

Slough Borough Council - Local Determination of Complaints

FORM A Councillor **RASIB [MR]** SBC 2010/25

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

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

Paragraph number from the MO's report	Reasons for disagreeing with the findings of fact provided in that paragraph	Suggestion as to how the paragraph should read
<p>P.17 PARA 4.9 + OTHER REFS TO "MR" SHAKING HANDS WITH APPLICANT + AQ.</p>	<p>I ASSERTED IN MY STATEMENT THAT I DID NOT GREET (SHAKE HANDS WITH THE APPLICANT, WITH AZHAR QUESHI OR ANY OF THE APPLICANTS' GROUP. THE PUMMER CANNOT RECALL WHICH OF THE FOUR MEMBERS HE OBSERVED DOING THIS AND I AGAIN ASSERT THAT CILE MARISAAC IS SIMPLY INCORRECT TO CLAIM I DID THIS. I HAVEN'T SPOKEN TO AQ FOR 3 YRS</p>	<p>REFERENCES TO "MR" BEING INVOLVED IN GREETING/SHAKING HANDS SHOULD BE REMOVED</p>
<p>P6 PARA 4.1</p>	<p>"THE FOUR SUBJECT MEMBERS WERE SEEN SHAKING HANDS & GREETING THE APPLICANT. I HAVE REPEATEDLY ASSERTED I WAS NOT INVOLVED IN THIS GREETING. THE CLAIM IS FACTUALLY UNTRUE. (SEE 'ME' COLUMN, P8)</p>	<p>'SOME OF THE FOUR SUBJECT MEMBERS...'</p>
<p>P.17</p>	<p>COUNCILLOR MARISAAC CLAIMS "PD-G" ALSO VOTED IN THE SAME WAY AS THE 4 MEMBERS IN HIS COMPLAINT. IN DM'S RESPONSE TO EVIDENCE HE SAYS "ON REFLECTION I SHOULD HAVE MENTIONED PD-G, AS HE WAS CLEARLY INFLUENCED AT THE MEETING". WHY AM I THE SUBJECT OF QUESTIONS ABOUT MY CONDUCT WHEN PD-G IS NOT, IF WE THIS MAKES THE COMPLAINT AGAINST ME UNJUST AND UNFAIR.</p>	<p>PETE DALE - GOUGH SHOULD BE INCLUDED IN COMPLAINT, OR THE COMPLAINT AGAINST OTHER 4 MEMBERS SHOULD NOT PROCEED.</p>

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Paragraph number from the MO's report	Reasons for disagreeing with the findings of fact provided in that paragraph	Suggestion as to how the paragraph should read
6.5	<p>I DID NOT MEET THE APPLICANT OR HIS PARTY, GREET OR SHAKE HANDS WITH THEM, AND AS I SAY ON PG OF REPORT, I WAS NOT LOBBIED. I ALSO SPOKE IN FAVOUR OF DELEGATING THESE APPS TO OFFICERS TO RESOLVE OUSTANDING ISSUES APPR TO ANY POSSIBLE APPROVAL (- SEE "JS" EVIDENCE ON THIS BASIS I CHALLENGE THE CONCLUSION THAT I WAS ACTING IN A WAY THAT COULD HAVE BROUGHT MY OFFICE INTO DISREPUTE .</p>	<p>REMOVE "ME" FROM CONCLUSION IN 6.5 AS EVIDENCE IS NOT ADEQUATE TO SUPPORT MY INCLUSION IN THIS CONCLUSION</p>
—		

Please attach additional sheets if necessary

Signed..

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Dated.....10/04/12.....

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Please set out below, using the numbered paragraphs, any other evidence you feel is relevant to the allegation made about you

SBC 2010/25

Councillor RASIB (ME)

FORM B

Other evidence relevant to the allegation

Paragraph number	Details of the evidence
<p>JS EVIDENCE, PARA 9.</p>	<p>CLL SWINDLEHURST POINTS OUT THAT I SUPPORTED HIS PROPOSAL VOICALLY, THAT THE DRIVEWAY PARKING ISSUES AT 68 NORWAY DRIVE SHOULD BE RESOLVED BEFORE ANY APPROVAL COULD BE CONSIDERED - ON THAT BASIS THE SCHEME WAS DELEGATED TO OFFICERS FOR FURTHER NEGOTIATION (NOT APPROVED). WHY WOULD I DO THIS IF I WAS IN SOME WAY FAVORING THE APPLICANT. THIS EVIDENCE SHOWS I WAS TRYING TO CONSIDER AND ADDRESS ISSUES ON THE SITE, NOT GIVE SOME SORT OF 'BLANKET' APPROVAL.</p>
<p>JS EVIDENCES - PARA 12</p>	<p>I ALSO SUPPORTED CLL SWINDLEHURST'S PROPOSAL THAT DRAINAGE HAD TO BE RESOLVED ON THE "ASAP 2" SITE BEFORE ALLOWING THE TEMPORARY CAR PARK USE TO CONTINUE - AND THE DECISION ON THIS ITEM DELEGATED THE SCHEME TO OFFICERS TO AGREE WITH THE APPLICANT SATISFACTORY DRAINAGE MEASURES (OR TO REFUSE THE SCHEME IF THESE WERE NOT RAISED); AGAIN I ASSESS THIS TO DEMONSTRATE THAT I WAS TRYING TO TAKE LEGITIMATE</p>

