untrue statement?
2. Was this made at a Services Committee Meeting or a full Council Meeting?
3. How many Parish Councillors were present?
4. How many voted against the porch and canopy roof?
5. What date was the meeting held?

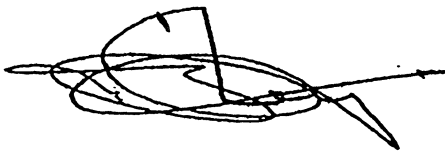
We also require you to correct this untrue statement in a letter to the Planning Inspectorate at Bristol forthwith and let me have a copy of such letter. If I do not receive such a letter, I will write to the Planning Inspectorate myself.

One further point, in the summer 2009 of Colnbrook with Poyle Parish Council Newsletter, page 6, you list The Parish Councillors record of attendance. We note that Cllr. Rakesh Pabbi has attended only 5 out of a total of 30 meetings. Surely this does not make him fit to represent this Parish.

Are Parish Councillors paid? If so, how much? By the year, month, week or number of attendances? Who makes the payments? Where does the money come from.

If I do not receive satisfactory answers to all my queries, I will enlist the aid of the Information Commissioners Office.

Yours sincerely,



Mr. & Mrs. L [Redacted]

Correspondence:

The Parish Clerk
1, Swallow Gardens
Hatfield, Herts.
AL10 8OR

COLNBROOK with POYLE
PARISH COUNCIL



Our Ref: RLNH/JSB/090326

8th July 2009

Mr & Mrs I [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Dear Mr & Mrs Leybourne

Erection of new front porch and roof over garage at 4 Daventry Close, Colnbrook

Thank you for your letter of 6th July 2009 relating to the above. I understand that your appeal was dismissed on 11th ^{November} August 2008. It would have been dismissed on wholly planning grounds not on any consultee's documentation. The Parish Council is a consultee and not the planning authority, on the same basis as those of neighbours to any planning application. The letter of 22nd July 2008 was a re-affirmation of the Parish Council's opposition to the original proposals and unless the actual circumstances change the original observations stand.

I understand your disappointment at losing your appeal but it was not a Parish Council decision, the fact of garage use is irrelevant, the appeal dismissal was reported to the Services Committee on 18th November 2008, Cllrs. Zeffert, Hood, Jones, Nye, Rayner, Tucker and Mrs Underhill attending. The report was then presented to full Council on Tuesday 6th January 2009, there being a recess in December.

I note your use of the phrase "I require you", may I say that the instructions I take are from my employer, the Parish Council and not from parishioners. You are free to do whatever you wish, but it will in no way have any bearing on your appeal dismissal.

With regard to the information you seek as regards Cllr. Rakesh Pabbi etc. etc the answers are as follows:

- a) The legal requirement for a Parish Councillor's attendance is twice a year. Cllr. Pabbi is also a District Councillor and meetings of Slough Borough Council and all their committees often clash with ours.
- b) Parish Councillors are unpaid.

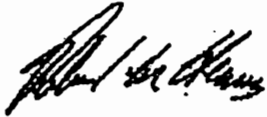
CHAIRMAN:
VICE CHAIRMAN:
CLERK & FINANCE OFFICER:

Mr. Laurie Tucker
Mr. Ray Angell
Mr. Roland Hewson

Tel: 01753 683386
Tel: 01753 680507
Tel: 01707 267958 Page 254 of 273

I hope that I have been able to assist you in some small way, but as I have said the Parish Council is only a consultee. It may make objections or not, the Borough Council chooses and makes its own decisions.

Yours sincerely,



R.L.N. Hewson
Clerk and Finance Officer

P

Mr & Mrs T. L. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

16th July 2009

Mr. R.L.N. Hewson
The Parish Clerk
1 Swallow Gardens
Hatfield
Herts
AL10 8OR

Dear Mr. Hewson

Re: Extension of New Front Porch and Roof Over Garage at 4 Daventry Close, Colnbrook.

Thank you for your letter of the 8th July 2009. You have not answered points 1,2,4 and 5 of my letter of the 6th July 2009. Are you not going to?

