

STANDARDS COMMITTEE AGENDA



Tuesday, 24 June 2008

at 4.00 pm

in Committee Room A

MEMBERS: STANDARDS COMMITTEE:

Councillors Coward, Preece, Shaw, Sutheran, Wallace and Wright

Co-opted Members: Barry Gray, 2 vacancies

Parish Councillor 1 vacancy

1. **APOLOGIES FOR ABSENCE**
2. **TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS**
3. **MINUTES**
 - 3.1 To confirm the minutes of the meeting held on 22 April 2008
4. **ITEMS FOR INFORMATION**
 - 4.1 Business Report - *Chief Solicitor*

CASE I

GREAT NORTON PARISH COUNCIL – COUNCILLOR JAMESON

Summary

The complainant refers to a meeting of the parish council on 16 November 2006. It is alleged that when the chairman asked if there was any other business, Councillor Jameson said, “I’ve got some!”, swung round in his chair, directly facing the complainant, and launched into a loud and aggressive verbal attack. It is alleged that he accused the complainant of calling the chairman “undemocratic” at a previous meeting and demanded that she apologise. The complainant subsequently explained in writing that she was accusing the council of being undemocratic, not the chairman, and has apologised to him for the misunderstanding. She also wrote to the chairman of the parish council to complain about Councillor Jameson’s alleged treatment of her at the meeting.

It is reported that the next meeting of the parish council, advertised for 21 December 2006 at the village hall, was brought forward to 20 December 2006 at the Lions Club, which precluded the public, including the complainant, from attending. It is alleged that the meeting went into confidential session to discuss the complaint against Councillor Jameson, but that he failed to declare a prejudicial interest in the matter and remained in the meeting that considered a matter affecting him.

The chairman then wrote to the complainant to say that the parish council had found that, “as the alleged incident took place after the parish council meeting had closed, they found that Councillor Jameson was not in breach of any form of misconduct. It was unanimously agreed that no action be taken regarding Councillor Jameson and the matter to be considered closed”. They also agreed to ban the public from speaking at future meetings.

26 JAN 2007

complaint form

RECEIVED



If you have any questions or difficulties filling in this form, for example – if English is not your first language or you have a disability – please contact the Referrals Unit on 0800 107 2001.

You can also email them at newcomplaints@standardsboard.co.uk

Please note

- > we can only accept complaints in writing
- > one of our officers may contact you personally to go through the details of your complaint
- > we are unlikely to be able to keep your identity confidential if you make a complaint

ABOUT YOU

title Mr Ms ☒ Mrs Miss Councillor Other (please specify)

first name Jo

surname Barlow

address Chimney Cottage, Great Norton,
Snelling

postcode SM4 1TJ

daytime telephone

evening telephone

email

Please consider the complaint I have described below and in the evidence attached. I understand and accept that the details will normally be disclosed to the member, particularly if the matter goes through to investigation.

signature

date 230107

YOUR COMPLAINT

Who are you complaining about?

Please give the name of the councillor/s, member/s or co-opted member/s that you consider has broken the Code of Conduct and the name of their authority/ies.

name of the individual/s

Mr R. Jameson

name of their authority/ies

Great Norton Parish
Council

Please tick here if you work for the authority/ies shown above

Please tick here if you are a member of the authority/ies shown above

complaint form

WHAT ARE YOU COMPLAINING ABOUT?

Please provide us with as much information as you can about your complaint to help us to decide whether or not it should be investigated. Include the date and details of the alleged misconduct, and any information that supports the allegation. We can only investigate complaints that a member has broken a local Code of Conduct (see section 3 of the information leaflet *How to make a complaint*). Continue on a separate sheet if there is not enough space on this form.

16-11-06 COUNCILLOR JAMESON BREACHED THE CODE OF
CONDUCT BY FAILING TO TREAT A MEMBER OF PUBLIC
WITH RESPECT AND IN DOING SO CONDUCTED HIMSELF
IN A MANNER LIKELY TO BRING HIS POSITION AND
THE PARISH COUNCIL INTO DISREPUTE.
PLEASE REFER TO SEPARATE SHEET.

20-12-06 COUNCILLOR JAMESON BREACHED THE CODE OF
CONDUCT BY FAILING TO WITHDRAW FROM THE
MEETING WHEN A MATTER IN WHICH HE HAD A
PREJUDICIAL INTEREST WAS DISCUSSED AND SOUGHT
IMPROPERLY TO INFLUENCE A DECISION ON THE
MATTER.
PLEASE REFER TO SEPARATE SHEET.

EVIDENCE (if this applies)

Please attach to this form copies of any correspondence, documents, names and details of witnesses, and any other evidence that you feel is relevant to your complaint. Please avoid sending us large amounts of background information that only relate indirectly to your complaint.

Please tick this box if you would like us to return the evidence to you.

Please send this form to:

The Standards Board for England
PO Box 36656
London SE1 0WN

The *Race Relations Act 2000* requires us to monitor ethnic or national origin to ensure that we do not inadvertently discriminate against members of a particular group. It would, therefore, be helpful if you would complete the ethnic monitoring section of the form, although this is not compulsory.

The answers will be removed and kept entirely separate from your complaint and will be completely confidential. They will be used for statistical purposes only, in which individuals will not be identified.

complaint form

CONTINUATION

16-11-06 Councillor ~~Jameson~~ breached the Code of Conduct by failing to treat a member of public with respect and in doing so conducted himself in a manner likely to bring his position and the Parish Council into disrepute.

20-12-06 Councillor ~~Jameson~~ breached the Code of Conduct by failing to withdraw from the meeting when a matter in which he had a prejudicial interest was discussed and sought improperly to influence a decision on the matter.

During the November 16th Parish Council meeting (Agenda item "Any other Business") the Chairman asked if there was any other business. Councillor ~~Jameson~~ said "I've got some" swung round in his chair so he was directly facing me, within arms length, and launched into a verbal attack shouting at me in a very loud, aggressive manner which made me feel incredibly intimidated, harassed and in fear of my safety. I was so anxious & uncomfortable with his being so close to my face and in an obvious state of anger that I had to stand to make some distance between us for my own safety.

[His outburst was regarding his belief that I had called the Chairman undemocratic during the October Parish Council meeting. This was not true & has been addressed separately and is not covered by this complaint]

I wrote a letter of complaint to the Chairman which is attached for information. In this letter I laid out my complaint and requested that a resolution be sought at local level.

On December 20th the Parish Council held another meeting, this should have taken place in the Village Hall on the 21st as stated during the November meeting but the date and venue was changed without the statutory notice having been given thus precluding myself and other members of the public from attending.

At this meeting my letter of complaint was discussed and the Parish Council made a resolution that a response be sent to me.

Councillor ~~Jameson~~ did not declare a prejudicial interest, did not leave the room and participated in the deliberations and decision making. His presence during this debate prevented proper discussion, his presence and participation influenced the decision.

On Sat 13th January I received a letter from the Parish Council in response to my complaint. It states that "as the alleged incident occurred after the meeting had closed, they [the council] found Cllr ~~Jameson~~ was not in breach of any form of misconduct"

The Minutes of the November meeting record the incident during "Any other Business ahead of "Matters for the next Meeting" although the form of words used does not correctly record the happenings [this is being addressed by our Residents Group – letter attached for info.]. The Minutes of the December 20th meeting, where my letter of complaint was discussed also record the 'incident' as having occurred during the meeting.

On Monday 15th January 2007 I sought advice from the ~~Winward~~ Borough Solicitor following which I sent the Parish Council a response to their letter dated 10th January and began the complaint procedure of The Standards Board.

Enclosed for Evidence / Information;

1. Agenda November 16th 2006
2. Minutes November 16th 2006
3. Letter of Complaint to Parish Council Chairman 9th December 2006
4. Letter of explanation to Parish Council Chairman 28th November 2006
5. Agenda December 20th 2006
6. Minutes December 20th 2006
7. Letter from Parish Council regarding my Complaint 10th January 2007
8. Letter to Parish Council in response to their Letter 16th January 2007
9. Letter to Parish Council from ~~gt Norton~~ Residents Group 18th January 2007

Witnesses:

Mr ~~Bond~~

Mr ~~Duggan~~

Councillor ~~Winter~~

① 10 of 1

1 NOV '06

30th Nov

closing re election

GREAT NORTON PARISH COUNCIL

9 November 2006

Dear Sir/Madam,

A Meeting of *Gr Norton* Parish Council will be held in the Village Hall, *Great Norton*
on Thursday 16 November 2006 at 7.00pm.

I trust you will be able to attend.

Yours faithfully,

Clerk

A G E N D A

1. Minutes - to approve as a correct record the minutes of the last meeting.
2. Apologies for absence
3. Declarations of Interest
4. Matters arising from the last meeting
 - (a) Policing of the Village
 - (b) Allotments rules
 - (c) Village Improvements
 - (d) Lights by the Children play area
5. Precept 2007-2008
6. Correspondence

election - May

2/2006/1136 Planning Application Detached dwelling at
2/2006/1146 Planning Application Detached dwelling at
Consultation on Works to Tree preservation Order Trees TPO 7/2005
Notification from Inland Revenue
Letter from Countryside Alliance
Donation request from CAB

7. Clerks Report

8. Matters for discussion at next meeting.

1 x ASH
4 x SYCAMORE
30% CROWN REDUCTION
ON ALL 5 TREES
'COS BRANCHES VERY LOW

- vacancy for governor - 29th Nov. mty

162

(2) 1044

NOV '06

Minutes of a meeting of ~~Gt Norton~~ ^{Gt Norton} Parish Council held in the Welfare Hall,
~~Gt Norton~~ on Thursday 16 November 2006 at 7.00pm.

