

APPENDIX 1

From: David MacIsaac
Sent: 20 December 2010 10:17
To: Cook June
Cc: Elahee Maria
Subject: Standards Report of Councillors at planning committee

I formally wish to put in a complaint to Standards Committee on behaviour of councillors Bal, Rasib, Zurait, and Choudry at Planning Committee on 15th Dec. There were 2 items on agenda both call ins by Councilor Sohal and Bains separately. One was for a 3 bedroom detached house at 68 Norway Drive called in by Councilor Sohal on behalf of a Mr Mehmood who has HMOs there. I saw the 4 councillors shake hands and greet the applicant and Councillor Sohal before the meeting started in the hallway outside. I was aware that the applicant has been involved in helping Councilors get elected by working with the above named Councilors with his HMO houses and election campaigns.

During the debate the 4 named Councilors ignored the officers recommendations to refuse and appeared clearly to be wanting to support the applicant. A similar application for 70 Norway Drive was refused which would have effected the 68 Norway Drive one but although the same criteria, in a named vote, refusal was turned down and a compromise vote was made to look at new plans tabled on night for officers to consider but to still bring back to committee if still wanting to refused. It was fairly blatant that these 4 Councillors wanted to get this approved regardless of any arguments. and was pre determined

Later there was an application for an illegal parking site in High Street that officers wanted to be refused and have enforcement This was called in by Councillor Bains, The 4 named Councillors were very vocal in saying they wanted this approved despite any arguments. There was a clear problem as drainage had not been done and I pointed out that it could not be approved especially on these grounds. A amended motion was put forward to give time for officers to negotiate drainage but not to be allowed power to refuse but to come back to committee. It was clear from debate that those 4 councillors had already made their minds up and were responding to lobbying.

I wondered whether to keep silent as difficult to prove but have decided after taking time to consider that this was so blatant that I have to report it. Maybe I hope that even getting it reported may deter this behaviour in future which is unacceptable even though they denied pre determination

SLOUGH BOROUGH COUNCIL

SUMMARY OF COMPLAINT (SBC 2010/25)

1. **Complainant:** Cllr David Maclsaac
2. **Subject Matter:** Cllrs Joginder Bal, Pervez Choudhry, Mohammed Rasib and Raja Zarait
3. **Date(s) of Alleged Breach:** 15th December 2010.

4. **Précis of the Complaint:**

The allegation stated in the Complainant's email dated 20th December 2010 appears to be as follows:

That at the Planning Committee on 15th December 2010 Councillors Bal, P Choudry, Rasib and Zarait, and were influenced by lobbying from the applicants and were predetermined in favour of two applications which the Officers had recommended for refusal.

The applications in question were in respect of:

- the proposed erection of a 3 bedroom detached house on land adjoining 68 Norway Drive (P/14946/000) and
- retrospective planning permission for change of use from b1(a) offices to car park for a temporary period on the Aspire 2 Site, corner of Church Street &, Herschel Street, Slough (P/01508/033)

Both applications were delegated to the Officers to determine but were called in by Ward Members, Cllr Sohal in respect of the 68 Norway Drive application and Cllr Bains in respect of the Aspire 2 Site, for determination by the Planning Committee.

The complaint is within jurisdiction. The Subject Members were Members of the Council at the time of the alleged breach.

5. **Other relevant information/documentation**

The First-tier Tribunal (Local Government Standards in England) in case reference 0352 has looked at the relationship between the Code of Conduct and predetermination and has given an indication that where such issues arise there is a potential paragraph 5 **Code breach** (bringing

his/her office or the Borough Council into disrepute) The outcome is likely to depend on the individual circumstances of a case and any other Code issues and breaches. This is because a councillor who renders the decision of a council unlawful due to predetermination could reasonably be regarded as bringing that authority or his office into disrepute.

6. **Supporting Papers**

Complainant's email dated 20th December 2010 (Attached).

Copy of the Committee Reports on the planning applications referred to in the Complainant's email. (Attached)

Copy of the Minutes of the Planning Committee Meeting held on the 15th December 2010 (Attached)

Extract from the Planning Code of Conduct for Members and Officers (Part 5.2 of the Council Constitution) relating to the lobbying of Members.

SLOUGH BOROUGH COUNCIL
STANDARDS (ASSESSMENT) SUB-COMMITTEE

DECISION NOTICE

Reference: 2011/SBC25

1. Complaint

On 10th January 2011 the Standards Assessment Sub-Committee of this Council considered a complaint from Councillor David Maclsaac concerning the alleged conduct of Cllrs Joginder Bal, Pervez Choudhry, Mohammed Rasib and Raja Zarait, Members of this Authority.

A general summary of the complaint is set out below:

That at the Planning Committee on 15th December 2010 Councillors Bal, P Choudry, Rasib and Zarait, were influenced by lobbying from the applicants and were predetermined in favour of two applications which the Officers had recommended for refusal.

The applications in question were in respect of:

- the proposed erection of a 2 bedroom detached house on land adjoining 68 Norway Drive (P/14946/000) and
- retrospective planning permission for change of use from b1(a) offices to car park for a temporary period on the Aspire 2 Site, corner of Church Street &, Herschel Street, Slough (P/01508/033)

2. Decision

In accordance with Section 57A(2) of the Local Government Act 2000, as amended, the Assessment Sub-Committee of the Standards Committee decided to refer the allegation to the Monitoring Officer for investigation.

I identify below the paragraph of the Local Code of Conduct which may apply to the alleged conduct:-

Paragraph 5 - bringing an office or authority into disrepute.

The investigator will determine which paragraph(s) are relevant during the course of the investigation.

3. What happens now?

Please see the attached guide on the investigations process.

4. Terms of Reference

The Local Government and Public Involvement in Health Act 2007 amends the Local Government Act 2000, which now provides for the local assessment of new complaints that members of relevant authorities may have breached the Code of Conduct. The Standards Committee (England) Regulations 2008 relate to the conduct of authority members and requirements for dealing with this.

The regulations set out the framework for the operation of a locally based system for the assessment, referral and investigation of complaints of misconduct by members of authorities. They amend and re-enact existing provisions in both the Relevant Authorities (Standards Committee) Regulations 2001, as amended, and the Local Authorities (Code of Conduct) (Local Determination) Regulations 2003, as amended.

5. Additional Help

If you need additional support in relation to this or future contact with us, please let us know as soon as possible by contacting June Cook, Member Services Manager on (01753) 875019 or by e-mail at june.cook@slough.gov.uk.

Signed:

maria memon, monitoring Officer for and on behalf of the Sub-Committee

Date: 14th January 2011



STATEMENT OF WITNESS

STATEMENT OF: Councillor David McIsaac

AGE OF WITNESS: Over 21
(if over 21, enter "over 21")

POSITION HELD: Elected Member

ADDRESS: Slough Borough Council, Town Hall, Bath Road, Slough,
Berkshire SL1 3UQ

This witness statement is in respect of the Standards Investigation regarding a Code of Conduct matter in the case of Councillors Bal, Choudry, Rasib and Zarait - Compliant reference SBC25 in relation to an allegation that Councillors Bal, Choudry, Rasib and Zarait breached the Code of Conduct at a Planning Committee on 15 December 2010.

1. The background is that as a Councillor I am aware that during election time promises can be given to individuals in return for votes. In particular I am aware of landlords of houses in multiple occupation (HMO) can put pressure on their tenants with postal votes and to vote in favour of whoever the landlord says they should vote for. When Councillor Sohal was previously with me helping to canvas for Independent Votes, he would suggest to me that I promise to get planning applications through in return for votes. I always said I would not do that.
2. During the May 2010 elections I was aware of a landlord of a known HMO was assisting Councillor Sohal with his election. This is relevant as the same landlord was the Applicant involved with one of the allegations I am raising.
3. For the Planning Committee of 15 December 2010, Councillor Sohal had called in an application in respect of 68 Norway Drive, for erection of an attached two storey three bedroom end of storey house on land adjacent to 70 Norway Drive, on behalf of the Applicant above, as Officers were recommending refusal and he wanted the Planning Committee to approve. There was also an application by the Asset Management of the Council to approve the same structure for social housing on the same bit of land. Both applications were recommended for refusal by Officers on the same criteria.

4. Prior to the meeting to discuss both these applications I witnessed the following Planning Committee Members, Councillors Rasib, Zarait, Choudry and Bal, meet with Councillor Sohal and the Applicant in the corridors outside and there was shaking of hands and smiling and talking in a language I did not understand.
5. In the meeting the first application for the Council was discussed and refused with a named vote. The second application for the private housing, although being the same type of application and the same reasons why Officers were recommending for refusal the four above mentioned Councillors were arguing for approval and appeared to be ignoring all the arguments being put forward. One of the comments by me was that they had refused the first application which was for social housing and now saying they needed to approve this private application because for further need for housing which contradicted their arguments in my view. A named vote was taken to support the Officers refusal and the four Councillors mentioned all voted against refusal. Councillor Dale-Gough also voted against but I did observe Councillor Choudry nudging and talking to him before the vote.
6. An amendment was put by Councillor Swindlehurst who voted for refusal that the application be taken back for Officers to consider on the new information presented at the meeting by Councillor Sohal where the Applicant was trying to demonstrate that parking problems would be managed. Strictly speaking we should not have even considered this new information as it was not in the application before us which I stated at the meeting. The amendment to Officers was to consider for approval but if they were still inclined to refuse it was to come back to the Planning Committee for the final decision. A named vote was taken again with the above named Councillors clearly insisting it should be approved. During discussion of this application it was clear that the four Councillors I have mentioned were clearly in favour for approval despite any arguments being presented and the previous Council application which was the same criteria had been refused. In fact if that had been approved then the second application could not have been approved.
7. At the same Planning Committee meeting, there was an application for SP Car Parking Ltd for approval for a car park which had been operating illegally. The Officers recommending refusal and permission for enforcement action. This had been called in to the Planning Committee by Councillor Bains for requesting approval on behalf of the Applicant.
8. The background to this is the Applicant was a Mr Koser(?), who owns the Village in the Town Centre, had had development plans fall through and was using the land as a car park without planning permission to help with

income. I am aware from election time that Mr Koser? had been lobbying Councillors for permission and also aware that he had donated money to the Labour Party election funds and frequently saw Councillors Sohal and Bains visiting him at the Village premises when I was in town.

9. Prior to the meeting on 15 December 2010, starting I saw Councillor Rasib, Zarait, Bal and Choudry talking with Councillor Bains and the Applicant in the corridors outside the Committee room and they shaking hands and smiling and talking in a language which I did not understand.
10. For this Agenda item in the Committee the four above named Councillors were arguing strongly for this application to be approved despite arguments against by Officers and other councillors. For example it was pointed out there were sufficient car parking spaces in town, he already had permission for another car park in town next to this application site and, there was an environmental health objection as he had not dealt with land surface drainage. The four councillors in particular I have named were very clearly in favour for approval of the application. It went to a named vote for the Officers refusal and the four named councillors voted against refusal and I again I noticed that Councillor Dale-Gough was being nudged by Councillor Choudry who was sitting next to him.
11. It was then put by Councillor Swindlehurst that it be delegated back to Officers to see if problems with drainage could be resolved but bring it back to Committee if they were still minded to approve. I would point out that Officers stated that drainage problems should have been sorted before the Applicant stated to use the site as a car park in the first place and it will be difficult to meet these requirements now. The four councillors I have named were still insisting that it come back to Committee to decide and not allow the Officers to decide a refusal on their own even though they have delegated powers to do so.
12. In both these applications I believe that there were promises to get the applications through for the Applicants. I believe investigations should follow as clear breach of the Slough's Planning Code of Conduct in my view and I hope that even by raising it may prevent this type of behaviour occurring again.