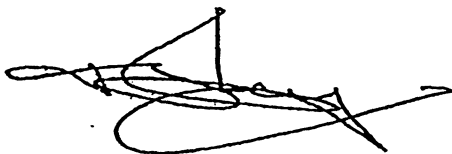
I assume that it was the Parish Council's objection that was lodged to Slough Borough Council Planning that brought about the refusal of planning by Slough Borough Council. Were there any other objections apart from No's 3 and 5 of Rodney Way. Who were canvassed by Chairman Laurie Tucker, who by his non-impartiality has abused his position.

As you consider a written lie to the Planning Inspectorate at Bristol that "the fact of the garage use is irrelevant" and that you have not corrected this statement, I now write to the Planning Inspectorate and correct this statement myself and that you have refused to do so.

I note Parish Councillors are unpaid. Do they received any allowances?

I am fully aware that Slough Borough Council are the only ones to make a decision and that objectors presentations are taken into consideration, albeit that they may be biased.

Yours sincerely,



Mr & Mrs T. [REDACTED]

Q

COLNBROOK WITH POYLE PARISH COUNCIL

Minutes of the SERVICES COMMITTEE meeting held at the Village Hall, Colnbrook on Tues
21st July 2009, commencing at 7.30pm.

PRESENT

Cllr. K. Laxman (Chairman)
Cllr. C. Zeffert (Vice-Chairman)
Cllrs. Angell, Ghatora, Hood, MacDougald, Nye, Tucker, and Mrs *Under*

Officer Present: Mr. R.L.N. Hewson (Clerk and Finance Officer)

SER/09/15 APOLOGIES FOR ABSENCE

Received from Cllrs. Jones, Pabbi and Rayner.

SER/09/16 MINUTES

The minutes of the Services Committee meeting held on Tuesday 16th June 2009 were approved as a true record and signed by the Chairman.

SER/09/17 DECLARATIONS OF INTEREST

There were no declarations.

SER/09/18 SUB-COMMITTEES

a) **Environment Sub-Committee**

Cllr Angell gave a latest situation report on the minutes of the meeting held on 23rd June 2009. The Clerk was instructed to place an order with Glasdon's for three metal 'Chieftain' litter bins at a cost of £350.00 each for Colnbrook Recreation Ground.

b) **PCSO's**

The Committee approved the use of the Parish 'A' Boards for displaying the police information as outlined.

SER/09/19 PLANNING MATTERS

- (i) Correspondence 4 Daventry Close. (Cllr. Tucker declared an interest and left the meeting).

The Clerk read out the correspondence from the appellant of the failed planning appeal on the extension of the New Front Porch and Roof over the Garage.

Following discussion the Committee AGREED that further exchanges of correspondence on this issue was pointless and instructed the Clerk to so inform the writer.

(Cllr. Tucker then returned to the meeting)

(ii) Lakeside Energy From Waste

The Chairman circulated copies of the Grundon proposed communication programme for 'Steam Blow'. The Council AGREED that information provided on the Parish Council Website and posters displayed in local shop, the pharmacy and the pubs.

(iii) P/14619/000 – Erection of a single storey rear extension with flat roof at Moreland Avenue, Colnbrook – Leave to neighbours.

(iv) P/10485/004 – Amendments to Planning Permission P/10485/003 for erection of ground floor side extension etc. – The Clerk was instructed to obtain details.

(v) P/3546/12 – Proposed New Three Storey one Bedroom Town House on land adjacent to 85 Laburnum Grove, Slough – Clerk instructed to convey Council's observation that this proposal is out of keeping with the character of the existing properties.

SER/09/20 QUESTIONS TO CHAIRMAN ARISING FROM THE COUNCIL MEETING ON 07/07/2009

There were no questions

The meeting closed at 8.15 pm.

SIGNED: DATE.....

These minutes will be rechecked by Secre's on 15th September having been to full council on 1st September 2009.

R

Correspondence:

The Parish Clerk
1, Swallow Gardens
Hatfield, Herts.
AL10 8OR

COLNBROOK with POYLE PARISH COUNCIL



Our Ref: RLNH/JSB/090327

22nd July 2009

Mr & Mrs L [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Dear Mr & Mrs Leybourne

Erection of new front porch and roof over garage at Daventry Close, Colnbrook

Thank you for your letter of 16th July 2009 relating to the above. The Services Committee considered this and the earlier correspondence at its meeting on 21st July 2009.