Present: Mr Jones
Mrs Storr
Mr Wragge
Mr Anders
Mr Jameson
Mrs Atkinson
Mr Deighton
Mr Leck
Mrs Winter

Apologies: Cllr Burke, Mr Wilson

Also Present: 3 members of the public.

MINUTES

The minutes of the last meeting were agreed as a correct record.

DECLARATION OF INTEREST

None declared.

MATTERS ARISING

Policing the Village

No one from the police was available to attend the meeting

Allotments

The chairman had been revising the allotment rules and asked the clerk to photocopy them, so that they could be circulated to the committee at December's meeting.

Village Improvements

The light on the corner of the Gavels is off.

The light (07) behind the home housing car park is off and one of the lights on the path between the village and Riverside is also off.

ACTION - Clerk to Report to CC

(2) of 4

PRECEPT 2007-2008

As the clerk did not have all the information to hand Mr *Jameson* requested that the matter be held over until December's meeting.

A discussion took place around the street lighting requirements , as CC had said that even though they had a list of 5 lamp standards requested for the village, they had no budget. It was decided that money be put into the precept for at least one lamp standard.

(2) of 4

Following an incident at the close Octobers meeting, the Chairman asked one member of the public, Ms Baflow, who had been at the previous months meeting, for an apology for the remarks that she had made and for calling the Chairman undemocratic. Ms Baflow denied doing this. During a heated debate Mr Pearson suggested that Ms Baflow be barred from the Parish Council meetings until she gave, in writing, an unreserved apology for falsely accusing the Chairman of being undemocratic. Ms Baflow said that she would write to the Chairman with an apology.

Matters for discussion at next meeting.

None declared.

4

INCORRECT RECORD
① CHAIRMAN MADE NO REQUEST
... CLR JAMESON

(3) 10/11

9th December 2006

Dear Chairman

I am writing to complain about Councillor *Jameson*'s treatment of myself during the November 16th Parish Council meeting 2006.

Councillor *Jameson* failed to treat me with respect.

I was incredibly intimidated and harassed by his shouting in my face from such close proximity which is why I had to stand up to create some distance between us. He continued to harass myself after the meeting had closed upon my leaving the Hall.

The reason for his shouting was, as I explained, due to his mistaken belief that I had, during October 19th meeting, called you, Mr Chairman, undemocratic. I had not and fully explained such at the time (and by separate letter to yourself).

During Councillor *Jameson*'s outburst he shouted he would have me banned from future Parish Council meetings. With respect, this is not in the power of Councillor *Jameson*, only the Chairman, and it is illegal to decide to exclude a member of public from future council meetings.

I feel that through his disrespect he has conducted himself in a manner likely to bring his position and the Parish Council into disrepute.

I realise I can make a complaint to the Standards Board but would prefer that my complaint be dealt with and resolved locally.

As a resolution of my complaint I am willing to accept a full verbal and written apology with assurance there will be no repeat incidences of disrespect, intimidation or harassment by Councillor *Jameson*.

Yours Sincerely

Mrs *Barlow*

(4) 1021

28th November 2006

Dear Mr

Jones

I am writing to try and correct the misunderstanding that apparently arose during the last parish council meeting.

If anything I said has caused you upset or annoyance I can only apologise and say that that was never my intention. Any remarks I made were not aimed you, personally but at the council's procedures.

Perhaps I expressed myself badly, but any use of the word "you" and "your" were intended to refer to the council as a body. Nor was my remark ever intended to infer that the council was undemocratic in every regard, but only in its process relating to the consultation regarding the village plan.

As I tried to explain, during the November 15 parish council meeting, I thought the process of deciding what changes should be made to the village boundary was undemocratic and that remains my view.

Again, I can only say that I never aimed the remark at you, and I sincerely hope you will accept my apology and explanation that I regarded the process and not you, as undemocratic.

Yours Sincerely

Ms Barros

(5) 1091
DEC '06
Great Norton PARISH COUNCIL

15 December 2006

Dear Sir/Madam,

A Meeting of *Great Norton* Parish Council will be held in the THE LIONS CLUB
on WEDNESDAY 20 DECEMBER 2006 at 7.00pm.

I trust you will be able to attend.

Yours faithfully,

Clerk

AGENDA

1. Minutes - to approve as a correct record the minutes of the last meeting.
2. Apologies for absence
3. Declarations of Interest
4. Matters arising from the last meeting
 - (a) Policing of the Village
 - (b) Village Improvements
 - (c) Confidential issues.
5. Precept 2007-2008
6. Correspondence

Letter from Resource

County Council re Village boundaries
re Tree preservation Order 7/2005
re Tree preservation order 7/2005

Consultation re Planning Application 2/2006/1256 -
Town & country Planning (Local development) Regulation 28
Land registry - re

- re Village boundary

Flyer from Highways

Request for Donation

Rape Crisis

Information from CALC

Consultation re Planning Application 2/2006/1229 - This was consulted upon due to time
scales and application agreed.

7. Clerks Report
8. Matters for discussion at next meeting.

(6) 10f3 DEC '06
Minutes of a meeting of Gt. Clifton Parish Council held in the Lions Club, William Street, Gt. Clifton on Thursday 20 December 2006 at 7.00pm.

Present: Mr Jones
Mr. Wragge
Mr Anders
Mr Jameson
Mrs Atkinson
Mr Deighton
Mr Leck

Apologies: Mr Wilson Mrs Storr

Also Present: Cllr Burke, 1 member of the public

MR C. EASTON

MINUTES

The minutes of the last meeting were agreed as a correct record.

DECLARATION OF INTEREST

None declared.

MATTERS ARISING

Policing the Village

No one from the police attended the meeting. Comment was passed that the Police were rarely in the village and it was felt that "they were never there when required."

Allotments

The chairman apologised for not having the revised allotment rules. They were still being worked on and would be presented to the council and the allotment society for approval when they were completed.

The spare allotment had been allocated to:

The chairman said that he was going to contact the RSPCA re the animals kept on the allotments, and ask them to visit every three months to make sure that there were no problems and the animals were being kept in good condition.

Village Improvements

Dog bin was requested

that another bin post be erected in the village

The post has been erected. It was also requested

16/2023

ACTION - Chair to contact

A request was made by _____ for a light at the bottom of _____. It was noted that this has already been requested from CC, who have stated that there is no money in their budget for street lighting at the moment and that they now have a total of five street light requests for _____. The road sign outside _____ house, will be fixed to the wall after the wall has been built.

Lights by the Children's seating area.

Clerk reported that we would have to wait for another estimate for the lights, as per the e mail that she had received from _____ (_____ Borough Council). _____ felt that this was not correct.

ACTION - Clerk to Contact _____ and _____ (_____ Community Safety Officer)

_____ has requested that the two grit bins in the village be filled by the Highways Dept.

The hedge down Middle gate also required cutting back.

PRECEPT 2007-2008

After a discussion on the Councils Finance's it was decided to ask for an increase in the precept for 2007-2008.

A cheque for £20 was received from the Allotment society.
It was agreed to pay £160 to _____ for the seat at bank top and bin post.

Correspondence

Planning application no 2/2006/1256 Proposed conservatory- Agreed

Request for a donation form _____ Rape Crisis was turned down.

Ms Atkinson requested more information on the Right to Roam Act. Mr Jameson informed Ms Atkinson that after doing a search on the internet he could find no restrictions in the village area.

6 of 3

A letter from the land registry office appears to confirm that the land in question at Lonnin as not been registered by any party. It was agreed that the Clerk would contact County Council to register the land for the Parish. A letter is to be sent to the occupier of

Vacancy on Parish Council

NOT ON AGENDA

present at meeting

There were two applications to join the Parish Council. Mr C. EASTON and Ms Barlow.

After taking legal advice from the Borough Solicitor, it was discovered that there was not sufficient time between now and the local elections in May, to hold an election for a new member. Therefore the Parish Council members voted and the vote was unanimously in favour of MR C. EASTON. Mr Deighton asked if it was legal for the parish Council to do this and the chair responded that it was.

Confidential Issues

MR C. EASTON

① The member of the public and Councillor Burke were asked to leave the room.

The chair read out three letters that had been received, two from Ms Barlow & one from Mr Bond.

Two of the letters were complaints re the heated discussion that had taken place at the previous meeting.

After reading out the letters and a frank discussion by the Parish Council, it was unanimously decided that the Parish Council would revert to the usual practice of no members of the public, what so ever, being allowed to speak at any Parish Council meeting. Any business that members of the public have for the Parish Council, must be conveyed through one of the councillors.

Once Cllr Burke and the member of the public were asked to return to the room, the chair wished everyone a Happy Christmas and the meeting was closed.

Matters for discussion at next meeting.

None declared

① Mr JAMSON WAS NOT ASKED TO LEAVE THE ROOM WHILE COMPLAINTS AGAINST HIM WERE DISCUSSED

② NO 'ACTION' MINUTED WAS IT AGREED TO SEND A RESPONSE LETTER INCLUDING THE CONTENT?