I hereby declare that this a true and accurate record of the interview on 2nd February 2010 and this is an agreed record of that interview. There are 2 pages. I confirm that I have been advised that the investigation is subject to rules of confidentiality and disclosure under the provisions of the Local Government Act 2000. The record is being provided to me solely to confirm the accuracy of the interview and it will not be disclosed or used by me for any other purpose. I consent for any details of the interview to be used for this investigation.

Signed:

Date:

Document 4a

Channa Kuldip

From: David Maclsaac
Sent: 21 February 2011 11:05
To: Channa Kuldip
Cc: kuldip.chana@slough.gov.uk
Subject: Re planningcomplaint

Havent heard from you if you want me to sign statement. Councillor Dodds just admitted to me in a car that Paul Sohal and Balvinder Bains rang her to support the 2 applications we discussed. She refused but was too ill to attend that day. I hope it is being progressed and not buried.

SLOUGH BOROUGH COUNCIL - STANDARDS INVESTIGATION



STATEMENT OF WITNESS

STATEMENT OF: Councillor Plimmer

AGE OF WITNESS: Over 21
(if over 21, enter "over 21")

POSITION HELD: Elected Member

ADDRESS: Slough Borough Council, St Martin's Place, Bath Road, Slough,
Berkshire SL1 3UF

This witness statement is in respect of the Standards Investigation regarding a Code of Conduct matter in the case of Councillors Bal, Choudry, Rasib and Zarait - Compliant reference SBC25 in relation to an allegation that Councillors Bal, Choudry, Rasib and Zarait breached the Code of Conduct at a Planning Committee on 15 December 2010.

1. I attended the Planning Committee on 15 December 201~~0~~⁰. I arrived early and was in the Council Chamber before the meeting.
2. One of the first things I recall is that before the meeting Councillor Qureshi came into the Council Chamber and spoke to various Planning Committee Members. The Councillors he spoke to were, Councillors Bal, Choudry and Rasib. I recall that they all shook hands with each other. I cannot recall if Councillor Qureshi spoke to former Councillor Zarait. I also remember that Councillor Qureshi sat in the public gallery throughout the meeting. I felt he was present for one of the Planning Applications which are the subject of this investigation, however I am not sure which one it was. I was a little puzzled by his presence I did not think the applications were in his Ward as he represents Bayliss and Stoke Ward. My recollection is that it was strange that he came to the meeting and chatted to certain other Asian Members of the Planning Committee. It was unusual.
3. I also remember that after the meeting Councillor Qureshi came into the Council Chamber after the meeting. He shook hands with one of the Applicants, however I am not sure which one. I think this was the same Applicant who was in the public gallery throughout the meeting. Councillor Qureshi also shook hands with Councillor Rasib. I think this same Applicant may also have shaken hands with former Councillor Zariat.

Norway Drive – Item 10 on the Agenda

4. This Application was recommended for refusal by the Planning Officers. The Planning Committee also had a letter of objection from the Parish Council. Indeed Parish Councillor Davis spoke to support the Planning Officers' recommendation.
5. Firstly the Chair permitted Councillor Sohal, the Ward Member who spoke on the Application to circulate additional papers. This was unusual. It was odd that the meeting was adjourned for a few minutes so that Members could review the information. Generally it is not permitted to circulate additional papers at the Committee itself. If there was additional information from the Applicant it is more usual for the Application to be referred to the next Committee meeting cycle. This allows the professional Officers to properly review and assess the new information in planning terms.
6. As the Agenda Item came open for debate the Chair former Councillor Zariat immediately indicated to everyone that the Planning Officers' recommendation need not be followed. It was clear to me that he was stating that he against the Planning Officers' recommendation. This seemed particularly odd to me especially as I and everyone else is aware that there is a traditional protocol that the Chair takes a neutral position. The protocol ensures that the Chair does not get into a difficult situation if there is an appeal.
7. My impression of the debate and in particular of the Members who supported this Application was that it was being pushed through deliberately against Planning Officers' recommendation. In particular I felt that the Chair "bulldozed" it through. There were major issues around the development of the site such as parking and visual impact as well effects on the neighbouring property. The Planning Application could have been deferred to the next meeting. There was definitely an air of "discomfort" about the way in which this Application was forced through with little consideration or exploration of other options. It seemed that for certain Members it had to be granted.
8. I have been a member of the Planning Committee since 2006. I have been present for other decision which involve high emotive issues for Members such as Castlevew or the Colnbrook waste transfer station. I aware that at times there can be very significant differences between the views of elected Members and Planning Officers. The correct level of transparency and protocol has been maintained for example the Chair's neutral position is preserved regardless of the issues. However on this

occasion I certainly had the impression that the Chair was predetermined along with other Members too. The atmosphere of the meeting I can only describe as tense and uncomfortable as the decision and decision making process seemed just did not seem right. This view was taken by a number of Members independently of each other. I felt strongly enough about this issue that following the meeting I discussed my concerns with other Members such as former Councillor Mclsaac and Councillor Swindlehurst. Councillor Mclsaac did report the situation standards.

Aspire to Site

9. Councillor Bains spoke to this Agenda Item. He was the Ward Councillor.
10. With this Application I noted again that there were solid planning reasons for refusal. I think there were environmental and sustainability reasons about the recommendation for refusal. There is a local and national policy on car parks in the town centre. Slough Council wants to encourage more greener ways to enter the town centre. There was plenty of other parking in the town for example the Observatory, Tesco, Herschel Street and Hadfield carparks. I accept that say for example at Christmas time there may be pressure on parking in the town centre so a temporary solution can be permitted for a few weeks to support the local economy for that short period. Further there were other examples of temporary permissions which have become permanent for example Church Street. There was every reason to support the Officers' recommendation and very little to support the Application.
11. This debate was also rather strange and difficult to understand how when the Officers' recommendation was to refuse and take enforcement action, some Members seemed determined to approve it! The contaminated land issues were not explored or considered, it was clearly identified that the Applicant had financial losses which seemed totally irrelevant to planning issues. Exemptions were made to sound planning policies for little valid reasons in planning terms. It felt like there was deal going on to steam roll this Application through the Committee.
12. I remember that when I and former Councillor Mclsaac expressed our objections on planning grounds the views of those in support was to find ways around to approve the Application without proper consideration for those issues. It seemed more important to some Members that the Applicant should be permitted to carry on his business regardless of the planning policy regime.

13. **In conclusion** I would say that I am convinced that Members had lobbied other Members regarding both these Applications. The stance taken by some Members about these Applications is very odd and the manner in which they were both forced through that Committee leaves lots of doubtful question marks about the position of the Members who supported the Applications, particularly those who are the subject of this complaint to Standards.

I hereby declare that this a true and accurate record of the interview on 7th September 2011 and this is an agreed record of that interview. There are 4 pages.

I confirm that I have been advised that the investigation is subject to rules of confidentiality and disclosure under the provisions of the Local Government Act 2000. The record is being provided to me solely to confirm the accuracy of the interview and it will not be disclosed or used by me for any other purpose. I consent for any details of the interview to be used for this investigation.

Signed:

Date:

23rd MARCH 2012

SLOUGH BOROUGH COUNCIL - STANDARDS INVESTIGATION



Document 8

STATEMENT OF WITNESS

STATEMENT OF: *Councillor JOGANDEE BAL*

AGE OF WITNESS: Over 21
(if over 21, enter "over 21")

POSITION HELD: Former Councillor Bal

ADDRESS: Slough Borough Council, St Martin's Place, Bath Road, Slough,
Berkshire SL1 3UF

This witness statement is in respect of the Standards Investigation regarding a Code of Conduct matter in the case of Councillors Bal, Choudry, Rasib and Zarait - Compliant reference SBC25 in relation to an allegation that Councillors Bal, Choudry, Rasib and Zarait breached the Code of Conduct at a Planning Committee on 15 December 2010.

1. I was of the impression that this issue had previously been to the Standards Committee. It was raised to the Committee that I had informed all Members at the Planning Committee that, had anyone been lobbied they must declare this. At the same time, I also stated that I did not know any of the applicants. I had been informed that this issue would not be investigated further.
2. I attended all training that was available whilst a Councillor. I was a member of the Planning Committee for six years, I always attended the training. At the training we were told that if we were ever in doubt we should take professional advice from Officers. We were however, also told that decision making is always down to the Councillors and should we wish to depart from the advice of Officers, we could vote against it.
3. In preparation for the meeting, I would read the agenda prior to the meeting and then would partake in a debate whilst at the meeting. Once this had been carried out we would make a decision. As a Councillor, I think we must be fair to everyone whilst also respecting the rules of the authority. I am aware of the need to have an open mind.
4. At this particular meeting I came in through the front of the town hall. I believe I spoke to Councillor Sohal and Qureshi. I shook hands with

them and said "hello". There were a number of other people in the lobby but I was unaware who they were. I think it is normal procedure for Members to shake hands with each other, this is a traditional behaviour of the Asian Councillors in particular. I do not remember anyone coming into the Chamber and shaking hands with Members. I am not certain of where Councillor Qureshi went but he may have gone to sit in the lobby.

Aspire 2 Site

5. I knew the applicant by name only, simply because he was a well known business man in the area. I had never spoken to him personally.
6. Councillor Bains spoke about this issue first as the ward Councillor. The Chair then opened discussion up the Members. Councillor Bains requested to speak again however was informed that he was unable to as he had spoken for his allowed period of time. I do not recall the Chair stating his opinion with regard to the matter when he opened the debate. I do think that Councillor Bains raised his voice on a number of occasions; he appeared frustrated that he was not allowed to speak further by the Chair.
7. A recorded vote took place as there was detailed discussion with regard to this matter. I was of the opinion that the use of this car park may temporarily benefit the town. I was aware that Officers had suggested that the site was unsafe; however the applicant had suggested that once he had raised money he would redevelop the land. I was happy to allow this application as it was a temporary basis and thought that it would be of benefit due to the credit crunch.

68 Norway Drive

8. I did not know the applicants in this case or any of their representatives. This application took place in addition to an application regarding number 70 Norway Drive. I voted for both applications to be approved despite Officer recommendation. My reasoning being that there is not enough brown land in this town, and the housing within Slough need to be built.
9. When the debate began Councillor Maclsaac declared that he knew the objectors, but he was open minded. Immediately upon Councillors stating that they were not for this application, Councillor Maclsaac stated that they had been lobbied. It was at this point that I asked all Members to declare interests. I am interested to know who would

have lobbied me in the case of number 70, as presumably this would have been Slough Borough Council?

10. I would also like to raise that five Councillors voted as I did. Only four however were complained about. I am unsure why he thinks that Councillor Dale-Gough was not lobbied. I was not lobbied by any other Members and no one had called me at home. I have been a member of the Planning Committee for six years and always informed people that I was not able to speak to them.
11. When I heard of this complaint I was offended. I do not feel there was a reason for him to report us and if he genuinely did have a reason I think he should have reported all five of us. Councillor Maclsaac behaved aggressively about this particular issue.
12. I am aware that I voted against Officer advice, however I am entitled to do so and I had specific reasons for doing so in each circumstance.
13. I would appreciate it if the Committee Clerk could be asked if she remembers that I asked all Members to declare interests at this particular meeting.

I hereby declare that this a true and accurate record of the interview on 2011 and this is an agreed record of that interview. There are 3 pages.