The Planning Inspectorate would have viewed the premises of any appealed decision prior to arriving at its own conclusion to ascertain and facilitate its resultant observations. In the knowledge of this usual procedure my wording to you is as it was. The Council now considers that further correspondence with you on these matters is pointless and have instructed me accordingly.

As regards allowances, the only allowance paid is to the Chairman.

Yours sincerely,

R.L.N. Hewson
Clerk and Finance Officer

CHAIRMAN:

VICE CHAIRMAN:

CLERK & FINANCE OFFICER:

Mr. Laurie Tucker

Mr. Ray Angell

Mr. Roland Hewson

Tel: 01753 683386

Tel: 01753 680507

Tel: 01707 267958

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Mr & Mrs [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

27th July 2009

Mr. R.L.N. Hewson
Clerk and Finance Officer
The Parish Clerk
1 Swallow Gardens
Hatfield
Herts
AL10 8OR

Dear Mr. Hewson

Re: Erection of new front porch and roof over garage with pitched roof at: [REDACTED] Daventry Close, Colnbrook, Slough, Berkshire.

Thank you for your letter of the 22nd July 2009.

Would you please let me know the total amounts paid to the Chairman, Mr Laurie Tucker, for each of the last three full years.

In point 1 of my letter of the 6th July 2009, I asked you who on your committee made a false statement regarding the alleged use of my garage as a domestic room as noted in your letter of the 22 July 2008 to the Planning Inspectorate at Bristol. You have not replied to this point.

Similarly you have not answered point 4 of my letter of the 6th July 2009.

So the Committee considers that further correspondence with us is pointless. I will not cease my enquiries until I am satisfied.

I look forward to your early reply.

Yours sincerely,



Mr. & Mrs. L [REDACTED]

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Correspondence:

The Parish Clerk
1, Swallow Gardens
Hatfield, Herts.
AL10 8OR

COLNBROOK with POYLE PARISH COUNCIL



Our Ref: RLNH/JSB/090332

25th August 200

Mr & Mrs L [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Dear Mr & Mrs L [REDACTED]

Chairman' Allowance

The Chairman's Allowance is paid under ss15(5) and 34(5) of the Local Government Act 1972 and is set by the Full Annual Meeting of the Parish Council held on the first Tuesday in May. For the last 3 years the allowance has been as follows:-

2007/2008	£1,200
2008/2009	£1,500
2009/2010	£1,500

Yours sincerely,

R.L.N. Hewson
Clerk and Finance Officer

CHAIRMAN:
VICE CHAIRMAN:
CLERK & FINANCE OFFICER:

Mr. Laurie Tucker
Mr. Ray Angell
Mr. Roland Hewson

Tel: 01753 683386
Tel: 01753 680507
Tel: 01707 267958

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S.0.28. INVITATION OF TENDER

- a) Except in cases of emergency or unless directed by the Council no contract for the supply of goods or materials or for the execution of works whereof the estimated amount or value is of the sum of £500.00 or over shall be made unless Public Notice has been given stating the nature and purpose thereof and inviting tenders as follows:-

£500.00 - £1,000.00 - three written quotations.

£1,000.00 + - tender.

- b) If no Tenders are received or if all the Tenders are identical the Parish Council may make such arrangements for procuring the goods or materials or executing the works as it thinks fit.

All Tenders, when received, will be kept unopened in the Council safe until they are opened in the presence of the Chairperson and Vice-Chairperson and the Clerk and Finance Officer.

S.0.29. ISSUE OF ORDERS

All orders on behalf of the Council and all orders in respect of anything done by the Council shall be issued by the Clerk.

S.0.30. CONSTITUTION OF STANDING COMMITTEES

- 1) The Standing Committees of the Council and their constitution shall be as follows:-

a) COMMITTEE	NO. OF COUNCIL MEMBERS	CO-OPTED MEMBERS
Services	6	
Finance & Policy	6	

- 2) The Chairperson and Vice-Chairperson of the Council shall be ex-officio members of every standing Committee without the power of voting unless otherwise appointed as a Member of the Committee.
- 3) Every Councillor should be given an opportunity to serve on a committee.