(7) 10/01
Gt Norton Parish Council

Ms Barton

10 January 2007

Dear Ms Barton

RE Complaint regarding Cllr Barton

Thank you for your letter concerning Cllr Jameson. The matter was discussed at the Parish Council meeting held on 20th December 2006. After reading your letter the matter was discussed at length, and the Council found that, as the alleged incident took place after the Parish Council meeting had closed, they found Cllr Jameson was not in breach of any form of misconduct. It was unanimously agreed that no action be taken regarding Cllr Jameson and the matter to be considered closed.

The Parish Council also decided that due to the disruption caused by members of the public during Parish Council meetings, in future, no member of the public would be allowed to speak in meetings. The Council have decided to revert to the previous practice of any business that members of the public require to be brought to the Council, must be presented through a member of the Parish Council.

I would also like to take this opportunity to thank you for your application to join the Parish Council. Due to the local elections taking place in May, we are unable to hold an election in the interim period. As there were two candidates for the position, the Council voted on the candidates and unfortunately you were not successful in your application at this time.

Yours sincerely

Mr Jones

Chairman great Clifton Parish Council

(3) 1021
16th January 2007

Dear Chairman

Re Your letter dated 10th January 2007, RE Complaint regarding Cllr Jameson
Response to my letter of complaint dated 9th Dec 2006

Dear Mr Jones

Thank you for your letter dated 10th January 2007, regarding my complaint against Councillor Pearson in response to my letter of complaint of December 9th 2006.

I am afraid that I am dissatisfied with your council's response to my complaint and I do not share your view that the matter is closed. I had sincerely hoped that this issue could be resolved at local level but, as your decision was not based on the actual facts nor arrived at in accordance with the Code of Conduct, you leave me no recourse other than to take this matter further.

I take issue with your decision that "as the incident took place after the meeting Cllr Pearson was not in breach of any form of misconduct" when it in fact happened as the only item under 'Any other Business' as evidenced in your Approved Minutes of the November 16th meeting and witnessed by other members of the public.

The meeting held Wednesday December 20th, at which your response was determined, also raises other issues which, I am afraid, will form the basis of further separate complaints.

These are:

1. That according to your own minutes, Cllr Jameson did not declare a prejudicial interest and is not recorded in your minutes, as having left the room while my complaint about him was discussed.
2. Furthermore, members made decisions about items not published on the agenda. These are:
 - a) The decision that "no members of the public, whatsoever, will be allowed to speak at any Parish Council meeting".
 - b) Voting to co-opt a member to fill a vacancy when that course of action was not published on an agenda.

As you ought to be aware, business cannot be legally transacted by a Parish Council unless it first appears on the agenda for that meeting.

Yours faithfully,

Mrs. Barber

7/18/07
Clifton Norton Residents' Group

January 16, 2007

Tel: _____ (mobile)

Mr. Jones
Chairman
Gt. Clifton Parish Council.

Dear Mr. Jones,

I have been asked to write to you, on behalf of the residents' group because, at your December meeting, you approved the following minute:

Following an incident at the close of October's meeting, the Chairman asked one member of the public, Ms Kirkbride, who had been at the previous month's meeting, for an apology for the remarks that she had made and for calling the Chairman undemocratic. Ms Barlow denied doing this. During a heated debate Mr. Jameson suggested that Ms Barlow be barred from the Parish Council meetings until she gave, in writing, an unreserved apology for falsely accusing the Chairman of being undemocratic. Ms Barlow said that she would write to the Chairman with an apology.

It is a form of words, which does not begin to reflect the events of the night in question, and which, because they are a matter of public record, MUST do so accurately.

However, the minute in question contains several inaccuracies; glosses over and trivialises what was in fact disgraceful conduct on the part of Coun. Jameson

As a first instance it refers to "heated debate". There was no debate as such. Our contemporaneous shorthand notes show that in fact Coun. Jameson merely began haranguing Ms Barlow in an aggressive manner. His case, such as it was, should have been made through you, the chairman, and

9 2012

arguably should not even have been being made by him in the first place, since the matter did not involve him.

Its also says the chairman asked for an apology, when it was in fact demanded, but not by the chairman but by Mr. Jones. Furthermore Ms Barlow offered to write "an explanation" rather than an apology. She said that IF she had expressed herself in a way which had been misunderstood, she was sorry.

Your minute also states that Mr. Jones suggested Ms Barlow be barred from council meetings, when in fact our notes reveal that he went on to claim, very loudly, and directly to Ms Barlow: "I could have you banned", which is again plainly untrue.

Such a move would require a formal motion, seconded and approved by the full council which we presume does not come on his say so.

Even your minutes show no such proposal, seconder, or vote thereon.

Our shorthand notes, taken at that time show that Mr. Jones claimed that Ms Barlow had accused you, personally, of being "undemocratic" at the previous (October) meeting.

Our notes of that meeting also show that that was patently not the case.

That situation came about because of an unfulfilled promise, at an earlier parish council meeting, that there would be a public meeting, arranged by your council, at which villagers could comments on the upcoming Local Plan.

Our group feels aggrieved at the fact that the promised meeting never materialised and that the Parish Council's deliberations, about suggested changes to the Local Plan, were carried out almost entirely in secret and without proper public consultation, before the council's views were presented to Allerdale Council.

It is against that background that Ms Barlow, who is the Residents' Group's appointed spokesperson, said: "You are being undemocratic", referring to the lack of proper public consultation and not to you, Mr. Jones.

It was on the basis of possible misinterpretation of her intent, that she agreed to explain to you, personally and not the council as a whole, in writing, and I believe that she subsequently did so. Your council's minute implies that she in fact did call you undemocratic and subsequently apologised for that, when that is plainly not the case.

In view of this we wish your council to re-word that minute, to properly, fully reflect the events of that night and to amend the apparent, but I am sure, unintentional, impression that Ms Barlow apologised for something that she never actually did.

I understand that the events of the night of the November meeting led to two written complaints.

Representatives of our group intend to continue to attend your public meetings and to that end we would be grateful if you could ask your clerk to highlight to us any sudden departures from the normal dates and venues of your public meetings.

Yours faithfully,

Mr Bond

secretary

CASE J

NETTINGTON TOWN COUNCIL – COUNCILLOR GOLD

Summary

The complainant refers to the town hall at Nettington, which belongs to the town council. It is reported that the county registration service rents offices at the town hall and Town Councillor Gold is employed as a registrar. It is also reported that Councillor Gold declared an interest in an agenda item regarding the town hall at a council meeting on 24 May 2004. It is further reported that in 2005, it was agreed in principle to hand the town hall over to a charitable trust, make a grant to the trust and to seek legal advice. It is also reported Councillor Gold is one of three councillors to be on a joint working group with the trust.

Following legal advice, on 27 February 2006 the council “reaffirmed” earlier resolutions concerning the trust, with Councillor Gold voting in favour. It is also reported that after she became town mayor in May 2006, she put herself forward as the council representative on the trust. The complainant refers to a meeting between councillors and the trust which took place on 3 July 2006. She says she had asked for the minutes but had been told that it was an informal meeting, which was not the impression created beforehand.

The complainant has also provided a report of the “Nettington Town Hall Joint Working Group”, which includes Councillor Gold. It states that she has had final sight of the draft briefing for the solicitor who would be drawing up the draft lease for the town hall. The draft briefing refers to the “need to agree continuing office space for the town clerk and use of the council chamber for meetings at a favourable rent and for the Registrar at the rent negotiated with the county council...”. The complainant has also provided a covering memo from the town clerk, which states that the brief will be discussed with Councillor Gold and other members.

It is thereby alleged that Councillor Gold has a conflict of interest between the town council and her employer, which rents her place of work from the council in the building whose future is under consideration. It is also alleged that having previously acknowledged this, Councillor Gold has subsequently become more closely involved in the issue without declaring an interest.

RU

12 OCT 2006

RECEIVED



complaint form

If you have any questions or difficulties filling in this form, for example – If English is not your first language or you have a disability – please contact the Referrals Unit on **0800 107 2001**.

You can also email them at newcomplaints@standardsboard.co.uk

Please note

- > we can only accept complaints in writing
- > one of our officers may contact you personally to go through the details of your complaint
- > we are unlikely to be able to keep your identity confidential if you make a complaint

RECEIVED
12 OCT 2006

ABOUT YOU

title Mr Ms Mrs ☒ Miss Councillor Other (please specify)

first name

surname Jones

address

Nettleshire

Nettington

postcode

daytime telephone

evening telephone

email

Please consider the complaint I have described below and in the evidence attached. I understand and accept that the details will normally be disclosed to the member, particularly if the matter goes through to investigation.

signature

date 8 10 06

YOUR COMPLAINT

Who are you complaining about?

Please give the name of the councillor/s, member/s or co-opted member/s that you consider has broken the Code of Conduct and the name of their authority/ies.

name of the individual/s

name of their authority/ies

CHUR. J Gold

Nettington TOWN COUNCIL

Please tick here if you work for the authority/ies shown above

Please tick here if you are a member of the authority/ies shown above ☒



the
Standards Board
for England

complaint form

WHAT ARE YOU COMPLAINING ABOUT?