Continued overleaf PLANNING DECISIONS TO STOP AN APPROVAL PROCEEDING WITHOUT THE PLANNING ISSUES BEING OVERCOME

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Paragraph number	Details of the evidence
	<p>PLEASE ALSO SEE / INCLUDE THE FINAL AGREED DECISIONS ON BOTH PLANNING CITEE AFENDA ITEMS - AS NEITHER APPLICATION WAS APPROVED ON THE NIGHT, RATHER DELEGATED TO OFFICERS FOR FURTHER WORK.</p>
	<p>I SUPPORTED BOTH PROPOSALS WHICH INSISTED THE PLANNING ISSUES RAISED WERE RESOLVED BEFORE ANY POSSIBLE APPROVAL COULD BE GIVEN.</p>

Please attach separate sheets if necessary

Signed .. [Redacted]

Dated10/04/12.....

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.

<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.



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, MacIsaac, 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 MacIsaac, 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 MacIsaac 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)

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FORM C Councillor RASIB 'MR' SBC 2010/25

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

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

Please note that no such finding has been made yet

Paragraph number	Factor for the Standards Committee to take into account when deciding whether or not to order any censure, restriction of resources or allowances, suspension or partial suspension
<p>JS EVIDENCE PARAS 9 & 12 AND MY OWN STATEMENT - ASSESSING I DID NOT SPEAK TO OR HAVE ANY RELATIONSHIP WITH AQ - (MAKING THE CLAIM I RECEIVED HIM ASSUMED)</p>	<p>I HAVE ALWAYS TRIED TO UPHOLD HIGH STANDARDS AS A COUNCIL AND RESPECT THE CODE OF CONDUCT. I SUPPORTED PROPOSALS TO ADDRESS THE PLANNING ISSUES AT BOTH OF THESE SITES, BEFORE ANY POTENTIAL APPROVAL COULD BE CONSIDERED - I VOTED TO DELEGATE THESE APPLICATIONS TO OFFICERS TO SEE IF AGREEMENT COULD BE REACHED ON THE ISSUES RAISED IN THE REPORT AND THEN BRING REVISED PROPOSALS BACK TO US IF OFFICERS WERE NOT FULLY CONTENT. I NEVER MOVED OR SUPPORTED ANY PROPOSAL OR ARGUMENT FOR AN UNCONDITIONAL APPROVAL - I WAS ATTEMPTING TO TAKE MY PLANNING RESPONSIBILITIES SERIOUSLY AND CONSIDER ALL THE ISSUES RAISED IN THE MEETING. I BELIEVE, THEREFORE, THAT I HAVE NOT BROUGHT MY OFFICE INTO DISREPUTE. IF, HOWEVER, THE STANDARDS SUB-COMMITTEE DISAGREES, I WISH MEMBERS TO KNOW I WILL SUBMIT TO ANY ADDITIONAL TRAINING ETC AS THE COMMITTEE REQUIRES; AS I WISH TO CARRY OUT MY OFFICE TO THE HIGHEST STANDARDS, BE EFFECTIVE FOR RESIDENTS AND MAINTAIN HIGH STANDARDS OF BEHAVIOUR FOR SBC & THE COMMUNITY</p>

Continued overleaf

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

Please attach separate sheets if necessary

Signed

Dated.....10.04.17.....

Form D Councillor SBC 2010/25

Arrangements for the Standards (Local Determination) Sub-Committee hearing

Please circle correct answer

<p>1</p>	<p>The proposed date for the Standards Sub-Committee hearing is given in the accompanying letter. Are you planning to go to the hearing?</p> <p>If "No", please explain why.</p>	<p>YES <input checked="" type="radio"/></p> <p>NO <input type="radio"/></p>	<p>Reason:</p>
<p>2</p>	<p>Are you going to present your own case?</p> <p>SEE COMMENTS: - I WILL DO SO IF MY REP CAN'T COME BUT WOULD PREFER TO NAME ANOTHER REP.</p>	<p>YES <input type="radio"/></p> <p>NO <input checked="" type="radio"/></p>	<p>SEE 3 BELOW, I HAVE ASKED A REPRESENTATIVE TO SPEAK FOR ME, BUT HAVE NOT YET HAD CONFIRMATION AS I BELIEVE SHE IS AWAY; IF SHE</p>
<p>3</p>	<p>If you are not presenting your own case, will a representative present it for you?</p> <p>If "Yes", please state the name of your representative.</p>	<p>YES <input checked="" type="radio"/></p> <p>NO <input type="radio"/></p>	<p>Name: <u>CANNOT REPRESENT ME, I WILL SPEAK FOR MYSELF OR NAME AN ALTERNATIVE REP.</u></p> <p>I HAVE ASKED Cllr MAY DODDYS TO ATTEND AND MAKE REPRESENTATIONS FOR ME - SHE HAS NOT YET CONFIRMED. I INTEND HER TO BE</p>
<p>4</p>	<p>Is your representative a practising solicitor or barrister?</p> <p>If "Yes", please give his or her legal qualifications. Then go to question 6.</p>	<p>YES <input type="radio"/></p> <p>NO <input checked="" type="radio"/></p>	<p>Qualifications: MY "REP", BUT WILL NAME ANOTHER IF SHE CAN'T ATTEND</p> <p>SHE IS A MEDIATOR AND TRADE UNION REPRESENTATIVE, HAVING MUCH EXPERIENCE AS A REP IN EMPLOYMENT DISPUTES ETC.</p>