S.0.31. DECISIONS IN URGENCY

The Clerk in consultation with the Chairpersons of Council, Finance & Policy Committee and Services Committee or, in their absence, their respective Vice-Chairperson shall be authorised to take action upon matters which the Clerk considers cannot, due to reasons of urgency, wait until the next meeting of the Committee and/or Council an the case may be.

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SLOUGH BOROUGH COUNCIL

STANDARDS INVESTIGATION

COUNCILLOR TUCKER

DOCUMENT 21

APPLICATION NO	P 139091	APPLICATION TYPE	F	APPLICANT TYPE	PR
LOCATION	[REDACTED]				

PROPOSAL: Erection of new front porch and roof over garage with pitched roof.

OS SHEET	42-3	MAX HEIGHT		FEE REQUIRED	£135
GRID REF EAST	8503516	SITE AREA		FEE RECEIVED	£135
GRID REF NORTH	176717	DOB CATEG	Hous	RECEIPT NO	158383
FE AREA	East	TPO		CHEQ RECPT DATE	11/11/07
WARD	COLNBROOK WITH POYLE	DEV TYPE		CERT TYPE	SG6A
		REG REF	8549		

		CONS AREA		APPLICATION DATED	23/10/07
NEW ROAD INDICATOR		LISTED BLDG		APPLICATION RECEIVED	29/10/07
CONSTRAINTS		DEPARTURE IND		VALID DATE	29/10/07
OFFICER	A.H	PRESS NOTICE		INPUT DATE	14.11.07
EN	Del			DATE	24.12.07

DAUGHTER CLOSE
CHK S/P
copy sent to [REDACTED]
[REDACTED]
must return plans by 5/12/07

PUBLICITY REQUIREMENTS

Advertisement and Site Notice for planning

- accompanied by an Environmental
- represents a departure from the dev
- affects a public right of way
- affects the setting of a Listed Build
- affects the character or appearance

Advertisement and either a Site Notice or Neighbourhood Consultation for Planning Application:

- Major Development

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SLOUGH BOROUGH COUNCIL

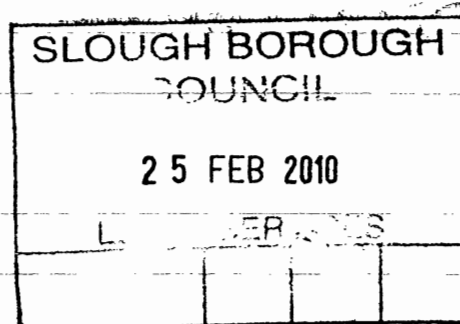
STANDARDS INVESTIGATION

COUNCILLOR TUCKER

DOCUMENT 22

22nd February 2010

Kuldip K Channa
Slough Borough Council
Legal Services
Town Hall
Batu Road
Slough SL1 3UD



Re: Planning Application at [REDACTED]
Your Ref: KKC/012730-COR-283

As per your letter dated 18th February and telephone conversation.

Please note I object to any information given, being available for a report or as a public document/record.

As mentioned I would like not to be involved in this situation and appreciate your understanding in this matter.

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STANDARDS INVESTIGATION

COUNCILLOR TUCKER

DOCUMENT 23



Traffic More... Map Satellite Terrain

APPENDIX B

Slough Borough Council - Local Determination of Complaints

FORM A Parish Councillor Laurie Tucker

Member's response to the evidence set out in the Monitoring Officer's or his Nominee's (MO) report

Please enter the number of any paragraph where you disagree with the findings of fact in the MO's report, and give your reasons and your suggested alternative

Paragraph number from the MO's report	Reasons for disagreeing with the findings of fact provided in that paragraph	Suggestion as to how the paragraph should read

Continued overleaf

Slough Borough Council - Local Determination of Complaints

FORM C Parish Councillor Laurie Tucker

Representation to be taken into account if a member is found to have failed to follow the Code of Conduct

Please set out below, using the numbered paragraphs, any factors that the Standards Committee should take into account if it finds that a member has failed to follow the Code of Conduct