Please provide us with as much information as you can about your complaint to help us to decide whether or not it should be investigated. Include the **date** and **details** of the alleged misconduct, and any information that supports the allegation. We can only investigate complaints that a member has broken a local Code of Conduct (see section 3 of the Information leaflet *How to make a complaint*). Continue on a separate sheet if there is not enough space on this form.

My complaint is that Cllr. J. Gold may have broken Nettington Town Council's Code of Conduct.

It appears that since May 2004, Cllr. Gold has not declared any interest in the Town Hall, although she continues to be employed by the Registration Service, which is a tenant of the Town Hall.

Please see attached documents detailing all relevant information.

Signed P. Jones

EVIDENCE (if this applies)

Please attach to this form copies of any correspondence, documents, names and details of witnesses, and any other evidence that you feel is relevant to your complaint. Please avoid sending us large amounts of background information that only relate indirectly to your complaint.

Please tick this box if you would like us to return the evidence to you.

Please send this form to:

The Standards Board for England
PO Box 36656
London SE1 0WN

The *Race Relations Act 2000* requires us to monitor ethnic or national origin to ensure that we do not inadvertently discriminate against members of a particular group. It would, therefore, be helpful if you would complete the ethnic monitoring section of the form, although this is not compulsory.

The answers will be removed and kept entirely separate from your complaint and will be completely confidential. They will be used for statistical purposes only, in which individuals will not be identified.

COMPLAINT AGAINST COUNCILLOR. *J Gold* OF *Nettington* TOWN COUNCIL.

At the *Nettington* Town Council Meeting of Monday the 24th. May 2004, Cllr. *J Gold* declared an interest in an agenda item regarding the Town Hall as she was employed by the Registration Service which is a tenant of the Town Hall. (minute enclosed, - item 1).

In October 2005 it was agreed in principle to hand over the Town Hall to a Charitable Trust (*Trust*), on the recommendation of a Consultant, employed by the Town Council who was paid £15000. from a Sustainability Grant from the

In November 2005 it was agreed to give £5000 of public money to the Trust so that they could progress (minute enclosed - item 2). It was also resolved to seek legal advice, (this was not done until September 2006). It was resolved that Cllr *Gold* be one of three Cllrs. to be on a working group to work with the Trust. (minute enclosed, also item 2).

On the 23rd. January 2006, it was resolved to meet with the *Trust* on the 20th. February 2006, (minute enclosed - item 3). This meeting never took place.

At the Council Meeting of February 27th, 2006, on the advice of the Monitoring Officer Cllrs. *Sprint* and *Bold* declared a prejudicial Interest in the Town Hall. The resolutions of the 24th. October and 28th. November 2005 had to be reaffirmed (minutes enclosed -item 4).

It was then proposed not to progress further with the Charitable Trust until all outstanding concerns had been answered, (minute enclosed - also item 4). Cllr. *Gold* voted in favour of this proposal.

In May 2006 Cllr. *Gold* became Mayor. She has since nominated herself to be on the working group with the BT & CT, (this was not put to a vote) (minute enclosed - item 5) and even cancelled a meeting (without a resolution from council), which was to be held on the 12th. June 2006 with the *Trust*.

It was agreed by Council that councillors would meet with the *Trust* on July 3rd. 2006 (minute enclosed - item 6). The meeting did take place and I have repeatedly asked for the minutes, (as other important items were discussed and agreed). I was only present for the first part of the meeting. I was told, by Cllr *Gold*, after requesting the minutes yet again at the council meeting of the 25th. September 2006, that the meeting of 3rd. July was in fact an informal meeting and no minutes were taken, yet the Clerk was present. At no time were we informed that this would be an informal meeting.

A decision was made on the 5th. September, by Councillors. *Gold*, *Bold* and *Midland* on the Working Group to send off a draft brief to our solicitor after Cllr. *Gold* had final sight of it. This was not brought to full Council. (copy of report enclosed - item 7).

I received a copy of the brief on October 6th, this was the Council's first sight of it, but it had already been sent to the Council's solicitor on 7th. September 2006. As you can see from the brief, there will be a need to agree continuing office space for the Registrar (copy enclosed - item 8).

Should the Town Hall lease be handed to the *Trust*, the future of the Registry Office could be in question, and in turn this could be seen as having a direct effect on Cllr. *Gold*

I asked Cllr. *Gold* in July if she was still a registrar and she replied that she was. Since May 2004 Cllr. *Gold* has not declared any interest in the Town Hall, but continues to speak, vote and take part in a working group regarding the future of the Town Hall. I believe Cllr. *Gold* is in breach of *Nettington* Town Council's Code of Conduct, as it appears she has a personal, prejudicial and possibly a financial interest in matters relating to the future of the Town Hall.

Signed *P Jones*

Date *8.10.06*

UNADOPTED

MINUTES OF A MEETING OF *Nettlington* TOWN COUNCIL

HELD IN THE COUNCIL CHAMBER, TOWN HALL, *Nettlington* ON MONDAY 24 MAY 2004 AT 7.00pm.

Present: Cllr *Bold* - Mayor, in the Chair
Cllrs Mrs *Brent*, P *Madden*, W *Nidland*, J *Dench*, Mrs *Thatch*, Mrs J *Gold*,
Town Clerk Mrs M Gee

188	Election of Mayor:
189	Apologies for Absence:
190	Declarations of Interest: Cllr <i>Gold</i> declared an Interest in Agenda item 18 as she is an employee of the Registration Service which is a tenant of the Town Hall.
191	Election of Deputy Mayor
192	Town Clerk's expenditure limit
193	Arrangements for payment of monthly salaries:
194	Minutes of the Council Meeting held on 26 April 2004:
195	Matters Arising:
195.1	
195.2	
195.3	
196	Report of the Planning Committee meeting on 10 May 2004
197	Mayor's Communications:
198	Public Speaking Time:
198.1	
198.2	
198.3	
199	District Cllrs Report:
200	Matters arising from Annual Town meeting:

106/05

107/05

108/05

109/05

110/05

111/05 Town Hall – Charitable Trust

It was RESOLVED to pay a grant of £5,000.00 now and the balance of up to a further £5,000.00 when requested. The Clerk is to be given authority to release funds on request from the Trust supported by documentation.

It was RESOLVED to seek legal advice and the Clerk is instructed to find an independent Solicitor with relevant experience in this field.

It was RESOLVED to establish a working group consisting of the Mayor, Cllr **Bold**, Cllr **Gold** and the Clerk, to work closely with the Trust. A preliminary meeting is to be organised as soon as possible.

112/05

113/05

116/06 Town Hall – Charitable Trust

It was RESOLVED that the interim report from *The* Trust be welcomed and that thanks be expressed to the members of the trust for the work done so far.

It was RESOLVED that members of the Council meet with members of *the* Trust on 20th February 2006 at 7.00pm to discuss progress. Members were requested to advise the Clerk of any issues or items to be discussed at this meeting. The Clerk will relay these to the secretary of *the* trust in writing together with a request for any issues that *the* trust may wish to discuss with the Council to be advised to the Clerk.

117/06

118/06

119/06

The meeting closed at 9.00 pm

132/06

133/06

134/06

135/06

136/06

137/06

138/06

139/06 Bakewell Town and Community Trust

Cllr. *Bold* having declared a prejudicial interest in this item left the chamber and stated that he wished to remain closely associated with the group and would hope to be the nominated representative of the Council to the trust.

C Sprint declared a prejudicial interest in this item left the chamber with regret

Special notes:

ADDITIONAL ITEMS

Council Representatives for the *Tmot* Working Group

Discussion took place as to if councilor *Sprint* should partake in this part of the agenda in view of the letter which had been read out by the clerk at the recent *Tmot* Meeting on 3rd July when councilor *Sprint* had taken advice from the Monitoring officer.

The clerk advised that this was council business and that councilor *Sprint* should stay in the room for the item.

The Mayor suggested that she should represent the council on the group and that councilor *Midland* had expressed a wish to be involved before he went on holiday.

It was proposed by *SLever* and seconded by *B Jones* that councilor *Midland* should represent the council on the discussion group. All Agreed.

Councilor *Bold* expressed a wish that he would like to represent the council as the third member of the group and this was proposed by *P Jones* and seconded by *Midland* that *Bold* should be the third representative.

The mayor proposed that *SLever* be the reserve member as agreed with the *Tmot* at last weeks meeting. This was seconded by *B Jones* with no other votes being cast in support.

Councilor *P Jones* then nominated herself to be the reserve member of the group. the mayor taking the decision at this point to leave the election of the reserve member of the group until the next full council meeting on the 24th July.

It was agreed that this should be the case.

Authorisation of cheques for payments

Town Clerk

Signed as a true record of events.....Mayor

11. Town Hall

It was confirmed that the councillors would met with the full team from BC&CT on 3rd July and that the meeting would be approached in order to achieve the way

forward with the project. The BC&CT planned to launch themselves at functions in September and the need to establish dialogue was vital.