I confirm that I have been advised that the investigation is subject to rules of confidentiality and disclosure under the provisions of the Local Government Act 2000. The record is being provided to me solely to confirm the accuracy of the interview and it will not be disclosed or used by me for any other purpose. I consent for any details of the interview to be used for this investigation.

Signed:

Date:

SLOUGH BOROUGH COUNCIL - STANDARDS INVESTIGATION



Document 7

STATEMENT OF WITNESS

STATEMENT OF: Raja Zarait

AGE OF WITNESS: Over 21
(if over 21, enter "over 21")

POSITION HELD: Former elected Member

ADDRESS: Slough Borough Council, St Martin's Place, Bath Road, Slough,
Berkshire SL1 3UF

This witness statement is in respect of the Standards Investigation regarding a Code of Conduct matter in the case of Councillors Bal, Choudry, Rasib and Zarait - Compliant reference SBC25 in relation to an allegation that Councillors Bal, Choudry, Rasib and Zarait breached the Code of Conduct at a Planning Committee on 15 December 2010.

1. Whilst an elected member I attended training for Planning Committee every year. This is compulsory after the new Council is elected each year. I had a meeting with head of Planning with regard to chairing the meeting. I have only chaired the Planning Committee for one year. I was informed that I must take the interests of the Council, into account, in addition to the Code of Conduct and the local framework. I believe that there was a statutory duty to understand and follow the Code of Conduct. Decisions were based upon the paperwork. It would be this which I would base my judgement on. There was no party whip in the case of the Planning Committee.

2. As Chair would allow anyone who raised their hand if they wished to speak. I always gave all Members full opportunity to speak when they wanted. I had read guidelines with regard to lobbying. People did ring me, but I would simply inform them that I could not speak to them as a conflict of interest may arise. Where appropriate I would suggest that they would speak to an alternative Councillor.
3. I arrived approximately five minutes before the meeting. Every meeting I attended there were members of the people within the gallery. I cannot recall anyone coming into the Council Chamber. I always entered the Building through the side door of the town hall. Before all Planning meeting there was always a briefing. It is important to remember that Officers cannot always be right, and despite their recommendations it doesn't always mean that this should be accepted. This has been proven in circumstances where cases have gone to appeal and investigators have sided with the decision of Members.

Aspire 2 Site

4. As the Chair I would always invite Officers to speak with regard to the matter. As this item had been called in I allowed the Ward Councillor to speak with regard to the item. As far as I can say there was nothing that was going which raised my suspicion that anyone was speaking improperly. I did not introduce the item by stating that I supported the application.
5. Before the application was submitted an email was received stating that it was highly unlikely that the application would be successful. I had been informed about this by the ward Councillor and was concerned that a decision like this had been made by a Planning Officer without having fully considered the decision. Consequently the application was called in.
6. This Applicant was asking for Temporary planning permission. This was a key reason why I decided to vote against Officer recommendation. I believe that a car park within the locality had recently been closed. The multi-storey car park is situated on the other side of the town.
7. I do not know the applicant with regard to the car park. No other Member of SBC had contacted me prior to the meeting. No one contacted me on behalf of the applicant. I had spoken to the ward Councillor who had contacted me asking if he was able to speak. I had received discussion from the Committee clerk with regard to this

and she had confirmed that he was able to speak. I cannot recall the conversation that I had with the ward Councillor, other than the fact that he would like to call the item in. I do not believe that it was discussed in great detail. He did provide me with a copy of the email which had been sent by the Planning Officer and raised his concerns to me.

68 Norway Drive

8. I confirm again that I had not discussed this matter with any other Councillors. I am aware the Councillor Qureshi was at the meeting, I can not recall whether or not he said hello to me. I did not see the applicant with him however do remember that he was sitting in the gallery.

9. I believe that this complaint is completely baseless. I believe that the Councillor who made this complaint has a habit of doing so and I have no understanding as to why he would have done so in this case. [REDACTED]
[REDACTED]. I wonder why a complaint was not made against Councillor Dale-Gough, despite him having also voted in the same way. [REDACTED]
[REDACTED] I believe that the complainant was not willing to respect others opinions. I have never made a complaint about a Councillor – I appreciate that part of the role is to undertaken debates and discussion during committee meetings, but once a meeting is over it is important to set this aside and act appropriately towards each other. I am angry that a complaint has not been made against Councillor Dale-Gough. I am aware that this allegation is serious, however I was a Councillor for ten years and had not had a complaint made against me. It is important to me that my name be cleared with regard to this matter.

10. Councillor Maslsaac suggested at the meeting that Members had been lobbied, after which (former) Councillor Bal swiftly requested that anyone who had been lobbied declare this. There have been circumstances Councillor Maclsaac has declared an interest with regard to an application but then voted with regard to the same matter when it has returned at a further meeting.

11. I left the Council in April and did not intend to make a complaint to the Council. [REDACTED]
[REDACTED], however I am not the type of person who will raise a complaint. I believe Councillor

Maclsaac did not stand this year because he was aware that certain people were of this opinion. This complaint would seem much fairer had it also been made against Councillor Dale-Gough.

12. The Councillor ward nor any other Members had approached me about this matter. I do not know either the applicant or the agent. Mr Mehmood is not an acquaintance of mine and no one approached me on their behalf. 70 Norway Drive was for a larger property than this and due to the issue with regard to car parking it was requested that this come back to the Committee but I believe that it was resolved and so was not raised again.
13. I did not as Chair state that I supported these applications while introducing them and prior to allowing others to have raising their concerns. Each Councillor is entitled to speak and I would often allow Councillor Maclsaac to speak frequently. At each meeting I would always state the Officers recommendation and then simply ask for Members to vote for or against. I did not attempt to influence the decision of other Members. Having been a Councillor for ten years and spent a year as Major, I was aware of the importance of my role and gave maximum time to all Councillors who wished to speak.
14. As a Chair I had a casting vote should there be equal number of votes for and against. I had never had the opportunity to use my vote in this way at any of the meetings I had chaired. I am aware that it is tradition to cast my vote as Chair as recommended by Officers.
15. Again I would like to stress that I think if this complaint was genuine it should also have been made against Councillor Dale-Gough. This was a cross party vote, which suggest that the people who voted in favour of the application did so with an open mind. I often discussed matters with the Officers and did my best to support them whenever possible.

I hereby declare that this a true and accurate record of the interview on 2011 and this is an agreed record of that interview. There are ? pages.
I confirm that I have been advised that the investigation is subject to rules of confidentiality and disclosure under the provisions of the Local Government Act 2000. The record is being provided to me solely to confirm the accuracy of the interview and it will not be disclosed or used by me for any other purpose.
I consent for any details of the interview to be used for this investigation.

Signed:

Date:

SLOUGH BOROUGH COUNCIL - STANDARDS INVESTIGATION



Document 8

STATEMENT OF WITNESS

**SLOUGH BOROUGH
COUNCIL**

15 NOV 2011

LEGAL SERVICES

STATEMENT OF: *COUNCILLOR M RASIB*

AGE OF WITNESS: *Over 21*
(if over 21, enter "over 21")

POSITION HELD:

ADDRESS: **Slough Borough Council, St Martin's Place, Bath Road, Slough, Berkshire SL1 3UF**

This witness statement is in respect of the Standards Investigation regarding a Code of Conduct matter in the case of Councillors Bal, Choudry, Rasib and Zarait - Compliant reference SBC25 in relation to an allegation that Councillors Bal, Choudry, Rasib and Zarait breached the Code of Conduct at a Planning Committee on 15 December 2010.

Aspire 2 Site

1. I attend Planning Committee training annually. I have learnt that I must make decisions based upon merit and it is important not to do any favours for anyone and listen to all opinions and ask questions before making decisions. I am aware I can ask questions of objectors if I think that this is necessary.
2. I don't remember in detail, the decisions made at this particular meeting. I have never met the Applicant or any representative of Aspire 2 previously and had no idea who they are.
3. Whilst in the Council Chamber waiting for the meeting to start, neither the applicant, agent or any other Councillor came to the room and spoke to me with regard to the agenda item. I am certain of this and confirm that I shook hands with no one prior to the meeting taking place. It may have been possible that someone else came into the room while I was reading the papers, but I certainly did not see anyone.
4. I am unable to recall much detail with regard to the debate which took place surrounding the Aspire 2 Site. I believe that I agreed the item as there were numerous conditions which were made if the application was to be agreed. I am aware that the Council recommended the item for refusal, however it is up to me as a

Councillor to think if I think that there is a reason for doing so or not. For example, the Beachwood Garden application was recommended for approval however we voted against approval. I must make a decision independently of Officer recommendations. The applicant appealed against the decision and the inspector refused the appeal.

5. I am aware that the Council are trying to encouraging people to use public transport, however I would like to encourage more people to come into the town which I think will be beneficial to the businesses within the town centre.
6. When making a decision I must take into account whether this is in the best interests of the community and the Planning Law. I attended with an open mind, as I have done each time that I have attended the Planning Committee. I confirm I had not discussed this application with any other Members. If I am ever contacted with regard to an issue prior to a meeting I will not discuss the issue. I don't think on this occasion anyone had contacted me, certainly none of the Councillors contacted me with regard to the matter. I haven't spoken to Councillor Qureshi for three years for personal reasons.
7. I believed that this car park would be beneficial to Slough as the current multi-storey car parks are often fully booked by various companies.
8. I wonder why Councillor Dale-Gough has not been complained about despite also voting in favour of this application in respect of 68 Norway Drive.
9. I have been a councillor for six years, I read all planning applications at home prior to attending meetings and look up anything I do not understand prior to the meeting. I do not know why I would support any applicant in particular. I believe that this complaint has been made because Councillor MacIsaac has made these complaints and do not believe that there is any justification with regard to this complain.

Land Adjacent to 70 Norway Drive

10. I had not met the applicant on the day prior to the meeting. I can confirm that I do know that applicant, Mr Mehmood with regard to this item and I have previously met him at social events such at weddings and would describe him as a social acquaintance. Despite knowing him, I did not believe that this is necessary to disclose this to anyone. It is important part of my role that I keep all information confidential. I

don't believe that any member of the public would consider any harm with this. I have never carried out a favour for anyone person for the whole time that I have sat on the Planning Committee.

11. I do remember the debate which took place, there were a number of issues such as parking. I believe that the minutes which were taken with regard to number 70 Norway Drive are inaccurate as they state that I voted against this application, which is not the case. I in fact voted in favour of the application.
12. I always visit the site prior to meeting with the Committee. I believed that there was sufficient space for the development of the property.
13. [REDACTED]
[REDACTED]
[REDACTED] he didn't complain about Councillor Dale-Gough. I have never made any allegations against any other Councillors including Councillor Maclsaac. [REDACTED]. I have noticed that Councillor Maclsaac changes his opinion of people very quickly. He was a frustrating person to work with and it has been commented to me that other Councillors are grateful that he is no longer a Councillor.
14. The Chair of the meeting is able to have the casting vote, but there is no tradition which would mean that they vote as the Officer has suggested. I believe that it is important to consider that Officer may not always be right. It is my job to look after the members of the public in addition to the Council. I appreciate that the Planning Officers are better qualified than some of the Councillors, but even in these circumstances it is important for me to read documentation and make my own decisions.
15. No one, including Members had contacted me with regard to Norway Drive prior to the meeting and I did not shake anyone's hand prior to the meeting with regard to this matter.
16. I believe that Councillor Zariat was Chair at the particular meeting and he allowed Councillor Maclsaac to speak. I was of the impression that he expected all Members to agree with him once spoken. Councillor Zariat introduced the application and asked the objector and applicant time to speak. Each Member who wanted to speak would raise their fingers to I am not believe that Councillor Zariat as Chair, mentioned whether or not he was in support of either of the applications for 68 or 70 Norway Drive in his opening speech to the Committee.