Please note that no such finding has been made yet

Paragraph number	Factor for the Standards Committee to take into account when deciding whether or not to order any censure, restriction of resources or allowances, suspension or partial suspension
10.2 A	I DID WITHDRAW FROM THE MEETING, BUT IT WAS RECOMMENDED IN THE MINUTES BY THE CLERK NOT
10.2 B	I GAVE A RECAAGATION OF INTEREST AND WITHDREW FROM THE MEETING, BUT BOTH WERE NOT RECORDED IN THE MINUTES

Continued overleaf

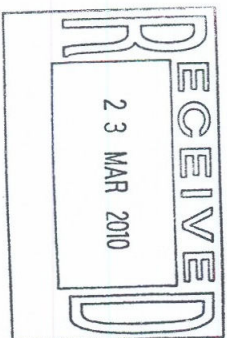
Slough Borough Council - Local Determination of Complaints

Paragraph number	Factor for the Standards Committee to take into account when deciding whether or not to order any censure, restriction of resources or allowances, suspension or partial suspension

Please attach separate sheets if necessary

Signed *HW*

Dated 21-03-2010



**Slough Borough Council - Local Determination of Complaints
Form D Parish Councillor Laurie Tucker**

Arrangements for the Standards Sub-Committee hearing

Please tick the relevant boxes

<p>1</p>	<p>The proposed date for the Standards Sub-Committee hearing is given in the accompanying letter. Are you planning to go to the hearing?</p> <p>If "No", please explain why.</p>	<p>YES <input checked="" type="radio"/></p> <p>NO <input type="radio"/></p>	<p>Reason:</p>
<p>2</p>	<p>Are you going to present your own case?</p>	<p>YES <input checked="" type="radio"/></p> <p>NO <input type="radio"/></p>	
<p>3</p>	<p>If you are not presenting your own case, will a representative present it for you?</p> <p>If "Yes", please state the name of your representative.</p>	<p>YES <input checked="" type="radio"/></p> <p>NO <input type="radio"/></p>	<p>Name:</p>
<p>4</p>	<p>Is your representative a practising solicitor or barrister?</p> <p>If "Yes", please give his or her legal qualifications. Then go to question 6.</p> <p>If "No", please go to question 5.</p>	<p>YES <input checked="" type="radio"/></p> <p>NO <input type="radio"/></p>	<p>Qualifications:</p>

Slough Borough Council - Local Determination of Complaints

<p>5</p>	<p>Does your representative have any connection with the case?</p> <p>If "Yes", please give details.</p>	<p>YES ↑</p> <p>NO ↑</p>	<p>Details:</p>
<p>6</p>	<p>Are you going to call any witnesses?</p> <p>If "Yes", please fill in Form E.</p>	<p>YES ↑</p> <p>NO ↑</p>	<p>Details:</p>
<p>7</p>	<p>Do you, your representative or your witnesses have any access difficulties (for example, is wheelchair access needed?)</p> <p>If "Yes", please give details</p>	<p>YES ↑</p> <p>NO ↑</p>	<p>Details:</p> <p>I AM DISABLED AND NEED TO BE SEATED MOST OF THE TIME</p> <p>ALSO</p> <p>HARD OF HEARING, BUT USE AN HEARING AID.</p>
<p>8</p>	<p>Do you, your representative or your witnesses have any special needs (for example, is an interpreter needed?)</p> <p>If "Yes", please give details</p>	<p>YES ↑</p> <p>NO ↑</p>	<p>Details:</p>
<p>9</p>	<p>Do you want any part of the hearing to be held in private?</p> <p>If "Yes", please give reasons.</p>	<p>YES ↑</p> <p>NO ↑</p>	<p>Reasons:</p>

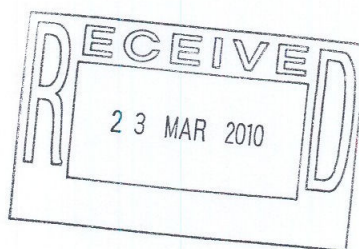
Slough Borough Council - Local Determination of Complaints

10	Do you want any part of the documents to be withheld from public inspection? If "Yes", please give reasons.	YES ↓ NO ↓	Reasons:
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Please attach separate sheets if necessary.