Meeting closed at 21-15pm

ITEM 7

Nettington TOWN HALL JOINT WORKING GROUP

Report of Meeting held on Tuesday, 5 September 2006

Present:

Nettington Town Council:
The Trust:

Cllrs: J Gold, Bold and Midland

Report back on Presentation of Report of First Meeting to Town Council

reported that they had been advised by their solicitor that the correct protocol was for the owner's solicitor to generate the draft lease for consideration. Cllr. Bold tabled a draft of the briefing for the solicitor. With minor amendments the Clerk would be asked to send this off when next in the office (7 September) after Cllr. Gold had had final sight of the document. The Council would seek to have the draft available for the Working Group's next meeting on 5 October. Cllr. Midland said that if the term of the lease was found to be insufficient with regard to major funding applications then this could be reviewed.

Cllr. Bold asked when it was likely that the Trust could take over the running of the Town Hall. It was generally agreed that this might be from the end of the present financial year. However, such an arrangement would be dependent on some funding being in place.

*
page 12
page 38.
" 41
" 45
" 59

Nettingham TOWN COUNCIL – BRIEF FOR PROPOSED TOWN HALL LEASE

Background

A Condition Survey was carried out by County Council surveyors in autumn 2003 which, together with the need to install a lift to comply with the Disability Act, identified costs of the order of £500,000 to bring the Town Hall up to modern standards.

In 2004 funding was obtained from PDNPA for a consultant to report on the future potential of the Town Hall. His report recommended transferring responsibility for the Hall to a Charity to be set up for the purpose. One of the reasons for his recommendation was that outside funding is more readily available to a charity than to a local authority.

The Town Council invited volunteers to form a Study Group. The Group reported back to the Council in October 2005, setting out management and business plans, anticipated sources of grant aid and an outline of the proposed Charity. The Council agreed in principle to the setting up of this Charity.

The Trust has been formed as a charitable company limited by guarantee. 1AR is the Company Secretary. *D. Spint*, Cottage, is chairman.

The Town Council has provided £5,000 for startup costs + a further £5,000 agreed.

The Trust's business plan shows a need for substantial financial support from the Town Council over the first 5 years. This is partly justified on the basis of savings to be made in the Council's annual budget (The Town Hall is currently losing money and the charity would be exempt from business rates). While the Council has understood the need for financial support to the Trust over the first 5 years, no firm commitment has yet been given.

The Lease

The proposal is to grant the Trust a 25 year full-repairing lease. (Grant giving bodies tend to require 20/25 years).

There will be a need to agree continuing office space for the Town Clerk and use of the 'Council Chamber' for meetings at a favourable rent and for the Registrar at the rent negotiated with the County Council – 'office space' need not necessarily mean the spaces currently occupied. There is a need to sort out what commitment there would be to the Masons who have traditionally occupied one room in the Town Hall. Two other tenancies () are on short tenancies.

Nettington TOWN COUNCIL

7th October 2006

Memo to Councillors

I enclose for your information a copy of the brief provided to *XXX Solicitor*
for the preparation of a lease from the Town Council to the

Trust together with the response letter from *She has*
provided a first draft of a lease based on a standard commercial format. Please let me
know if you wish to see this early draft (which runs to 32 pages). I can either make and
individual copy for you or you can borrow a copy from the office.

I am discussing the points that *Gold, Midland*
Bold – who attend the joint working party meetings with Trust representatives..

Town clerk

In view of circumstances and on the advice of the Monitoring Officer, reaffirmation of the following resolutions is required.

Council are asked to reaffirm the following decisions

▪ **24th October 2005 – 89/05**

RESOLVED unanimously to accept the Study Group's proposal in principle to proceed with the Charitable Trust and to fund the group for up to £10,000 to enable progress of the next steps.

▪ **28th November 2005 – 111/05**

It was RESOLVED to accept the Trust as named: The Trust.

It was RESOLVED to pay a grant of £5,000.00 now and the balance of up to a further £5,000.00 when requested. The Clerk is to be given authority to release funds on request from the Trust supported by documentation.

It was RESOLVED to reaffirm Resolution 89/05 of 24th October 2005

It was RESOLVED to reaffirm Resolution 111/05 of 28th November 2005

Cllr [] requested that votes on the following resolution be recorded:-

It was proposed by Cllr Midland, seconded by Cllr Bent and RESOLVED by a majority not to progress further with Trust until all outstanding concerns are satisfactorily answered.

For the proposal: Cllrs Midland, Bent & Gold

Against the proposal: Cllr Jones

Abstentions: Cllrs

It was RESOLVED that the Council undertake an independent review of the Trust proposal and business plan. The Clerk is to contact Mr [] , recently retired Corporate Services Director of [] suggested by [] , to progress this review.

It was RESOLVED to hold a special meeting with BTCT to review progress so far.

140/05

1.

The meeting closed at 9.40 pm

CASE K

CENTRAL BARTON URBAN PARISH COUNCIL – COUNCILLOR ROBERT PAXTON

Summary

The details of the case are summarised in the Standards Board for England's decision notice below. The complainant sought a review of the decision not to refer the matter for investigation. Members were asked to decide, in light of the review request, whether that decision should be overturned or upheld.

The Standards Board for England
1st floor
Cottons Centre
Cottons Lane
London
SE1 2QG

RU
31 JAN 2007
RECEIVED

27 January 07

31 JAN 2007

Dear Sirs

Re: SBE16970.06
Complaint against Mr R Paxton

I have received your letter, dated 9 January 07, and the notice detailing your decision regarding the above complaint.

As this company does not agree with the decision, or the rationale on which it is based, we would like the decision to be reviewed by the Standards Board's Chief Executive.

Currently this Company has incurred substantial costs because a Council member - took confidential papers, copied them and sent them to 59 members of this Company. He did this in an attempt to obtain personal gain.

Attached is our reasoning as to why your decision is wrong.

My fellow Director and I are available to provide any further input that you may require.

I look forward to hearing from you.

Yours faithfully

P Good
Director, Grange Road (Freehold) Ltd

Contact Nos.

phone & fax
e-mail

Re: **SBE16970.06**
Complaint against R Paxton

The Decision notice, dated 8 January 07, bases the decision on two points:

1. That the Place Making Group meeting was not confidential; and
2. That the actions by R Paxton in relation to our two companies relate to his private capacity.

The following is our input for each item:

Confidentiality

- The documents in question were handed to an officer of the Council, by a professional firm of architects, in order to obtain "officer opinion". Even though they work regularly with such matters, the architects did not know that the procedures meant that their enquiry would go before the Place Making Meeting. In fact they did not know of the existence of the group. Subsequent enquiries only informed them that the meeting was "Confidential" – they were given no further details.
- At the end of October 06, both the architects and the officers of this Company, became aware that R Paxton was making statements about the papers he had seen at a Council meeting. The statements he was making were untrue.

On 2 November 06, this company contacted the Chair of the Place Making Group, Jane Eagles and advised her of these untrue statements that were being made by Robert Paxton. We asked why our documents were at this particular meeting – she advised only that the meeting was "Confidential". We asked her to take action to prevent R. Paxton making any more untrue statements or even discussing this Company's business. We confirmed that we believed our enquiry was made in confidence.

- Three weeks later, on 23 November 06, R Paxton copied the papers and sent them to our members. He did this despite the obvious Copyright and despite our plea to the Chair of the Place Making Group to ensure that he be stopped from discussing our confidential business with anybody.
- On 30 November 06, I again spoke to Tony Simpkins of English Partnership Jane Eagle's boss. He confirmed that all papers and discussions at the Place Making Meetings were "confidential" and that he would not expect any participant to use any information in the way I had described to him. He said he would interview R. Paxton to discuss my allegations with his superiors, and would then "get back to me". He has not done so.
- We did not mark our papers as confidential; we are not aware if any papers before the Place Making Group are marked confidential. You have surmised that the Place Making Group is not confidential. We are aware that both the Chair of the Place Making Group and her boss both consider all the content of the meeting to be confidential as they both stated so on at least two occasions. Tony Simpkins has said so in his email (5 Dec 06) – a copy of which you have.

Private Capacity

Items 4 & 6 from The Standards Board's information – *Behaviour covered by the Code of Conduct*

"revealing information that was given to them in confidence"

"using their position improperly, to their own...advantage"

- • The fact that R. Paxton did not use the papers, entrusted to the Barton Council, in the manner we have described, is not in question as he confirmed that he had done so at this Company's AGM held on 5 December 06. The Company's Lawyer was present and recorded his confirmation.
- The letters sent out by R. Paxton, which included our paperwork, were in support of his desire to become a Director of this Company. He used confidential information that he had obtained by virtue of his position and he was clearly seeking personal gain.

P. Good

Director, Grange Rd (Freehold) Limited

9 January 2007



Mr Peter Good
Rosemount Properties
Needle Street
London
SE10 2JP

1st Floor, Coltons Centre
Coltons Lane
London
SE1 2QG

Direct Line: 020 7378 5101
Fax: 020 7378 5005

john.williams@standardsboard.co.uk
www.standardsboard.co.uk

Dear Mr Good

SBE16970.06

I refer to the recent allegation of a breach of the Code of Conduct which you made to the Standards Board for England.

Our decision is set out in the attached notice, which also explains the relevant procedures, including your right to seek a review of the decision. If you decide to exercise this right, we must receive your written request by 8 February 2007.