17. With regard to this application I believe that I made the most of all of my experiences and I am satisfied that I have never made a mistake with regard to the decisions that I have made to any planning application. I am very aware of the need to declare my interests when necessary and have done so.
18. I have to say that I feel sorry for Councillor Maclsaac.

I hereby declare that this a true and accurate record of the interview on 2011 and this is an agreed record of that interview. There are 4 pages.
I confirm that I have been advised that the investigation is subject to rules of confidentiality and disclosure under the provisions of the Local Government Act 2000. The record is being provided to me solely to confirm the accuracy of the interview and it will not be disclosed or used by me for any other purpose.
I consent for any details of the interview to be used for this investigation.

Signed:

Date: 14/11/11

SLOUGH BOROUGH COUNCIL			
20 DEC 2011			
LEGAL SERVICES			



STATEMENT OF WITNESS

STATEMENT OF: Councillor Sohal

AGE OF WITNESS: Over 21
(if over 21, enter "over 21")

20 DEC 2011

POSITION HELD:

ADDRESS: Slough Borough Council, St Martin's Place, Bath Road, Slough, Berkshire SL1 3UF

This witness statement is in respect of the Standards Investigation regarding a Code of Conduct matter in the case of Councillors Bal, Choudry, Rasib and Zarait - Compliant reference SBC25 in relation to an allegation that Councillors Bal, Choudry, Rasib and Zarait breached the Code of Conduct at a Planning Committee on 15 December 2010.

68 Norway Drive

1. I was elected in May 2010, in approximately September one of my constituents contacted me and asked to discuss his planning application with me. I told him that I was not on the Planning Committee and was not fully aware of Planning Laws. He told me he just wanted to show me some paper work, which I agreed to. He visited my place and discussed the property number 68 Norway Drive with me. He told me that his agent had been under discussions with Officers with regard to building a two bedroom house on this plot. Officers had given him various advice, some conflicting. He showed me a number of emails between Officers and his agent starting from approximately August 2009. He told me that he was aware that there was going to be a planning application for plot number 70, Norway Drive for a three bedroom house. I told him to leave the paper work with me and I would contact the Officer. I had a meeting with Chris Smyth. He informed me at the time that the property was not in the applicant's name and there was a legal problem with the application. The applicant confirmed that this had been sorted. The application was submitted to the Committee in December.
2. I had not had any previous connection with the applicant, but may have seen him while canvassing at election time, although I do not recall this. He approached me as he thought he was having problems with the Planning Department and believed the Council was working to

double standards. I thought it was reasonable to find out why his agent's negotiation regarding pre-planning advice had been going on for a number of years, yet the Council had also applied to develop the corner plot of number 70 Norway Drive that recently been made available.

3. I was aware of the reasons why Officers had suggested the application should be declined, but I am aware of places where houses are built closely together and I didn't think was an issue. Mr Mehmood did not mention that he had seen any other Councillors with regard to this planning application. I informed him that this was the first time that I had presented such an issue to the Planning Committee.
4. I met Mr Mehmood just outside the Council Chamber, at which point he gave me a revised copy of the plan which accommodated two parking places. The Planning Officer did not have these copies. There were other people outside of the Council Chamber, although I can't recall exactly who was present. I didn't meet any Member of the Planning Committee outside the meeting other than Councillor Qureshi, who may have been with someone else, although I do not recall anyone in particular. I would have shaken hands with Councillor Qureshi, it would be uncivilised not to do so. I don't recall Mr Mehmood shaking hands with anyone, he simply showed me the revised plans his architect had produced. I went into the Council Chamber a couple of minutes before the Meeting started. I saw Councillor Bains and sat next to him ready for the meeting. The only person I think I may have said hello and shook hands with was Councillor Zarait who was Chairing the meeting. I simply did so out of courtesy, this is normal practice for me. I am not aware of where Mr Mehmood or Councillor Qureshi were at this time. I did not see Mr Mehmood come into the Chamber at any time.
5. Prior to this agenda item being discussed a number of other items were heard. We then heard the application for number 70 Norway Drive. Two people arrived from Wexham Court Parish Council. The item in question then came up. I don't remember how the agenda item was introduced; I don't think that any Chair from the outset would state that they are in favour. I don't remember exactly what happened this day though.
6. I remember the Chair called Mr Smyth first. He then called my name, at this point I think I requested that the new papers be submitted. The Chair took advice and informed that this was possible. The meeting

was adjourned for five or ten minutes to allow Officers to look at the revised application.

7. I had decided to support the application as it was a corner plot. I have lived on the estate for 27 years and have seen a number of corner plots developed over the years with no negative consequences.
8. I tried to speak again a number of times, however was told by the Chair that this was not possible as I had my full time. I remember Councillor Maclsaac stating that the Members had been lobbied. Councillor Bal said something to the Chair about this. I don't recall exactly what was said.
9. Councillor Maclsaac did not direct any remarks towards me, he did not mention any particular Members' names, but made a general remark. A number of Members spoke, including Councillors Swindlehurst and Dale-Gough, and a full debate took place with regard to the matter. It was decided that if the issue with regard to parking was not resolved it would come back to the Committee.
10. I left after this item, returned Mr Mehmood's paper work to him, outside the town hall, and he thanked me. He informed me that in January/February he had been successful in gaining the planning application.

I hereby declare that this a true and accurate record of the interview on 2011 and this is an agreed record of that interview. There are ? pages.
I confirm that I have been advised that the investigation is subject to rules of confidentiality and disclosure under the provisions of the Local Government Act 2000. The record is being provided to me solely to confirm the accuracy of the interview and it will not be disclosed or used by me for any other purpose.
I consent for any details of the interview to be used for this investigation.

Signed:

Date: 19.12.2011



STATEMENT OF WITNESS

STATEMENT OF: Councillor James Swindlehurst

AGE OF WITNESS: Over 21
(if over 21, enter "over 21")

POSITION HELD: Elected Member

ADDRESS: Slough Borough Council, St Martin's Place, Bath Road, Slough,
Berkshire SL1 3UF

This witness statement is in respect of the Standards Investigation regarding a Code of Conduct matter in the case of Councillors Bal, Choudry, Rasib and Zarait - Compliant reference SBC25 in relation to an allegation that Councillors Bal, Choudry, Rasib and Zarait breached the Code of Conduct at a Planning Committee on 15 December 2010.

1. I served as a member of the Planning Committee in both the municipal year in which the above meeting occurred and in the current municipal year. I have been a Councillor for ten years and, with the exception of a very brief break, I have been on the Planning Committee nearly continuously for those ten years. Since my political group came to control the council in 2008, I have been the Commissioner for Planning in the Council's Cabinet.
2. I was a little late to the Planning meeting on 15th December 2010, due to transport difficulties so I am not aware of anyone or anything happening in the corridor or outside or inside of the meeting area before the commencement of the meeting. I recall that the application for number 70 Norway Drive was in progress when I entered the meeting room.

68 Norway Drive

3. I recall that when the Chair introduced this Agenda item and Councillor Sohal put in additional information about the site, I felt the Chair was rather accommodating in taking the request almost instantly. He did not demonstrate the same sort of rigour as one would normally expect for some new information being tabled; because generally it would be expected that the Chair would examine the material before allowing it to be circulated. On this occasion he did not do so which suggested two things to me, either that he had seen the information already or two, he was already minded to facilitate the tabling of the information for some reason. From my experience of having served on the Planning Committee for several years, the way in which this new information was tabled by the Chair made me believe the Chair may have read it already; as he was not applying any particular test to it. This was unusual as it was Councillor Sohal, the Ward

Member who was tabling the information on the night. I was not aware that some advance copy had existed because it was not in the supplementary papers that update Members and also contain the Officer's comments on information produced since the publication of the Agenda papers.

4. Following the presentation of the Officer's report, Councillor Sohal spoke on behalf of the Applicant. I felt that Councillor Sohal was pursuing an agenda to try to get this application full planning permission on that evening despite the Officer's recommendation. Fundamentally he was trying to control the agenda item. The Chair was accommodating him and Councillor Sohal was given a great deal of latitude to summarily dismiss the Officer's professional opinion. I understand that, as the Applicant is the owner of a house in Councillor Sohal's constituency, Cllr Sohal does have a role in making representations as the Ward Member on that individual's behalf. However I felt that Councillor Sohal was going beyond his duty as a Ward Member to represent the Applicant in that he was forensically picking apart the Officer's report in quite a forceful way.
5. One of my main reasons for concern about this Application was that Councillor Zarait had on a number of occasions lobbied me about various planning applications for this particular Applicant, Mr Mehmood. I have avoided becoming heavily embroiled in these matters and generally responded simply by facilitating meetings with the Planning Officers. It is for this reason that I am aware that Councillor Zarait knew the Applicant well.
6. I am also aware that Councillor Sohal had pressed me on behalf of the tenant of number 70 to express concerns about an application for the attached dwelling proposed at number 70 (which was refused by the Planning Committee as the first item that evening); whereas he was supporting the application for a similar proposal at number 68. I also recall both Councillor Zarait and Councillor Sohal having conversations with me previously, questioning why the Council was bringing forward its planning application for number 70. In summary, they had both claimed that it was not natural justice and it was unfair, as Mr Mehmood had had an earlier proposal which was not supported – I had pointed out that the application at number 70 was a Housing Department proposal, and I had no idea what the planning officers' assessment of it would be.
7. The information in paragraph 6 and 7 above lead me to conclude that both Councillors Zarait and Sohal were acting on behalf of the Applicant who owned number 68 in these conversations. Their view surprised me, in view of the fact that both these Members knew about the shortage of social housing, particularly in Wexham Lea Ward, yet both were effectively complaining about the Council's attempt to supply additional social accommodation at number 70, while neither ever expressed concerns about the private proposal from Mr Mehmood, a builder and landlord with several properties.
8. In the meeting a vote was taken on the Officers' recommendation for refusal. When that vote fell, Councillor Zarait then seemed to suggest that this meant that the Application was given permission. I intervened and said this was not the case, committee members had simply not agreed the refusal. I then went on to suggest that we move recommendations to address outstanding planning issues named in the report; particularly parking - perhaps by delegating the final decision to Officers to ensure those issues were resolved before they granted consent, if committee was minded to accept the proposal in principle. Councillor Zarait

intervened and Councillor Sohal tried to speak again. The Committee Clerk had to advise Councillor Zarait that he could not take any further comment from Councillor Sohal whereas he had seemed to be willing to allow him to speak again. This was odd as Councillor Zarait should know the rules but on this occasion seemed to be waiving them in favour Cllr Sohal who had already spoken in favour of approving the application.

9. At this point I strongly asserted that if Members were minded to move this Planning Application forward, they must really take account of their duty to ensure the scheme met the Council's standards before it was approved. I again suggested that we move to delegate this to Officers to resolve the remaining planning issues. I believe at this point Councillor Rasib supported my argument at the very least by speaking and possibly by seconding me, saying that the parking issue was resolvable, so we should seek to tidy that up prior to approval. Other Members began to accept this proposal and so I felt comfortable that it was not being given approval without conditions. However I still abstained from the vote because personally I did feel the Planning Application should have been refused. I felt I my arguments had pushed Members back into a reasonable place which ensured that a scheme recommended for refusal was not given a 'blanket' permission, but instead further negotiations would have to occur to address outstanding planning issues and, given the tone of the committee, this was the best that could have been achieved at this meeting.
10. In their consideration of this Planning Application it seemed to me that some Members of the Committee were not giving appropriate consideration to the issues raised in the Officer's report such as parking which had not achieved a satisfactory layout by the time of the Committee meeting. Some of the deficiencies in this application that were highlighted in the Officer's report appeared to be entirely ignored by some Members, for example Councillor Bal; glossed over by others, for example Councillor Choudry and being positively dismissed by Councillor Zarait and Councillor Sohal. Moreover, the behaviour of the Chair and Councillor Sohal suggested that there was something particularly amiss about their approach to this Agenda item.