Signed *[Signature]*

Dated 26-03-2010



Slough Borough Council - Local Determination of Complaints

FORM E

Details of proposed witnesses to be called Parish Councillor Laurie Tucker

Name of witness or witnesses	1	
2		
3		
WITNESS 1		
<p>a Will the witness give evidence about the allegation?</p> <p>If "Yes", please give an outline of the evidence the witness will give</p>	<p>YES <input checked="" type="checkbox"/></p> <p>NO <input type="checkbox"/></p>	<p>Outline of evidence:</p>
<p>b Will the witness give evidence about what action the Standards Sub-Committee should take if it finds that the Code of Conduct has not been followed?</p> <p>If "Yes", please provide an outline of the evidence which the witness will give.</p>	<p>YES <input checked="" type="checkbox"/></p> <p>NO <input type="checkbox"/></p>	<p>Outline of evidence:</p>

FORM E

WITNESS 2

<p>a Will the witness give evidence about the allegation?</p> <p>If "Yes", please give an outline of the evidence the witness will give</p>	<p>YES <input type="checkbox"/></p> <p>NO <input type="checkbox"/></p>	<p>Outline of evidence:</p>
<p>b Will the witness give evidence about what action the Standards Sub-Committee should take if it finds that the Code of Conduct has not been followed?</p> <p>If "Yes", please provide an outline of the evidence which the witness will give.</p>	<p>YES <input type="checkbox"/></p> <p>NO <input type="checkbox"/></p>	<p>Outline of evidence:</p>

FORM E

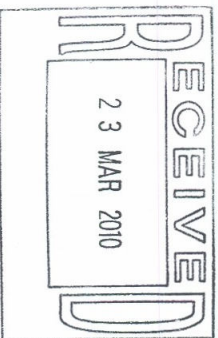
WITNESS 3

<p>a Will the witness give evidence about the allegation?</p> <p>If "Yes", please give an outline of the evidence the witness will give</p>	<p>YES 1</p>	<p>Outline of evidence:</p>
	<p>NO 1</p>	
<p>b Will the witness give evidence about what action the Standards Sub-Committee should take if it finds that the Code of Conduct has not been followed?</p> <p>If "Yes", please provide an outline of the evidence which the witness will give.</p>	<p>YES 1</p> <p>NO 1</p>	<p>Outline of evidence</p>

Please attach separate sheets if necessary

Signed..... *[Signature]*

Dated..... 21. 03. 2010



SLOUGH BOROUGH COUNCIL

Standards (Local Determination) Sub-Committee

Local Hearing Procedure

Interpretation:

“Member” means the Member of the Council who is the subject of the allegation(s) being considered by the Sub-Committee, unless stated otherwise. It also includes the Member’s nominated representative (if any).

“Investigator” means the Ethical Standards Officer (ESO) who referred the report to this Council or the Monitoring Officer and includes his or her nominated representative.

1. Preliminaries

1.1 The Chair will:-

- (a) ask the Members/Officers present to introduce themselves.
- (b) ask the Member Services Manager (or her representative) to confirm that the Sub-Committee is quorate.
- (c) ask the Investigator and the Member if they are to call any witnesses and if so who.
- (d) ask all present to confirm they know the procedure which the Sub-Committee will follow.
- (e) ask the Member, the Investigator and the Monitoring Officer (or his representative) whether there are any reasons to exclude the press and public from the meeting and if so on what grounds
- (f) advise the Sub-Committee that the determination process is in two stages:-
 - (i) whether or not the Member has failed to comply with the Local Code of Conduct as set out in the Investigator’s report and
 - (ii) if the Sub-Committee consider that a breach of the Local Code of Conduct has occurred what action (if any) the Sub-Committee should take.

- 1.2 The Chair will explain how the Sub-Committee is going to run the hearing and remind everyone that the Sub-Committee have received and read all of the witness statements and supporting documentation which form part of the agenda papers. Thus the Investigator and the Member should confine themselves to exploring any inconsistencies within the evidence and draw that to the attention of the Sub-Committee.
- 1.3 The Chair will emphasise that the proceedings are inquisitorial in nature not adversarial so cross-examination is not permitted.