Yours sincerely



John Williams
Referrals Case Manager



**the
Standards Board
for England**

Decision Notice

Reference SBE16970.06

The Complaint

The Standards Board for England recently received a complaint from Mr Peter Good concerning the alleged conduct of Councillor Robert Paxton of Central Barton Urban Parish Council. Officers conducted an assessment and decided not to refer the complaint for investigation. The following summarises the general nature of the allegation:

It is reported that Councillor Paxton attended a meeting of Central Barton Place Making Group on 15 September 2006, and that the meeting was confidential. It is alleged that he took documents from the meeting and, with others, copies them with a covering letter to members of Grange Road (Freehold) Ltd. It is alleged that the letter sought to discredit the existing directors of the company and further Councillor Paxton's chances of being elected a director of the company.

In particular, it is alleged that architects acting for the directors of the company (including the complainant) sought an informal officers' opinion on the possibility of building an on a plot at Eaton Mews. Unbeknown to the architects, the matter was discussed by the place-making group, with a sketch plan and a 3-D graphic.

Decision

Officers have obtained the terms of reference of the group when it was set up by Barton Partnership to assist in the exercise of its planning powers, and it is noted that the parish council, along with other parish councils and agencies, has a representative on the group. The preliminary inquiry has also confirmed that Councillor Paxton is appointed to the place making group by Central Barton Urban Parish Council.

Although the meetings may be "confidential" in the sense that they are not open to the public, that does not mean that all the things discussed there are confidential. It is also noted that the group brings together a number of stakeholders. It would be unlikely for a joint advisory panel of this diverse nature to be asked to consider sensitive information, unless by error, particularly as there is an expectation that representatives will liaise between the partnership and the bodies which appoint them. In this connection it is noted that the documents are not marked "confidential" or otherwise not for publication, as would normally be the case in local government if there was a risk that they might unintentionally enter the public domain.

It is considered that the allegations concerning the freehold and right-to-manage companies relate to Councillor Paxton's private capacity.

The Standards Board for England has decided that the allegation should not be referred to an ethical standards officer for investigation. Having taken account of the available information we do not believe that a potential breach of the Code of Conduct is disclosed. We have made no finding of fact.

We notify all concerned parties in writing once we have assessed a complaint. This decision notice is sent to the person or persons making the allegation, the member against whom the allegation was made, the monitoring officer of the relevant authority and the clerk to the parish council.

Review

At the request of the complainant, the Standards Board's Chief Executive (or, in his absence, another senior officer) can review and change a decision not to refer an allegation for investigation. However, he will generally only do this if he is persuaded that the decision was unreasonable in law. This would be if the decision was flawed because of the irregular way in which we processed the allegation, or because we made an irrational judgement on the reported facts.

A request for the Chief Executive to conduct a review has to be made in writing. We must receive the complainant's written request within 30 days of the date of this notice, explaining in detail on what grounds our decision should be reviewed.

If we receive a request for a review, we aim to deal with it within two weeks of receipt. We will write to all the parties mentioned above, notifying them of the outcome.

Terms of Reference

The Standards Board for England was established by the Local Government Act 2000 with a primary duty to consider written allegations. The Act also gave the Board a wide discretion to decide whether or not a written allegation should be referred to an ethical standards officer for investigation.

The Local Government Act 2003 permitted the Standards Board for England to delegate this function to nominated officers. In doing this, the Board has established a careful checking and monitoring procedure.

Only the information provided by the complainant is assessed. For this reason, and to avoid unnecessary anxiety for members, officers do not normally contact the parties before notifying them of the decision.

Additional Help

If you need additional support in relation to this or future contact with us, please let us know as soon as possible. If you have difficulty reading this notice, require large print, or a Braille or taped transcript, or translated version of the information in this letter, we are able to assist you.

Signed

Lucy Morris Date *7/1/2007*

Lucy Morris – Acting Head of Referrals
(On behalf of the Standards Board for England)

BARTON PARTNERSHIP COMMITTEE

UDA Place Making Group

Terms of Reference

1.0 Purpose

- 1.1 The purpose of the Urban Development Area (UDA) Place Making Group is to work alongside Barton Partnership, the Local Planning Authority, in an advisory capacity, bringing together both local community and specialists to regularly review and appraise progress on UDA planning applications particularly Development Briefs and Design Codes (refer to map). The UDA boundary includes the East and West expansion areas and Wolverley Park and Broomhouse South.
- 1.2 Development Frameworks have been prepared for the Eastern and Western Expansion Areas. Both documents set out the vision for development, identify opportunities and constraints, land uses, character areas, design principles, phasing strategy and implementation, funding and delivery strategy. It is intended that Barton Council will adopt these documents as Supplementary Planning Guidance (SPG). These documents are a key material consideration in the determination of 'outline' planning applications received by the Barton Partnership.
- 1.3 Development Briefs and Design Codes will cascade down from the Development Frameworks to provide more detailed design guidance on how sites are to be developed. Collectively, they will be used by Barton Partnership to assess and determine future 'reserved matters' applications.
- 1.4 Given the extent of the eastern and western areas within the UDA boundary, with multiple land holdings (including English Partnerships) and the relationship they have to the surrounding area, it is imperative that a collaborative approach between land owners, developers, Barton Council, Barton Partnership and other key stakeholders is taken in preparing design codes in order to effectively deliver the vision for the area. The UDA Place Making Group will act as a focus for discussion between key stakeholders with a view to helping understand and resolve design issues on a consistent basis.
- 1.5 This paper sets out the aims and objectives, roles and responsibilities and working arrangements for the UDA Place Making Group.

2.0 Background

- 2.1 To drive forward the growth of Barton, the Office of the Deputy Prime Minister (ODPM) established Barton Partnership in June 2004. Barton Partnership, a sub committee of English Partnerships (EP), have been conferred planning powers for the purposes of Part 3 of the *Town and Country Planning Act 1990* to decide major planning applications within the boundaries of the designated UDA.
- 2.2 Barton Partnership is committed to taking forward ODPM's Five Year Plan for Housing (*Sustainable Communities: Part 1 - Homes for All and Part 2 – People, Places and Prosperity*) and has a business objective to ensure effective mechanisms are in place to control the overall quality of development. Barton Partnership works with EP who act as a national champion for best practice in the creation of high quality, well-designed sustainable communities.
- 2.3 One of the key components of creating 'sustainable communities' is to ensure that all developments are well designed and built to offer:
- *'a sense of place - where people want to live and work, now and in the future;*
 - *user-friendly public and green spaces;*
 - *sufficient range, diversity, affordability and accessibility of housing within a balanced housing market;*
 - *appropriate size, scale, density, design and layout, including mixed used development, that complement the distinctive local character of the community and that use modern low cost building methods;*
 - *high quality, mixed –use, durable, flexible and adaptable buildings, using materials, which minimise negative environmental impacts;*
 - *buildings and public spaces, which promote health and are designed to reduce crime and make people feel safe; and*
 - *accessibility of jobs, key services and facilities by public transport, walking and cycling'* (ODPM, 2005: pg 58).
- 2.4 In determining all planning applications, Barton Partnership must make reference to the Barton Local Plan (December 2005), as it sets out the local planning policy requirements for the expansion areas identified within Barton. The requirement for the preparation of comprehensive design documents such as development frameworks, development briefs and design codes is exercised through *Policy EA1 – Expansion Areas*.
- 2.5 The Development Briefs will be approved prior to the issuing of any outline planning consent, whilst the preparation and approval of Design Codes will be secured through Section 106 Agreements. The approval

of the Design Code by the Local Planning Authority (Barton Partnership) will be required prior to the submission of any approvals, pursuant to conditions of the outline planning consent.

- 2.6 It is the applicant's responsibility to prepare these documents. The UDA Place-Making Group will act as a key focus for consultation, prior to the referral of the documents to the Planning Sub-Committee for endorsement.

3.0 Operational Context

- 3.1 The framework for how the Place Making Group will operate is illustrated in **Figure 2**.

4.0 Role

- 4.1 The role of the Place Making Group is to provide a focus for stakeholder consultation and review and advise Barton Partnership officers on:

- The design aspects of outline applications including each Development Brief
- The preparation of design codes for sites in and adjoining strategic sites the UDA, in accordance with best practice guidelines.
- Key matters regarding the content, structure and presentation of information contained in the design documents.
- Coordinated design and layout response between adjoining development sites to achieve an overall integrated design approach within the UDA.
- The preparation of the interim best practice guidelines for preparing development briefs and design codes.

5.0 Responsibilities

- 5.1 The Place-Making Group's responsibilities are to assist Barton Partnership in achieving:
- A consistent approach in the level of detail and quality of design related documents produced in relation to development in the UDA.

- An efficient response in evaluating design documents to ensure that the planning decision-making process, and ultimately the delivery, is not unduly delayed.
- High quality development is delivered.
- On going input from stakeholders to the development process.