Aspire2 Site

11. The Officer's original recommendation was for refusal and enforcement action - mainly because, if the site was to be used for an extended temporary period, Officers felt a number of drainage and environmental issues needed to be addressed and they had not been in the proposal presented.
12. Councillor Bains as the Ward Member represented the Applicant. He spoke on in favour of there being a requirement for more car parking spaces near the town centre shops and in support of the Applicant's request for a three year temporary permission. After a reasonably full discussion Members decided to allow a two year temporary continuation of the car park use subject to the environmental and drainage issues being addressed. This was in the context of another temporary car park having been allowed by Officers under a delegated decision on a nearby site, and a shorter temporary permission having been previously allowed in this area.

13. My personal view of the nature of this discussion was that it was constructive and Members did seek to address the original concerns that had led to the Officer's recommendation for refusal/enforcement in their decision. With the environmental issues delegated to Officers to resolve, there was no "in principle" reason why the car park could not exist for a temporary period.
14. The marginal difference in view between Officers and Members on this Agenda item has to be seen in the context of Officers having allowed two car park sites temporary permission under delegated authority quite close in time to this application arriving at Committee. I believe that Members simply felt that if these previous sites were acceptable in principle, so was the Aspire 2 Site which the Committee was being asked to determine – subject to the environmental issues on this site being addressed. Getting the drainage and environmental issues resolved was the reasoning the Officers put to Committee Members as justifying their recommendation. My view is that Members felt this could be achieved just as acceptably by insisting that these were conditions that had to be met prior to any approval and the Committee left Officers the delegated authority to refuse the Application if those issues were not satisfactorily resolved.
15. Overall I do not think there was anything untoward about this particular Agenda item beyond a slight disagreement in approach between Members and Officers to resolve the planning issues on this site. Members were of the view that as enforcement law was weak and action took a long time to deliver it was more effective to incentivise the Applicant to resolve the drainage issue with the prospect of permission following that than it would have been to "punish" the Applicant for not having addressed the issues previously. I think that Members felt that it was inevitable that the Applicant would appeal any enforcement action which would mean he would probably carry on with the car park business on the site and the Council would have little redress except to await the outcome of that appeal process whereas with the Members decision on this Agenda item meant that it allowed the Officers control to refuse the Application or grant it for a limited two year period only.

I hereby declare that this a true and accurate record of the interview on 12th January 2012 and this is an agreed record of that interview. There are 4 pages. I confirm that I have been advised that the investigation is subject to rules of confidentiality and disclosure under the provisions of the Local Government Act 2000. The record is being provided to me solely to confirm the accuracy of the interview and it will not be disclosed or used by me for any other purpose. I consent for any details of the interview to be used for this investigation.

Signed:

Date:

16th JANUARY 2012

SLOUGH BOROUGH COUNCIL - STANDARDS INVESTIGATION



Document 11

STATEMENT OF WITNESS

STATEMENT OF: Wesley McCarthy

AGE OF WITNESS: Over 21
(if over 21, enter "over 21")

POSITION HELD: Planning Team Leader / DEVELOPMENT CONTROL MANAGER

ADDRESS: Slough Borough Council, St Martin's Place, Bath Road, Slough,
Berkshire SL1 3UF

This witness statement is in respect of the Standards Investigation regarding a Code of Conduct matter in the case of Councillors Bal, Choudry, Rasib and Zarait - Compliant reference SBC25 in relation to an allegation that Councillors Bal, Choudry, Rasib and Zarait breached the Code of Conduct at a Planning Committee on 15 December 2010.

1. I attended the meeting of the Planning Committee on 15th December 2010, and was the most senior member of staff from the planning department in attendance. It is usual practice that I turn up early to these meetings in order to set up equipment used during the meeting. I was therefore not privy to the conversations or actions of Members outside the Council Chamber.

Aspire 2 Site

2. This application had been called-in by Councillor Bains.
3. Mr Maclsaac appeared to be frustrated by the comments of other committee Members and requested that a named vote be minuted in the case of this application. Officers clearly expressed their opinion that this application should be refused, and I believe this added to Mr Maclsaac's frustration.
4. To approve the application would have been against Council policy. Similar applications relating to land within the town centre had previously been refused and this contradictory decision, in my opinion, puts the Council in an awkward and somewhat embarrassing position.
5. The presenting officer referred Members to paragraph 8.7 of the Planning Officer's report, which made reference to the similarities between this site and a previous site in question, 1B – 9 Albert Road. It was emphasized that the decision to refuse this application had

been upheld at appeal by the Appeal Inspector – I refer to the quote of the Appeal inspector, which was included in the committee report and stated *“the continued use of the site for car parking would tend to promote a continuation of existing travel behaviour in the Slough area and frustrate the achievement of sustainability objectives, contrary to the weight of national and adopted local planning policy.”*

6. Since this meeting similar applications have been refused on the basis that they do not comply with Council policies. The decision taken at this meeting therefore undermines this previous decision which had been upheld at appeal.
7. At the time of this meeting sufficient parking facilities were available within the borough. As far as I was aware, no car parks were closed or unavailable. Members were informed by officers that the provision of additional parking facilities would undermine the Council's encouragement for the public to increase their use of sustainable transport.
8. I am not aware of any underlying issues or conflicts that were being experienced between Members and officers.
9. Despite this matter being relatively straightforward the opinions expressed by the Members at the meeting did not seem to reflect this. These circumstances are particularly frustrating and lead me to question whether the information I provide the members is sufficiently clear, or if members are motivated by something other than the information presented by officers.
10. Some time before this meeting, I have been concerned about the approach of some members, when taking decisions at planning committee, which I pointed out to my line manager, the Interim Head of Planning.

68/70 Norway Drive

11. I can't recall the exact order that this agenda item was taken in. I believe that the Planning Officer attempted to present the applications for both properties as one agenda item, but it was requested by the Chair that each item be considered separately.
12. Both applications were recommended by the Planning department for refusal. The recommendation with regard to the first application for number 68, which had been made by the Council, was agreed by members with very little discussion.

13. When the Committee was presented with information regarding number 70 Norway Drive lengthy discussions took place during which Mr MacIsaac became increasingly frustrated.
14. It was and remains my professional opinion that due to the negative implications of each of these applications they both should have been refused, as recommended.

I hereby declare that this a true and accurate record of the interview on 28/2/2012 and this is an agreed record of that interview. There are 3 pages.
I confirm that I have been advised that the investigation is subject to rules of confidentiality and disclosure under the provisions of the Local Government Act 2000. The record is being provided to me solely to confirm the accuracy of the interview and it will not be disclosed or used by me for any other purpose.
I consent for any details of the interview to be used for this investigation.

Signed:

Date: 26/3/2012



STATEMENT OF WITNESS

STATEMENT OF: Chris Smyth

AGE OF WITNESS: Over 21
(if over 21, enter "over 21")

POSITION HELD: Team Leader

ADDRESS: Slough Borough Council, St Martin's Place, Bath Road, Slough,
Berkshire SL1 3UF

This witness statement is in respect of the Standards Investigation regarding a Code of Conduct matter in the case of Councillors Bal, Choudry, Rasib and Zarait - Compliant reference SBC25 in relation to an allegation that Councillors Bal, Choudry, Rasib and Zarait breached the Code of Conduct at a Planning Committee on 15 December 2010.

1. Due to the time that has passed since the meeting, I am unable to recall it in any great detail, however I am able to provide my notes which state what I presented at the meeting. (Attached at Appendix 1).

68 and 70 Norway Drive

2. Initially I was intending to present both applications together, as they were interrelated, but making it clear to Members that separate decisions were to be made for each application. However I was advised by the legal officer at the meeting that they should each be considered separately. The application regarding number 70 was considered first and the recommendation for refusal was upheld by the Committee.
3. The second application pertaining to number 68 Norway Drive was approved in principle, but delegated back to the Head of Planning Policy and Projects for resolution of outstanding car parking issues.
4. In my opinion this was an odd decision, both applications raised similar planning issues, however the Planning Committee does not always follow officers' recommendations and does not always share the same views as officers.
5. I recall that a named vote was requested with regard to these two applications. I am unable to recall which way each member voted, however I do recall that those who disagreed with officer recommendations and supported the application for number 68 made their views known.
6. I presented to the Committee reasoned arguments as to why neither of these applications could be approved.

Aspire 2 Site

7. This application had been recommended for refusal on the basis that the proposals were contrary to national and local planning policies rather than on grounds of physical impact. I do not recall if any reasons were given by the Members for their decision to approve the application, but then they are not required to do so.
8. Solid policy grounds existed for the refusal of the application and this approach by the Planning Officers has been upheld previously when a similar case went to appeal. At the time of the application the Council's transport engineers advised that sufficient car parking was available within Slough and there was no reason to create any additional parking. Other applications for temporary car parking have been refused by officers but were not subject to member call in
9. I was not aware of any ill feeling between Members and Officers at the time of this application.
10. I do not recall that anything unusual took place between Members outside the Council Chamber, however I usually would arrive at the meeting at 6pm and spend the time before the meeting reading through my notes in the Council Chamber.

I hereby declare that this a true and accurate record of the interview on 23rd March 2012 and this is an agreed record of that interview. There are 2 pages.

I confirm that I have been advised that the investigation is subject to rules of confidentiality and disclosure under the provisions of the Local Government Act 2000. The record is being provided to me solely to confirm the accuracy of the interview and it will not be disclosed or used by me for any other purpose.

I consent for any details of the interview to be used for this investigation.

Signed:

Date: 23rd March 2012

NOTES FOR PLANNING COMMITTEE - 15th December 2010

S/00666/000 – Land Adjacent to 70 Norway Drive

Members should note that this application needs to be considered in the context of Planning Application P/14946/000 relating to the neighbouring site at 68 Norway Drive. That application has been brought forward in the Agenda, but members are reminded that they are separate applications and as such do require separate decisions.

This application is submitted by the Borough Council for the development land that it owns adjacent to 70 Norway Drive, for the erection of an end of terrace house. This application is before Committee for decision as an objection has been received from the Parish Council

SLIDE 1 – THE PROPERTY IN CONTEXT

SLIDE 2 - EXISTING VISUAL BREAK BETWEEN TERRACES

The land in question forms part of an open break between two terrace blocks, the neighbouring terrace of which is set back behind the rear elevation of the host property. At present nos 68 and 50 Norway Drive are separated by a break of about 12.5 metres. Such breaks are recognised as being important and provide welcome visual relief in an otherwise densely built up area.

SLIDE 3 – SITE CHARACTERISTICS

When considered on its own merits and in isolation from the concurrent planning application on the neighbouring site at 68 Norway Drive, the proposals tick all the right boxes in terms of the dwelling's siting, proportions and external appearance. The proposals also comply with both amenity space guidelines and parking standards, providing 2 no. spaces both for the existing and proposed houses. There is further no significant breach of any 45 degree line of sight in relation to either neighbouring property.