<p>5</p>	<p>Does your representative have any connection with the case?</p> <p>If "Yes", please give details.</p>	<p>YES <input type="checkbox"/></p> <p>NO <input checked="" type="checkbox"/></p>	<p>Details:</p> <p>MAY HAS BEEN CHAIR OF PLANNING CTTEE, BUT WAS NOT AT THAT MEETING OR INVOLVED IN THESE APPLICATIONS. SHE HAS CHARGED HER LAST PLANNING CTTEE + RETIRED FROM THE COUNCIL THIS MONTH</p>
<p>6</p>	<p>Are you going to call any witnesses?</p> <p>If "Yes", please fill in Form E.</p>	<p>YES <input checked="" type="checkbox"/></p> <p>NO <input type="checkbox"/></p>	<p>ONE, IF REQUIRED</p>
<p>7</p>	<p>Do you, your representative or your witnesses have any access difficulties (for example, is wheelchair access needed?)</p> <p>If "Yes", please give details</p>	<p>YES <input type="checkbox"/></p> <p>NO <input checked="" type="checkbox"/></p>	<p>Details:</p>
<p>8</p>	<p>Do you, your representative or your witnesses have any special needs (for example, is an interpreter needed?)</p> <p>If "Yes", please give details</p>	<p>YES <input type="checkbox"/></p> <p>NO <input checked="" type="checkbox"/></p>	<p>Details:</p>
<p>9</p>	<p>Do you want any part of the hearing to be held in private?</p> <p>If "Yes", please give reasons.</p>	<p>YES <input type="checkbox"/></p> <p>NO <input checked="" type="checkbox"/></p>	<p>Reasons:</p>

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

Signed

Dated.....10/04/12.....

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Councillor SBC 2010/25

Details of proposed witnesses to be called

FORM E

Name of witness or witnesses		1	CLLR JAMES SWINDLEHURST
		2	
		3	
WITNESS 1			
a	Will the witness give evidence about the allegation?	YES <input checked="" type="checkbox"/>	<p>IF THE CTTEE REGARDS IT TO BE USEFUL IN DETERMINING THE COMPLAINT, JS CAN CLARIFY POINTS FROM HIS STATEMENT THAT I SPOKE UP FOR & SUPPORTED HIS PROPOSALS TO ENSURE PLANNING ISSUES ON THESE SITES WERE ADDRESSED, DELEGATING BOTH DECISIONS TO OFFICERS (WHEN THE "REFUSALS" FELL) FOR FURTHER NEGOTIATION (I.E. NOT APPROVING THE SCHEMES). I ASSECT THAT THIS SHOWS I WAS TRYING TO WAHOLD THE PLANNING + BEHAVIOUR CODES (- SEE ALSO PLANNING CTTEE DECISION SHEET FROM 15/12/10)</p>
	If "Yes", please give an outline of the evidence the witness will give	NO <input type="checkbox"/>	
b	Will the witness give evidence about what action the Standards Sub-Committee should take if it finds that the Code of Conduct has not been followed?	YES <input type="checkbox"/>	<p>DON'T KNOW.</p>
	If "Yes", please provide an outline of the evidence which the witness will give.	NO <input checked="" type="checkbox"/>	

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FORM E

WITNESS 2

a

Will the witness give evidence about the allegation?

If "Yes", please give an outline of the evidence the witness will give

YES

NO

Outline of evidence:

b

Will the witness give evidence about what action the Standards Sub-Committee should take if it finds that the Code of Conduct has not been followed?

If "Yes", please provide an outline of the evidence which the witness will give.

YES

NO

Outline of evidence:

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FORM E

WITNESS 3

	<p>a</p> <p>Will the witness give evidence about the allegation?</p> <p>If "Yes", please give an outline of the evidence the witness will give</p>	<p>Outline of evidence:</p>
	<p>b</p> <p>Will the witness give evidence about what action the Standards Sub-Committee should take if it finds that the Code of Conduct has not been followed?</p> <p>If "Yes", please provide an outline of the evidence which the witness will give.</p>	<p>Outline of evidence</p>

YES

NO

YES

NO

Please attach separate sheets if necessary

Signed.. ..

Dated.....(10/06/12).....