2. Making Findings of Fact/Has there been a Breach? – Stage 1

- 2.1 The Monitoring Officer (or his representative) shall present the report submitted to the Sub-Committee together with the supporting documentation. Confirmation will then be sought from the Member as to whether there are any other additional points i.e. new ones which are not contained in the documentation.
- 2.2 The Investigator will present his case in the presence of the Member and may call witnesses to support the relevant findings of fact in the report.
- 2.3 The Member, will have the opportunity to ask questions of any witnesses the Investigator may call.
- 2.4 The Sub-Committee may ask questions of the Investigator and witnesses.
- 2.5 The Member will present his case in the presence of the Investigator and call such witnesses as he wishes to support his version of the facts.
- 2.6 The Investigator will have the opportunity to ask questions of the Member and his witnesses.
- 2.7 The Sub-Committee may ask questions of the Member and his witnesses.
- 2.8 The Chair shall then seek confirmation from the Members of the Sub-Committee that sufficient information is now available to determine whether there has been a breach of the Code.
- 2.9 At the discretion of the Chair the Investigator and the Member shall be given an opportunity to sum up their case (no more than five minutes each).

- 2.10 The Sub-Committee may, at any time, question anyone involved on any point they raise in their representations.
- 2.11 The Sub-Committee shall then in private identify the material findings of fact and decide whether the Member did fail to comply with the Local Code of Conduct (All parties to leave room except Member Services Manager (or her representative) who will minute). The standard of proof is the balance of probabilities.
- 2.12 Once the Members of the Sub-Committee have come to a decision then all parties shall return to hear the material findings of fact, whether the allegation has been proven and what recommendations they have for the Council to promote high standards of conduct. Reasons will be given for the decision.
- 2.13 If the Sub-Committee find that the case is not proven the meeting must ask the Member whether he wishes the Council not to publish a statement of its findings in a local newspaper. Then the meeting is closed.
- 2.14 If the case has been proven then the Sub-Committee will proceed to Stage 2.

3. What Sanction should be Imposed? – Stage 2

- 3.1 If the Sub-Committee decide that the Member **has** failed to follow the Local Code of Conduct, then it will consider:-
 - (i) whether or not the Sub-Committee should set a penalty; and
 - (ii) what form any penalty should take (see attached)
- 3.2 The Sub-Committee may question the Investigator and Member and take legal advice if appropriate.
- 3.3 The Sub-Committee will then retire to consider whether or not to impose a penalty on the Member, and if so, what the penalty should be.
- 3.4 The Sub-Committee will return and the Chair will announce the Sub-Committee's decision and will provide a short written decision on the day.
- 3.5 The Chair will inform the Member of his right of appeal to the Adjudication Panel for England.

4. Post Hearing Procedure

- 4.1 A full written decision will be issued within 14 days of the end of the hearing which will include full reasons for its decision.

- 4.2 The Sub-Committee will arrange to publish a summary of its findings, the decision reached and where appropriate the penalty set in one or more newspapers (independent of the Council).

Notes

- A. All Members of the Sub-Committee have the right to ask questions/seek clarification once the Investigator and the Member have presented their respective cases.
- B. The Complainant has no right to speak.

APPENDIX D

Admission of Press and Public to Standards (Local Determination) Sub-Committee Hearings

The Standards Board for England recommends that hearings should be held in public where possible to make sure that the hearing process is open and fair. However, there may be some circumstances where parts of the hearing should be held in private.

- 1 At the hearing, the Sub-Committee will consider whether or not the public should be excluded from any part of the hearing, in line with Part VA of the Local Government Act 1972 (as modified in relation to local determinations by Standards Committees). If the Sub-Committee considers that 'confidential information' is likely to be revealed during the hearing, the Sub-Committee must exclude the public by law. 'Confidential information' is defined for these purposes to mean information that has been provided by a Government department under the condition that it must not be revealed, and information that the law or a court order says cannot be revealed.
- 2 The Sub-Committee also has the discretion to exclude the public if it considers that 'exempt information' is likely to be revealed during the hearing. The categories of 'exempt information' are set out in Document 4. The Sub-Committee should act in line with Article 6 of the *European Convention on Human Rights*, which gives people the right to a fair trial and public hearing by an independent and unbiased tribunal. The Sub-Committee also has a duty to act fairly and in line with the rules of natural justice.
- 3 Article 6 says that the public may be excluded from all or part of the hearing if it is in the interest of:
 - (a) Morals;
 - (b) public order;
 - (c) justice;
 - (d) natural security in a democratic society; or
 - (e) protecting young people under 18 and the private lives of anyone involved.
- 4 There should be a public hearing unless the Sub-Committee decides that there is a good reason, which falls within one of the five categories above (3a to e), for the public to be excluded.
- 5 The Sub-Committee must also act in line with Article 10 of the *European Convention on Human Rights*, which sets out the right for people to 'receive and impart information and ideas without interference by public authority'. Any restrictions on this right must be 'prescribed by law and.....necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the

reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary’.

- 6 Conflicting rights often have to be balanced against each other. The Sub-Committee must act in line with Article 8 of the *European Convention on Human Rights*. Article 8 says that everyone has the right to respect for their private and family life, home and correspondence. It says that no public authority (such as the Sub-Committee) may interfere with this right unless it is:-
- (a) in line with the law; and
 - (b) necessary in a democratic society in the interests of:
 - (i) national security;
 - (ii) public safety;
 - (iii) the economic well-being of the country;
 - (iv) preventing crime or disorder;
 - (v) protecting people’s health and morals (which would include protecting standards of behaviour in public life); or
 - (vi) protecting people’s rights and freedoms.

There is a clear public interest in promoting the probity (integrity and honesty) of public authorities and public confidence in them. For these reasons the hearing should be held in public unless the Sub-Committee decides that protecting the privacy of anyone involved is more important than the need for a public hearing.

- 7 In relation to people’s rights under both Articles 8 and 10 of the *European Convention on Human Rights*, it should be remembered that any interference with or restriction of those rights must be ‘necessary’ if it meets ‘a pressing social need’, and any restriction on people’s rights must be ‘proportionate’.
- 8 The Standards Board for England recommends that a Standards Committee/Sub-Committee should move to a private room when considering its decisions. It is not considered that this will conflict with the rights under the *European Convention on Human Rights* or the duty to act fairly.

APPENDIX E

Categories of “Exempt Information” under Schedule 12A of the Local Government Act 1972 (as modified in relation to local determinations by Standards Committees)

1. Information relating to any individual
2. Information which is likely to reveal the identity of an individual.
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information)
4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
6. Information which reveals that the authority proposes—
 - a. to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
 - b. to make an order or direction under any enactment.
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.
- 7A Information which is subject to any obligation of confidentiality
- 7B Information which relates in any way to matters concerning national security
- 7C The deliberations of a standards committee or of a sub-committee of a standards committee established under the provisions of Part 3 of the Local Government Act 2000 in reaching any finding on a matter referred under the provisions of section 60(2) or (3), 64(2), 70(4) or (5) or 71(2) of that Act.

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SLOUGH BOROUGH COUNCIL

Standards (Local Determination) Sub-Committee

The Local Authority (Code of Conduct) (Local Determination) (Amendment)

Penalties

Under these Regulations, Standards Committees/Sub-Committees can impose one, or any combination, of the following:-

- censure the Member;
- restrict the Member's access to the premises and resources of the relevant authority for up to three months, ensuring that any restrictions are proportionate to the nature of the breach and do not unduly restrict the Member's ability to perform his or her duties as a Member;
- order the Member to submit a written apology in a form satisfactory to the Sub-Committee;
- order the Member to participate in a conciliation process* specified by the Sub-Committee;
- suspend, or partially suspend, the Member for up to three months;
- suspend, or partially suspend the Member for up to three months, or until such time as the Member submits a written apology that is accepted by the Sub-Committee;
- suspend, or partially suspend, the Member for up to three months, or until such time as the Member undertakes any training or conciliation ordered by the Sub-Committee.

* **Any conciliation process should have an agreed time frame for resolution. The process may be of an informal or formal nature, involving elements of training and mediation that will lead to an effective and fair conclusion of the matter. Any decisions reached during the process regarding future behaviour of the Member concerned, and measures to prevent a repetition of the circumstances that gave rise to the initial allegation, should be agreed by all parties.**

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