The erection of an attached house would reduce the open break to approximately 7 metres and not 9 metres as referred to in the Officers report. Nonetheless, this would still a significant enough separation distance to avoid any issues of enclosure of the gap or visual terracing and not result in a development which does not respect the character and appearance of the area.

However, the concurrent application which has been submitted for land adjoining 58 Norway Drive, now means that both planning applications have to be considered in tandem. The result is that they effectively cancel each other out by creating negative impacts both on the street scene and on the residential amenities of the future occupiers.

SLIDE 4 – REDUCTION IN VISUAL GAP

The objections are set out in the two reasons for refusal and relate to firstly, an unacceptable degree of enclosure, whereby the visual gap between the two proposed properties would be reduced down to only two metres and from certain vantage points, give the juxta position of the units involved, may give the impression of complete enclosure; secondly, given their siting and relative juxta position there would be a significant loss of outlook and overbearing impact for the future occupants of the proposed dwelling.

Turning to the Amendment Sheet, written representations have been received from the agent acting for Assets and Valuation, in further support of the application.

The thrust of the representations relate to an assessment of the proposals in relation to *BS8206/Part 2, Code of practice for daylighting* and BRE guidance for sunlight to guidance. The agent advises that the proposals comply with both sets of guidance.

In response officers advise that the concerns relate to enclosure of the gap and overbearing impact/loss of outlook for the future residents of the properties rather than issues of sunlight and daylight.

There is no change to the recommendation which is to refuse.

P/14946/000 – Land Adjacent to 68 Norway Drive

Members should note that this application needs to be considered in the context of the previous item Planning Application S/0066/000 relating to the neighbouring site at 70 Norway Drive. As with the previous application Members are reminded that they are separate applications and as such do require separate decisions.

This application is submitted for the development land adjacent to 68 Norway Drive, for the erection of an end of terrace house. The applicant has submitted Certificate B with the application confirming that notice has been correctly served on the owner of the subject property. This application is before Committee for decision as it has been called in for decision by Councillor Paul Sohal, on the grounds that a positive decision given in respect of 70 Norway Drive would effectively preclude any future development potential in respect of land adjacent to no. 68.

SLIDE 1 – SHOWS THE PROPOSAL PROPERTY IN CONTEXT

As with the previous application, the land in question forms part of an open break between two terrace blocks, the neighbouring terrace of which forward of the front elevation of the host property. At present nos 68 and 50 Norway Drive are separated by a break of about 12.5 metres. Such breaks are recognised as being important and provide welcome visual relief in an otherwise densely built up area.

SLIDE 2 – SHOWS SITE PROPOSALS

SLIDE 3 - SHOWS ELEVATIONS

When considered on its own merits and in isolation from the concurrent planning application on the neighbouring site at 68 Norway Drive, the proposals tick all the right boxes in terms of the dwelling's siting, proportions and external appearance. The proposals also comply with both amenity space guidelines. There is further no significant breach of any 45 degree line of sight in relation to either neighbouring property. However, unlike the previous application the applicant is unable to demonstrate on site car parking provision.

The erection of an attached house would reduce the open break to approximately 7 metres and not 9 metres as referred to in the Officers report. Nonetheless, this would still be a significant enough separation distance to avoid any issues of enclosure of the gap or visual terracing and not result in a development which does not respect the character and appearance of the area.

However, the concurrent application which has been submitted for land adjoining 58 Norway Drive, now means that both planning applications have to be considered in tandem. The result is that they effectively cancel each other out by creating negative impacts both on the street scene and on the residential amenities of the future occupiers.

The objections are set out in the three reasons for refusal and relate to firstly, an unacceptable degree of enclosure, whereby the visual gap between the two proposed properties would be reduced down to only two metres and from certain vantage points, give the juxta position of the units involved, may give the impression of complete enclosure; secondly, given their siting and relative juxta position there would be a significant loss of outlook and overbearing impact for the future occupants of the proposed dwelling. Thirdly, the applicant does not control the lands necessary to obtain vehicular access to the site from the public highway. As such he is unable to provide car parking to comply with the Council's standards.

There is no change to the recommendation which is to refuse.

P/01508/033 Change of Use from B1(A) offices to Car park for a Temporary Period
(Retrospective)

Members are advised that the operator of this car is the same as the one who was operating a similar car park on the site on the south side of High Street and bounded by Church Street and Buckingham Gardens, for which a temporary three year planning permission was granted. It should be noted that use of that land as a surface car park appears to have been suspended, although there is nothing to prevent the operator from re-commencing its use at any time during the 3 year period.

SLIDES 1 & 2 – CAR PARK IN OPERATION& SITE PROPOSALS

The current site benefits from planning permission for a major office redevelopment scheme. The previous buildings have been demolished and the site cleared. The site has been used as an unauthorised surface car park since 5th July 2010. There are limited details submitted with this application. Plans show parking for 100 cars, with vehicular access from Church Street. The site itself is enclosed by 1.2 metre high hoardings with visibility mesh over, taking the total height to 2.4m.

The proposal is assessed against national regional and local planning and transport policies. It is clear that the car park operator is targeting long stay commuter car parking, which is conflict with such policies at all levels and with the Council's Integrated Transport Strategy which seeks to reduce the levels of in commuting into the town centre by encouraging the use of alternative modes of transport other than the private motor car. The most effective way of achieving this is by reducing destination parking for commuters.

Advice from the Council's own parking section is that further car parks in the town centre are not required as there is significant capacity within the Council's existing public multi storey car parks to satisfy demand.

Members attention is drawn to an appeal decision of 2007 following a refusal of planning permission for the continued use of a temporary car park on land in Albert Street. That proposal had marked similarities to the current application in that it was targeting long stay commuter parking. The Inspector dismissed that appeal arguing that it went against the thrust of national and local planning and transport policy. It is the opinion of Officers that this provides a sound judgement for determining other similar such applications within the town centre area. It is clear that in the current economic climate that if planning permission was to be granted for this current application, that it would set an undesirable precedent and weaken the Council's case in determining any future such applications which may come forward.

Turning to the Amendment Sheet, comments have been received from Thames Valley police offering no objections to the proposals. However, comments have also been received from the Council's Principle Drainage and Lighting Engineer who raised concerns that no detail has been provided with the application to demonstrate that adequate steps have been taken to prevent pollution of groundwater and that the site can be adequately drained to meet a 1:100 year storm.

As such a further reason for refusal is proposed:

A holding objection is raised on the grounds that the applicant has failed to demonstrate that adequate steps have been taken to prevent the pollution of groundwater and that the method of surface water drainage is adequate to meet a 1 : 100 year storm. The development is thereby contrary to Planning Policy Statements 23 and 25.

Members are also advised of a drafting error in the first reason for refusal which should refer to Core Policy 7 and not Core Policy 6 as stated.

There is no change to the recommendation which is to refuse, but that an added reason for refusal be added.

Document 13

Channa Kuldip

From:

Sent: 10 August 2011 12:21

To: Channa Kuldip

Subject: Re Planning Meeting in December 2010

Dear Kuldip,

It is not often but occasionally Members of the Planning Committee do reject the views of Officers and make their own mind up.

On this occasion Cllr McIsaac was dismayed when a number of Members went against the recommendations of Officers on one particular Planning Application and really was annoyed by the actions of others. He almost always accepted Officers recommendations

I think that I abstained (I CANNOT REMEMBER) However Officers recommendations are not always taken.

Yes I do think that on occasions some members have known an applicant and that has been taken into account and their decisions have occasionally been influenced

I hope that this e mail is useful to you

Regards

Cllr Peter Dale-Gough

10/08/2011

Date: 06 October 2011

Client: SBS Democratic Services

Matter: 013555 - COR - Standards Investigation SBC25 - Cllors Bal, Choudry, Rasib and Zarait

Name: Kuldip K Channa (T: 01753 875189 E: kuldip.channa@slough.gov.uk)

tele call from cllor Bains;

he had difficulty in recalling the application but did eventually remember it;

he accepted he called it in because he was asked by the applicants to do so and it was in his ward;

he supported the application as the applicants had expressed concerns about their business and livelihood to him;

he spoke on the application;

he sat through the questions and answers at the meeting;

he does not recall much more about it than this;

he will email to confirm his recollection;

KKC

Slough Borough Council
Iken Quicknote

Date: 10 August 2011

Document 15

Client: SBS Democratic Services

Matter: 013555 - COR - Standards Investigation SBC25 - Cillors Bal, Choudry, Rasib and Zarait

Name: Kuldip K Channa (T: 01753 875189 E: kuldip.channa@slough.gov.uk)

tele call from Councillor Dodds

re SBC25 - investigation -

advised her of the details of the meeting of 15 Dec 2010 and the two applications;

she recalled the application for the car park because it was in Church Street;

she could not recall the other application;

she was not present at the meeting in December;

she confirmed that she was not approached by any other members about these

applications and that even if she was approached, she would have made up her own mind

on considering the application information; she is assertive enough would not permit her

decisions to be influenced in this way.

KKC.

Slough Borough Council

Iken Quicknote

Date: 10 October 2011

Document 16

Client: SBS Democratic Services

Matter: 013555 - COR - Standards Investigation SBC25 - Clors Bal, Choudry, Rasib and Zarait

Name: Kuldip K Channa (T: 01753 875189 E: kuldip.channa@slough.gov.uk)

TELE call to Roger Aveis - let voicemail for him
KKC

Telecall - Roger Aveis -

- General discussion re planning process.
- Advised of confidentiality points
- Asked questions about lobbying and contact with planning committee
- He was not aware of anything like that.
- He assisted Applicant with issues relating to drainage etc.
- He is not aware if Applicant had any personal contact
- He provided professional support.
- Advised of confidentiality.

Agreed may contact me again if necessary.

Saying many thanks.

SLOUGH BOROUGH COUNCIL - STANDARDS INVESTIGATION



STATEMENT OF WITNESS

Document 17

STATEMENT OF: Shabana Kauser

AGE OF WITNESS: Over 21
(if over 21, enter "over 21")

POSITION HELD: Senior Democratic Services Officer

ADDRESS: Slough Borough Council, St Martin's Place, Bath Road, Slough,
Berkshire SL1 3UF

This witness statement is in respect of the Standards Investigation regarding a Code of Conduct matter in the case of Councillors Bal, Choudry, Rasib and Zarait - Complaint reference SBC25 in relation to an allegation that Councillors Bal, Choudry, Rasib and Zarait breached the Code of Conduct at a Planning Committee on 15 December 2010.

68 Norway Drive

1. The meeting began by the Planning Officer introducing the report and the amendment sheet to the Planning Committee.
2. Wexham Court Parish Councillor Davis, addressed the Committee stating that he noted that there was a lack of affordable housing in Slough but extensions should be within reason. Submitted that there were parking problems associated with the area.
3. Councillor Sohal, as Ward Member addressed the Committee and presented additional information to the Committee to consider. The Chair allowed Members 5 minutes to read through the additional information. Councillor Sohal stated that in his opinion number 68 was set further back than number 70 Norway Drive which ensured that the visual gap was retained and the property would not be overbearing.
4. The Committee was advised by the planning officers that the additional information submitted by Ward Councillor Sohal was not part of the formal application and should not be considered.
5. Councillor MacIsaac stated that he knew the area very well and that the proposed development would affect the visual gap and he would therefore not be supporting the application. He added that the applicant was welcome to submit an amended application if they wanted to.