6.0 Membership

6.1 Members of the Group will comprise representatives from the following organisations that have a core interest in the development of the UDA:

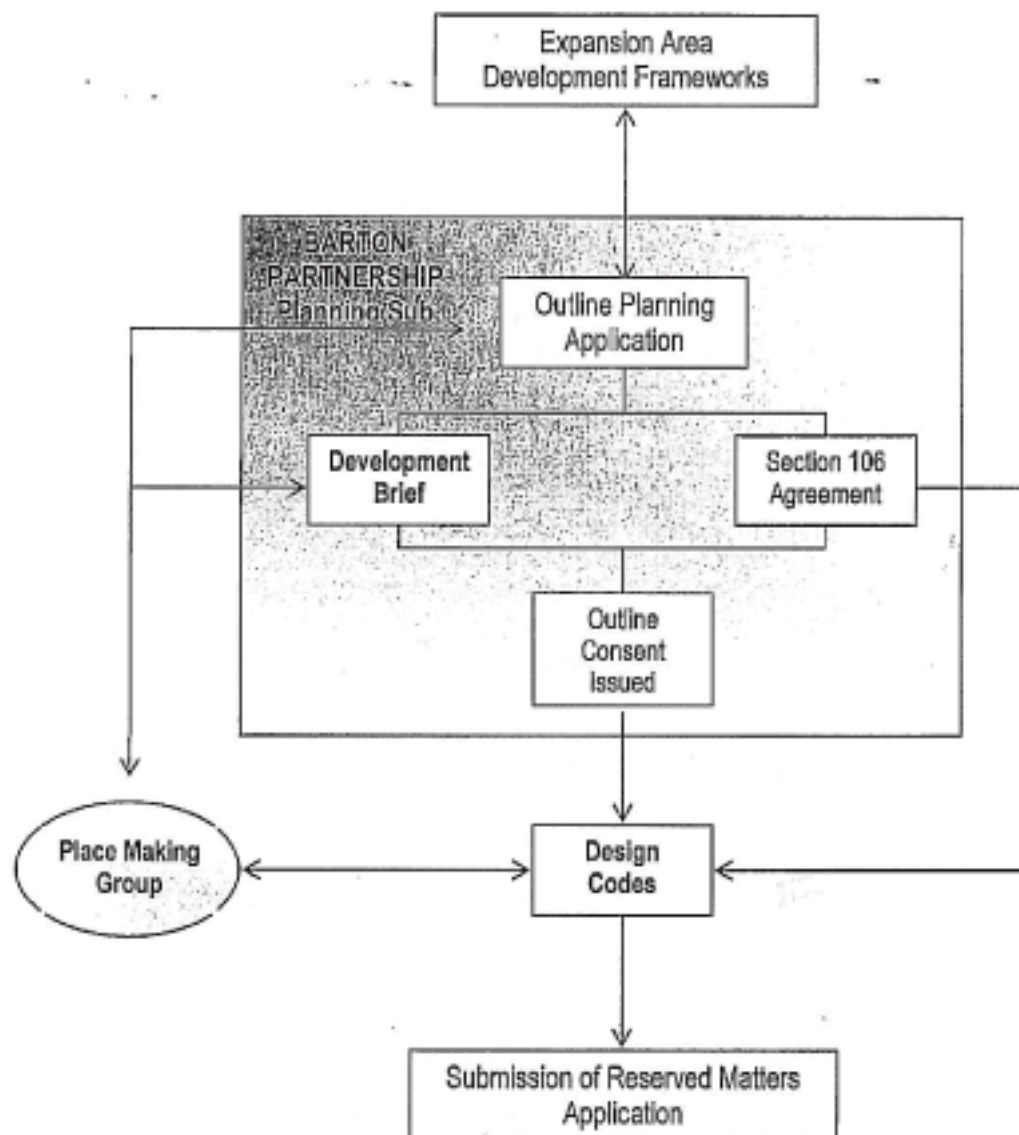
- Commission of Architecture and Built Environment (CABE);
- English Partnerships (National Consultancy Unit – Urban Design)
- Barton Council (Highways Authority);
- Barton Council (Urban Design Section);
- Barton Council (Development Plans);
- Barton Partnership (Planning Team);
- Barton Partnership (Strategic Policy & Planning);
- Barton Strategic Environmental Partnership;
- Barton Forum;
- East Mercia Police; and
- Central Barton Urban Parish Council, Barton Village Parish Council, Barton Rural Group Parish Council, Wolverley Parish Council, Broomhouse Parish Council, Low Mown Meadows Parish Council, High Leys Parish Council, Long Barford and Hanging Ditch Parish Council, Rucklethorn Canoncorum with Broughton-cum-Papplechurch Regis Parish Council, Kirkby-cum-Muckby and Speckleby-on-Bain with Spinx Parish Council

7.0 Working Arrangements

Meetings

- 7.1 The Place-Making Group should meet every 4 – 6 weeks in Barton Partnership's Boardroom, 1st Floor, Civic Centre, Central Boulevard, Barton..
- 7.2 Applicants will be asked to circulate copies of the draft documents to every member of the Place-Making Group and an agenda will be circulated one week in advance of each meeting.

Figure 2: Decision Making Framework



TELEPHONE FILE NOTE

Allegation ref: SBE16970.06

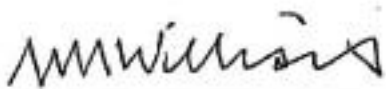
Date of call: 05 Jan 2007

Call between: John Williams and Anita King, Clerk to Central Barton Urban Parish Council

Nature of call: Preliminary Inquiry

Anita King returned my call from yesterday. He confirmed that Bob Paxton was an CBU parish councillor, and was also their official rep on the UDC Place Making Group. He added that he also saw himself as representing the "ordinary man in the street" on planning matters, and that he fed back regularly to meetings of the parish council.

He gave me Cllr Paxton's address and his own.

Signed 

Date 5 Jan 2007

complaint form

RU

12 DEC 2006

RECEIVED

If you have any questions or difficulties filling in this form, for example - if English is not your first language or you have a disability - please contact the Referrals Unit on 0800 107 2001.

You can also email them at newcomplaints@standardsboard.co.uk

Please note

- > we can only accept complaints in writing
- > one of our officers may contact you personally to go through the details of your complaint
- > we are unlikely to be able to keep your identity confidential if you make a complaint

ABOUT YOU

title Mr ☒ Ms ☐ Mrs ☐ Miss ☐ Councillor ☐ Other (please specify) ☐

first name PETER surname GOOD

address ROSEMOUNT PROPERTIES, NEEDLE STREET
LONDON postcode SE10 2JP

daytime telephone 020 8 616 437

evening telephone 020 8 616 437

email P.GOOD@msn.com

Please consider the complaint I have described below and in the evidence attached. I understand and accept that the details will normally be disclosed to the member, particularly if the matter goes through to investigation.

signature

date 08.12.06

YOUR COMPLAINT

Who are you complaining about?

Please give the name of the councillor/s, member/s or co-opted member/s that you consider has broken the Code of Conduct and the name of their authority/ies.

name of the individual/s

MR ROBERT PAXTON

name of their authority/ies

CENTRAL BURTON URBAN PARISH COUNCIL
CENTRAL BARTON UDC BOARD

Please tick here if you work for the authority/ies shown above

Please tick here if you are a member of the authority/ies shown above

complaint form

WHAT ARE YOU COMPLAINING ABOUT?

Please provide us with as much information as you can about your complaint to help us to decide whether or not it should be investigated. Include the date and details of the alleged misconduct, and any information that supports the allegation. We can only investigate complaints that a member has broken a local Code of Conduct (see section 3 of the Information

Councillor Paxton of Central Barton Urban Parish Council attended a meeting of the Central Barton UDC's Place Making Group on 15 Sep 06. The meeting was Confidential. Mr Paxton took documents from the meeting and, with others, copied them. He sent three copies, with a letter, to members of Grange Road (Freehold) Ltd. The letter sought to discredit the existing directors of Grange Road (Freehold) Ltd and to further Mr Paxton's personal chances of being elected a director of the company.

EVIDENCE (if this applies)

Please attach to this form copies of any correspondence, documents, names and details of witnesses, and any other evidence that you feel is relevant to your complaint. Please avoid sending us large amounts of background information that only relate indirectly to your complaint.

Please tick this box if you would like us to return the evidence to you.

Please send this form to:

The Standards Board for England
PO Box 36556
London SE1 0WN

The Race Relations Act 2000 requires us to monitor ethnic or national origin to ensure that we do not inadvertently discriminate against members of a particular group. It would, therefore, be helpful if you would complete the ethnic monitoring section of the form, although this is not compulsory.

The answers will be removed and kept entirely separate from your complaint and will be completely confidential. They will be used for statistical purposes only, in which individuals will not be identified.



Printed: 08 December 2006 13:17:06

From: Tony@englishpartnerships.co.uk
 Sent: 05 December 2006 12:59:15
 To: p.good@msn.com
 Subject: Grange Road

Dear Peter,

I refer to our telephone conversation of yesterday.

I can confirm that the matter of the additional development at Grange Road was raised at the KDA's Placemaking Group on 15th September 2006. The matter was referred to this Group by the KDA Technical Group - who had been consulted informally by Barking Council's development control team. Mr Paxford attended the meeting as a KDA Board member and declared an interest in the subject and did not take part in the discussion. The meeting is confidential. It was also noted that HP consent would be required for any development in this location which had not been requested.

Tony Staphis
 Central Barking KDA Project Director

Tel: 353939

 The information contained in this email and any attachments is intended only for the use of the individual to whom it is addressed and may contain information that is privileged and confidential, the disclosure of which is strictly prohibited by law. If you have received this communication in error please notify us immediately by telephone on 01908 353604 and delete the email.

This email message and any attached files have been scanned for the presence of computer viruses. However, you are advised that you open any attachments at your own risk.