6. Councillor Bal stated that he was familiar with area and that in his opinion parking was not a problem.
7. Councillor Swindlehurst spoke of the need for consistency and that this application should be refused.
8. Councillor P Choudhry informed the Committee that he supported the application, although did state his concern with regard to the property being used as a House of Multiple Occupancy (HMO) and stated that a condition be added to not allow the property to be used as a HMO.
9. Councillor Rasib informed the Committee he was in support of the application, given that no objection had been received from highways. He stated that he had never been lobbied and in his opinion, there was no reason to refuse the application.
10. Councillor Swindlehurst suggested that the decision be delegated to Officers subject to them being satisfied that parking met the required standards and that the property was not subdivided.
11. Councillor MacIsaac reiterated his concern that traffic problems already existed within the area and that the proposed development constituted over-development.
12. Councillor Choudhry seconded Councillor Swindlehurst's proposal.
13. I can confirm that during the discussion of 70 Norway Drive, Councillor Bal stated that he had not been lobbied and he informed any Committee member who had been lobbied that they needed to have declared an interest.

Aspire 2 Site

1. The Planning Officer introduced the report, reminding the Committee and that a decision regarding a similar car park and application had been considered at appeal in 2007. The appeal had been dismissed. The Planning Officer informed that if the application was approved, a precedent would be set for allowing similar applications in the future. Details on the amendment sheet were outlined.

2. Councillor Bains, as Ward Member, informed the Committee of his support for the application, stating that affordable parking would be provided, which was of benefit to the town given the loss of the bus station car park. He went on to state that it was a safe site and was regularly patrolled.
3. Councillor Maclsaac stated that he believed the car park to be an eyesore and that there were sufficient car parking spaces within the town without the need of this additional car park. If permission were granted, there would be little incentive to develop the site properly. Councillor Maclsaac stated he supported officer's recommendation.
4. Councillor Choudhry stated the drainage issues need to be sorted out and that he would support temporary permission for 2 years.
5. Councillor Plimmer questioned whether revenue would be diverted away from Council owned car parks and whether the impact of the 2012 Olympics had been considered.
6. Alex Deans, Head of Highways, informed the Committee that the Council was encouraging individuals to use alternative uses of transport to the town centre.
7. Paul Stimpson, Head of Planning, Policy and Projects stated that a temporary car park already existed opposite the Marks and Spencer store which was not being used. He also informed Members that once temporary permission has been granted, it would be difficult to justify the refusal to extend the use of the car park further.
8. Councillor Maclsaac stated that if this application was approved, it would be difficult to refuse permission to other similar applications.
9. Councillor Swindlehurst voiced his opinion that the application should be refused. However, if approval is to be given, it should be provided for two years only and drainage problems must be resolved.

I hereby declare that this is a true and accurate record of the interview on 7th December 2011 and this is an agreed record of that interview. There are 3 pages. I confirm that I have been advised that the investigation is subject to rules of confidentiality and disclosure under the provisions of the Local Government Act 2000. The record is being provided to me solely to confirm the accuracy of the interview and it will not be disclosed or used by me for any other purpose. I consent for any details of the interview to be used for this investigation.

Signed:

Date: 8 December 2011.

Document 18a

Our Ref:
Your Ref:

KKC/013555/COR

Councillor Pervez Choudhry
c/o Town Hall,
Bath Road
Slough
Berkshire SL1 5UQ
PRIVATE & CONFIDENTIAL

MEMBER POST

Dear Councillor Choudhry,

**Re: Standards Investigation SBC25- Councillors Rasib and Choudhry and former Councillors Bal and Zarait
Allegation of breaches of the Code of Conduct at a Planning meeting on 15 December 2010**

I write to advise you that I am instructed to undertake a Standards Investigation in respect of a complaint made against you by former Councillor David McIsaac. It is alleged that on 15 December 2010, your conduct failed to comply with the Council's Code of Conduct, in that you and others were influenced by lobbying from the applicants and were predetermined in favour of two applications which Planning Officers had recommended for refusal. The Standards (Assessment) Sub Committee considered this matter on 10 January 2010 and has referred it for investigation. There has been some delay in progressing this investigation due to organisational changes and other competing priorities.

My original appointment to investigate these allegations was made by Maria Memoli, Slough Borough Council's Acting Monitoring Officer. You may be aware that Maria Memoli ceased to be employed by the Council on 19 May, and that Kevin Gordon has been appointed the Council's Monitoring Officer and my appointment continues as the Standards Investigation Officer.

I would like to assure you that although the Standards (Assessment) Sub Committee has referred the allegation for investigation, the Standards (Assessment) Sub Committee has

formed no view on the matters set out in the allegation. The investigation will enable the Standards Committee to reach a conclusion on whether there has been any failure to comply with the Council's Code of Conduct. This will also include the Planning Code of Conduct. Part of the investigation will include seeking information and documentation from you and other people, where relevant.

I enclose a copy of the documents which make up the allegation made against you. These include the following:

- 1) Councillor McIsaac's Complaint email dated 20 December 2010,
- 2) 2010/SBC/25, a copy of the Monitoring Officer's summary of the allegation
- 3) Decision Notice dated 14 January 2010,
- 4) Copy of the Planning Officer's reports in respect of:
 - a) P/00666/000 – 2 bedroom house adjoining 6 Norway Drive
 - b) P/01508/033 – retrospective change of use from b1(a) offices to car park for a temporary period on the Aspire 2 site on the corner of Church Street and Herschel Street
- 5) Minutes of the Planning Committee held on 15 December 2010,
- 6) Extract from the Planning Code of Conduct for Members & Officers

You may disclose these documents to your Solicitor or other representative, should you choose to appoint one, for the purposes of seeking advice in relation to this investigation. The documents should not be disclosed to anyone else.

You are advised to 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.

You are welcome to provide me with your initial response to the allegation should you wish to do so at this point.

You will note that there has been some delay in this matter which has been largely due to re-organisation and limited resources within the Legal Section. I hope to complete the investigation within six to eight weeks, although this is of course dependent on the progress of interviews etc. I anticipate that the matter can go before the committee in September. In order to assist in the progress of the investigation could you please let me know of any periods of time, such as holidays, when you will not be available?

I want to keep you informed of the progress of the investigation and I will endeavour to accommodate your wishes as to how you wish to be contacted about the progress of the case. Please let me know any specific ways in which you would or would not like to be advised of the progress of the case, email, telephone or standard postal letters.

I anticipate undertaking interviews immediately. I would be grateful if you can contact me upon receipt of this letter to arrange a mutually convenient date and time for the interview. If I do not hear from you by 4pm Friday 8 July I will assume that you do not wish to co-operate with this investigation.

If you have any queries I can be contacted directly on 01753 875189 (or on the main legal telephone line 01753 875031) by e-mailing Kuldip.Channa@slough.gov.uk. Please quote the reference on all correspondence.

I look forward to hearing from you.

Yours sincerely

Kuldip K Channa
Standards Investigation Officer
Principal Litigation Lawyer
Solicitor Advocate (All Proceedings)
On behalf of the Monitoring Officer
Encs.

Document 18b

22 July, 2011

Department:	Department of Borough Secretary & Solicitor
Contact Name:	Kuldip K Channa
Contact No:	01753 875189
FAX:	01753 478642
Email:	kuldip.channa@slough.gov.uk
Our Ref:	KKC/013555/COR
Your Ref:	

Councillor Pervez Choudhry
c/o Town Hall,
Bath Road
Slough
Berkshire SL1 5UQ
PRIVATE & CONFIDENTIAL

MEMBER POST

Dear Councillor Choudhry,

**Re: Standards Investigation SBC25- Councillors Rasib and Choudhry and former Councillors Bal and Zarait
Allegation of breaches of the Code of Conduct at a Planning meeting on 15 December 2010**

I note that I have not had a response to my letter of 1 July. I am therefore assuming that you do not wish to co-operate with this Standards Investigation.

If you change your mind or if you have any queries I can be contacted directly on 01753 875189 (or on the main legal telephone line 01753 875031) by e-mailing Kuldip.Channa@slough.gov.uk. Please quote the reference on all correspondence.

Yours sincerely

Kuldip K Channa
Standards Investigation Officer
Principal Litigation Lawyer
Solicitor Advocate (All Proceedings)
On behalf of the Monitoring Officer

From: King Victoria
Sent: 07 October 2011 14:14
To: Choudhry Pervez;
Subject: Standards Investigation - Interview

Hi Councillor Choudhry

Kuldip Channa, Principal Litigation Solicitor, has asked me to organise a number of Standards Investigation interviews. We will need to conduct an interview with you, which will take approximately one hour.

Please will you contact me so we can arrange a mutually convenient time to carry out the interview and so that I can let you know the details.

I am hoping to arrange the interviews on either the afternoon of Wednesday 12th October or the morning of Thursday 13th October.

Kind regards

Victoria King
Trainee Democratic Services Officer

Slough Borough Council
T. 01753 875120
E. victoria.king@slough.gov.uk

Slough Borough Council
Iken Quicknote

Name: Victoria King (T: 01753 875120 E: victoria.king@slough.gov.uk)

Tele call with Cllr Choudry.

Unwilling to discuss the possibility of arranging an interview with me as he did not receive previous information about the investigation.

Insisted on speaking to Catherine Meek to complain about the length of time the investigation had taken despite being told that Kuldip Channa of Legal Services was conducting the investigation and he would need to get in contact with her.

Raised concern that the local elections were imminent and that the outcome of the standards investigation may impact upon election.

Confirmed email address as:

Channa Kuldip

Document 130

From: Channa Kuldip
Sent: 23 March 2012 16:14
To:
Subject: re Standards Investigation SBC25 - Private and Confidential
Importance: High

Dear Councillor Choudhry,

I write further to your telephone conversation of this afternoon with Victoria King and Catherine Meek from Democratic Services.

I note that you have advised Victoria King that you did not receive any papers and you have stated to her that you are not prepared to discuss the possibility of an interview with the Investigating Officer. I appreciate you may be frustrated by the length of time this investigation has taken, however there are valid reasons for this and I am happy to explain those to you should you wish.

I also understand from Catherine Meek that you have expressed your concerns about this investigation being too close to the elections. Please note this is an ongoing investigation as the complaint was made in December 2010 and does therefore need to be concluded as soon as practicable.

In terms of previous communications, as you may recall, you were sent the decision of the Standards Assessment Committee dated 14th January 2011, advising you that a complaint had been referred on for investigation. I was then appointed by the Monitoring Officer as the Investigating Officer and I wrote to you on 1 July 2011 and then on the 22nd July 2011.

On the 31st August 2011 you contacted Catherine Meek confirming receipt of my letter of the 22 July, although to date you have not contacted me.

As a matter of courtesy an attempt was made to provide you with a final opportunity to attend an interview next week at your convenience. However you have declined this opportunity and discussed your concerns about this investigation with Catherine Meek.

I confirm that I have now concluded my investigation and have produced a draft report. Irrespective of whether or not a Member has participated in the process, a draft report is sent to him. You have the opportunity to comment on the draft report. I am therefore advising you that the draft report will be sent to you shortly.

If I can be of any further assistance please do not hesitate to contact me.

Kind Regards,

Kuldip

Kuldip K Channa
Principal Litigation Solicitor
Solicitor Advocate (All Proceedings)
For the Head of Legal Services
Legal Services (SMP 1st Floor East)
Slough Borough Council

Direct Dial: 01753 875189
Legal Office: 01753 875031
Fax: 01753 478642

[Mailto:kuldip.channa@slough.gov.uk](mailto:kuldip.channa@slough.gov.uk)

Telephone: 01753 875189

Fax: 01753 478642

Document: 013555 - COR/139294

Date of issue: 7th January, 2010

MEETING	PLANNING COMMITTEE (Councillors Zarait (Chair), Dodds, Bal, P Choudhry, Dale-Gough, MacIsaac, Plimmer, Rasib and Swindlehurst)
DATE AND TIME:	TUESDAY, 18TH JANUARY, 2011 AT 6.30 PM
VENUE:	COUNCIL CHAMBER, TOWN HALL, BATH ROAD, SLOUGH
DEMOCRATIC SERVICES OFFICER: (for all enquiries)	SHABANA KAUSER 01753 875013

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

AGENDA

PART 1

<u>AGENDA ITEM</u>	<u>REPORT TITLE</u>	<u>PAGE</u>	<u>WARD</u>
	Apologies for absence.		
	CONSTITUTIONAL MATTERS		
1.	Declaration 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).		



<u>AGENDA ITEM</u>	<u>REPORT TITLE</u>	<u>PAGE</u>	<u>WARD</u>
2.	Minutes of the Last Meeting held on 15th December 2010	1 - 6	
3.	Human Rights Act Statement	7 - 8	
PLANNING APPLICATIONS IN THE WESTERN PART OF THE BOROUGH			
4.	P/09770/070 - Land North & South of extension of Eltham Avenue, Slough	9 - 18	Cippenham Meadows
PLANNING APPLICATIONS IN THE EASTERN PART OF THE BOROUGH			
5.	P/01664/023 - 10 Parlaunt Road, Slough	19 - 28	Foxborough
6.	P/11133/013 - Aggregate Depot, Colnbrook By Pass, Slough.	29 - 50	Colnbrook with Poyle
MATTERS FOR INFORMATION			
7.	Proposed Changes to fees for Pre-Planning Application Advice	51 - 56	All
8.	Authorised Enforcement and Prosecutions	57 - 70	
9.	Members' Attendance Record	71 - 72	

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.



Planning Committee – Meeting held on Wednesday, 15th December, 2010.

Present:- Councillors Zarait (Chair), Bal (left at 8.50pm), P Choudhry (left at 8.50pm), Dale-Gough, Maclsaac, Plimmer, Rasib and Swindlehurst (from 6.42pm)

Apologies for Absence:- Councillor Dodds

PART I

73. Declaration of Interest

Councillor Maclsaac declared that agenda item 6 (S/00666/000 70 Norway Drive) and 10 (P/14946/000 68 Norway Drive) were situated in his ward. Councillor Maclsaac stated that he had attended the Wexham Court Parish Council meeting when the applications were considered but had not participated in their discussions. Councillor Maclsaac stated that he would remain, speak and vote on these items.

74. Minutes of the Last Meeting held on 16 November 2010

The minutes of the planning committee held on 16th November, 2010 were approved as a correct record.

75. Planning Applications

Oral representations were made to the Committee by local Members prior to the planning applications being considered by the Committee as follows:

S/00666/000 - Land Adjacent to No 70 Norway Drive, Slough. Councillor Davies, Chairman of Wexham Court Parish Council addressed the Committee.

P/14946/000 - Land Adjacent to No 68 Norway Drive, Slough. A ward Member and Councillor Davies, Chairman of Wexham Court Parish Council addressed the Committee.

P/01508/033 – Aspire 2 Site, Corner of Church Street and Herschel Street, Slough. A ward Member addressed the Committee.

With the agreement of the Chair, the order of business was varied to ensure that applications where objectors/applicants and/or local members had indicated a wish to address the Committee were taken first.

Details were tabled in the amendment sheet of alterations and amendments received to applications since the agenda was circulated.

Norway Drive, Slough – Erection of an attached two storey three bedroom end of terrace house with hipped and pitched roof.

A recorded vote was requested for this item and was noted as follows:

For Refusal: Councillors P Choudhry, Dale-Gough, Maclsaac, Plimmer and Rasib.

Against Refusal: Councillor Bal

(Councillor Swindlehurst did not take part in the discussion or vote on the above item as he was not present when the Officer introduced the report to the Committee)

77. P/14946/000 - Land Adjacent 68 Norway Drive, Slough

Application

P/14946/000 - Land Adjacent 68 Norway Drive, Slough – Erection of a two storey attached two bedroom house together with parking and amenity space.

Decision

Delegated to the Head of Planning, Policy and Special Projects for approval in order to include standard conditions and a condition to remove the Permitted Development Rights of the property to be used as a small HMO (Class C4) and to resolve the parking provision at the site; if this is not resolved , the application is to be referred back to the Planning Committee.

The Chair allowed the submission of additional information to be circulated by the ward member in respect of planning application P/14946/000 - Land Adjacent to No 68 Norway Drive, Slough. The meeting was adjourned for five minutes to allow Committee Members to read the information.

A recorded vote was requested for this item and was noted as follows:

For Refusal: Councillors Maclsaac, Plimmer and Swindlehurst.

Against Refusal: Councillors Bal, P Choudhry, Dale-Gough, Rasib and Zarait.

For Delegation: Councillors Bal, P Choudhry, Dale-Gough, Rasib and Zarait.

Against Delegation: Councillors Maclsaac and Plimmer

Abstention: Councillor Swindlehurst

Planning Committee - 15.12.10

78. P/01508/033 - Aspire 2 Site, Corner of Church Street and Herschel Street, Slough

Application

P/01508/033 - Aspire 2 Site, Corner of Church Street and Herschel Street, Slough – Change of use from B1(a) offices to car park for a temporary period retrospective.

Decision

Delegated to Head of Planning, Policy and Special Projects to grant temporary planning permission for two years, subject to measures being implemented which demonstrate that adequate steps have been taken to prevent the pollution of ground water and that the method of surface water drainage is adequate to meet a 1:100 year storm.

A three month period given for negotiations to take place to achieve agreement on the issue regarding drainage and a further three month period given for implementation of the necessary works. Should an agreement not be achieved or implemented within the timeframes stipulated, the application will be refused.

A recorded vote was requested for this item and was noted as follows:

For Refusal: Councillors Maclsaac, Plimmer and Swindlehurst.

Against Refusal: Councillors Bal, P Choudhry, Dale-Gough, Rasib and Zarait.

For Delegation: Councillors Bal, P Choudhry, Dale-Gough, Rasib, Swindlehurst and Zarait.

Abstention: Councillors Maclsaac and Plimmer.

(Councillors Bal and P Choudhry left the meeting)

ATTENDANCE NOTE

Client: SBS Democratic Services

Matter: Standards Investigation SBC25 - Cllors Bal, Choudry, Rasib and Zarait

Date: 07 September 2011

File: 013555 - COR
Standards Investigation SBC25 - Cllors Bal, Choudry, Rasib and Zarait

68 Norway Drive P/14946/000

Applicant – Nasser Mehmood

6 Oct 2010 - Hand written note on file – cllor Sohal to Chris Smyth
Call in both 68 and 70 Norway Drive

7 Oct 2010 – email from cllor Sohal to Chris Smyth – thanking him for time re planning issues

Application held in abeyance as registered owner is different to applicant
Registered Owner – Raja Muhammad Fayaz – 68 Norway Drive (20.10.2005)

Email response from CS to Cllor Sohal – advised of ownership issues and will keep him informed of the situation

Certificate of ownership – B
Raja Muhammad Fayaz - – address same as Mr Mehmood

Highway – reasons for refusal –
No car parking in accordance with SBC policy
Access unsatisfactory – no in accordance with SBC Vehicular Footway Crossing policy
Inadequate provision for parking and vehicle movements – reversing on and off highway hazard

Agent information addressing concerns by SBC

Decision:

Delegation to HoP

Standard conditions plus

No HMO use permitted

Resolve parking at the site (if unresolved to refer to planning committee).

Matters resolved.

8 Feb 2011 - Permission granted with conditions.

Kuldip K Channa
Litigation Solicitor

FAO MR Chris Smyth.

Memorandum to Alan McMillen (Head of Planning and Strategic Policy) 30 th September 2010	06 October 2010	SLOUGH BOROUGH COUNCIL
I request that application(s) ref. P/14946/000		
No. 68 Address Norway Drive Slough SL2 5QW		
.....be brought before the Planning Committee my concerns are		
①	If planning permission is granted to No. 68 Slough it would make it difficult for No. 68 to develop.	
②	Both the application should be considered at the same time. ③ The owner of No. 68 has been in contact with SBC since Aug 2009.	
Cllr PAUL SOHAR (Please print) Dated 06.10.2010		WEXHAM LEA.
ACTION:		

Please bring both the application at the December meeting as
Word, Pacis on Saturn, Admin, Fortnightly Lists, Councillors letter

Main Reception: 01753 552288
Minicom: 01753 875030
DX: 42270 Slough (west)

I am going to be away in November.
Slough Borough Council
Town Hall, Bath Road
Slough, Berkshire SL1 3UQ

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Document 20c

Dear Councillor Sohal,

The application for no. 68 Norway drive as it currently stands is not valid. According to Land registry records the applicant is no the sole owner of the house. I have requested that the agent ensures that notice is served on the owner of the property or that evidence be provided
Chris Smyth

Team Leader - East Side
Development Control
01753 875856
chris.smyth@slough.gov.uk

From:
Sent: 07 October 2010 13:15
To: Smyth Chris
Subject: Re: Call-in 68 Norway Drive

Dear Mr Smyth,
Once again I would like to thank you for the time you have spared for me yesterday to discuss various planning issues. I have posted the slip for Call-in regarding planning application of 68 Norway Drive, Wexham, Slough. May I request if you could put forward both the planning applications of No.68 & No.70 at the same time in December's Planning Committee meeting as I am going abroad next week and may not be back by November meeting.
kind regards

Paul Sohal
Councillor for Wexham Lea

ATTENDANCE NOTE

Client: SBS Democratic Services

Matter: Standards Investigation SBC25 - Cllors Bal, Choudry, Rasib and Zarait

Date: 07 September 2011

File: 013555 - COR
Standards Investigation SBC25 - Cllors Bal, Choudry, Rasib and Zarait

Review of planning file P/01508/033 –Aspire 2 Site

Bundle of letters to occupiers –

24.08.10 – email from police re approval of proposed development

03.08.10 – Capital Car parks – objection letter – allegation that applicant “can play” SBC” along and operate without PP; wants SBC to stop illegal activities.

06.10.10 – call in slip from cllor Bains

Refusal reasons:

Use of land for car park contrary to National and local transport strategy
Car provision increase reliance on car usage in area; effective management of other car parks

Delegated to HoP

Grant temporary permission for 2 yrs subject to pollution and drainage management issues.

Various documents relating to negotiations for resolution of issues.

Permission granted on 8 August 2011

Various conditions

Kuldip K Channa
Litigation Solicitor

Memorandum	Alan McMillen (Head of Planning and Strategic Policy) 19 th August 2010
I request that application(s) ref.	P/01508/083
No.....Address.	ASPAK 2... SITE... HERSCHER ST., SLOUGH.
.....,be brought before the Planning Committee my concerns are.	THIS IS FOR A TEMPORARY USE & WILL NOT MATERIALLY IMPACT ON THE LONGER TERM OBJECTIVES OF PROMOTING A GREEN TRAVEL POLICY & IN THESE HARD ECONOMIC TIMES THE COUNCIL SHOULD BE BACKING ALL LAND USES THAT ASSIST PUBLIC ACCESS TO THE SQUARE, AND INDEED, THE HIGH STREET ITSELF.
Cllr	B.S. BAINS (Please print) Dated 6/10/10
ACTION:	

Word, Pacis on Saturn, Admin, Fortnightly Lists, Councillors letter

Main Reception: 01753 552288
 Minicom: 01753 875030
 DX: 42270 Slough (west)

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

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