We thank you for your co-operation.

 HELP SAVE NATURAL RESOURCES BY CONSIDERING
 THE ENVIRONMENT BEFORE PRINTING THIS EMAIL

Grange Road (FREEHOLD) LIMITED

Grange Road is a development of 60 apartments between Central Boulevard and Saxon Rise. Grange Road is owned by many of the residents via a company – Grange Road (Freehold) Limited.

Architects GLE Associates, asked Lois Webb (Barton Planning Dept) for an informal officer's opinion on the possibility of building on a plot at Grange Road. They provided her with a simple sketch plan and 3-D graphic.

Without GLE's knowledge the enquiry was discussed at the Place Making Group of Barton Partnership.

R Paxton (parish councillor and resident of Grange Road) was present at that meeting and declared an interest so took no part in discussions.

However, R Paxton has subsequently circulated the sketch plan & 3-D view to numerous residents of Grange Road together with a letter that strongly infers that plans have been presented for planning permission without the residents' knowledge.

R Paxton is using this false information to seek to discredit the existing Directors of Grange Road (Freehold) Ltd and to further his quest to become a Director. The AGM of the company is tomorrow.

We have asked Jane Eagle, Barton Partnership to provide us with a letter confirming that no application has been made and explaining how it has been possible for confidential information to be abused in this manner. Additionally, we would like to know what action is being taken to prevent this happening again.

We spoke to Jane Eagle last Thursday and she promised to get back to us. So far she has not done so.

The problem is urgent!

R Foster & P Good
Directors, Grange Road (Freehold) Limited



Printed: 08 December 2006 13:19:46

From: P Good <@msn.com>
Sent: 06 December 2006 12:33:53
To: M McNamee @ bartons.gov.org, tony i@englishpartnerships.co.uk
Subject: Mr Robert Paxton

Re: Robert Paxton

With reference to our recent communications regarding Mr Paxton, I can confirm that at the Annual General Meeting of this company last evening, with 48 members and the company lawyer present, "RP" confirmed that the documents that he had sent out had been obtained from his attendance at the Place Making Meeting.

This company has now incurred significant legal fees in having to counter RP's assertions.

We would now like an official statement from the Council/English Partnerships regarding RP's actions - to pass on to our members.

We are, of course, more than willing to provide any further information that you require.

P Good
Director, Grange Rd (Freehold) Limited

Contacts: Tel & Fax
e-mail i@msn.com

Windows Live™ Messenger has arrived. Click here to download it for free!

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The problem is urgent!

R Foster & P Good
Directors, Grange Road (Freehold) Limited



Printed: 08 December 2006 13:17:06

From: englishpartnerships.co.uk>
 Sent: 05 December 2006 12:59:15
 To: P. Good R. Foster
 Subject: Grange Rd

Dear Peter

I refer to our telephone conversation of yesterday.

I can confirm that the matter of the additional development at Grange Rd was raised at the Board's Placemaking Group on 15th September 2006. The matter was referred to this Group by the ~~Baron~~ Technical Group - who had been consulted informally by ~~Baron~~ Council's development control team. R. Paxton attended the meeting as a Board member and declared an interest in the subject and did not take part in the discussion. The meeting is confidential. It was also noted that EP consent would be required for any development in this location which had not been requested.

Project Director
 English Partnerships

Tel:

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The problem is urgent!

R Foster & P Good
Directors, Grange Road (Freehold) Limited

complaint form

RU

12 DEC 2006

RECEIVED

If you have any questions or difficulties filling in this form, for example - if English is not your first language or you have a disability - please contact the Referrals Unit on 0800 107 2001.

You can also email them at newcomplaints@standardsboard.co.uk

Please note

- > we can only accept complaints in writing
- > one of our officers may contact you personally to go through the details of your complaint
- > we are unlikely to be able to keep your identity confidential if you make a complaint

ABOUT YOU

title ☒ Mr ☐ Ms ☐ Mrs ☐ Miss ☐ Councillor ☐ Other (please specify) _____
first name PETER surname Good
address DIRECTOR, ROSEMOUNT PROPERTIES, NEEDLE STREET
LONDON postcode SE10 2JP
daytime telephone _____
evening telephone _____
email Robert.Good@bt.com

Please consider the complaint I have described below and in the evidence attached. I understand and accept that the details will normally be disclosed to the member, particularly if the matter goes through to investigation.

signature _____ date 08.12.06

YOUR COMPLAINT

DIRECTOR, Grange Road (FREENOLD) LTD.

Who are you complaining about?

Please give the name of the councillor/s, member/s or co-opted member/s that you consider has broken the Code of Conduct and the name of their authority/ies.

name of the individual/s

MR R Paxton

name of their authority/ies

CENTRAL BARTON URBAN PARISH COUNCIL,
BARTON UDC BOARD

Please tick here if you work for the authority/ies shown above

Please tick here if you are a member of the authority/ies shown above



Printed: 08 December 2006 13:16:13

From : Paul Good
Sent : 05 December 2006 15:52:31
To : Mr McNamee <gov.uk>
Subject : Mr R Paxton

■ Attachment :

Dear Mr McNamee

Re: Mr R Paxton

Following a brief conversation with J Jones yesterday, this company wishes to make a formal complaint about actions taken by R Paxton that have been detrimental to this company. We believe his actions to be improper.

The attached note is a summary that we sent to J Jones, and will give you the background.

Please advise us if you require further information.

P Good
Director, Grange Road (Freehold) Company Limited

Contacts Tel &
P Good

Fed up with spam in your Inbox? Find out how to deal with junk e-mail here!

08/12/06

complaint form

WHAT ARE YOU COMPLAINING ABOUT?

Please provide us with as much information as you can about your complaint to help us to decide whether or not it should be investigated. Include the date and details of the alleged misconduct, and any information that supports the allegation. We can only investigate complaints that a member has broken a local Code of Conduct (see section 3 of the Information leaflet How to make a complaint). Continue on a separate sheet if there is not enough space on this form.

MR PAXTON ATTENDED A MEETING OF BARTONS PLACE MAKING GROUP
ON 15 SEP '06. THE MEETING WAS CONFIDENTIAL.
MR PAXTON TOOK DOCUMENTS FROM THAT MEETING AND, WITH
OTHERS, COPIED THEM. HE SENT THESE COPIES, WITH
A LETTER, TO MEMBERS OF GRANGE ROAD (FREEHOLD) LTD.
THE LETTER SOUGHT TO DISCREDIT THE EXISTING DIRECTORS
OF GRANGE ROAD (FREEHOLD) LTD AND TO FURTHER MR PAXTON'S
PERSONAL CHANCES OF BEING ELECTED A DIRECTOR OF
THE COMPANY.

EVIDENCE (if this applies)

Please attach to this form copies of any correspondence, documents, names and details of witnesses, and any other evidence that you feel is relevant to your complaint. Please avoid sending us large amounts of background information that only relate indirectly to your complaint.

Please tick this box if you would like us to return the evidence to you.

Please send this form to:

The Standards Board for England
PO Box 36666
London SE1 0WN

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The answers will be removed and kept entirely separate from your complaint and will be completely confidential. They will be used for statistical purposes only, in which individuals will not be identified.

Dear Owners of Grange Road Properties,

AGM of Grange Road RTM Company Tuesday 5th December

In this letter giving notice of the forthcoming AGM of the JLF Company P Good indicated that he and R Foster intend to resign as Directors. They invited others to put their names forward to become Directors. In response to this request we, P Prentiss, J Green, R Paxton, Clem Pain, Van Webb and Ann Parks, have decided to nominate ourselves as Directors of the JLF Company.

We should like to begin by thanking Peter and Rob for their work in bringing us to this point in the development of both companies. We should also like to urge Peter and Rob to reconsider their decision to resign from the JLF company, and to remain as Directors giving the company the benefit of their combined expertise. This situation now presents us with an opportunity to widen the representation on the Board of Directors and promote greater openness and transparency in the workings of the company.

Our proposals are:

- To elect a larger Board of Directors representing the variety of properties and circumstances of the owners
- To provide greater transparency in the Board's decision making

AGM of Grange Road (Freehold) Company Tuesday 5th December

We are pleased that Peter Good and Rob Paxton have decided to remain Directors of this company and we propose a similar broadening of representation for the Freehold Company. With this in mind we, J Green, R Paxton, Clem Pain and Van Webbs have nominated ourselves as Directors of the Freehold Company. Just as with the JLF Company, we should like to see a larger Board of Directors and greater transparency in the Board's decision making.

In that spirit of openness and transparency, we should like to inform you of something that has come to our notice and which we feel is of interest to all owners Grange Road properties. Proposals for a development at Grange Road have been presented for consideration to the Planning Department of Barton Council. The proposal contains plans for the development of a 7 storey apartment block building within the Grange Road complex. Copies of the details presented to the Council are attached for your information. As this is potentially a very significant proposal, we feel sure you would like to express an opinion at this initial phase. You can do this by:

- Raising the issue at the forthcoming AGM on 5th December
- Emailing your views to the Grange Road website on admin@grangeroad.co.uk
- Leaving a message on (at any time)
- Talking to any one of us

Yours sincerely,

Pam Prentiss, Jo Green, Bob Paxton, Clem Pain, Van Webb and Ann Parks

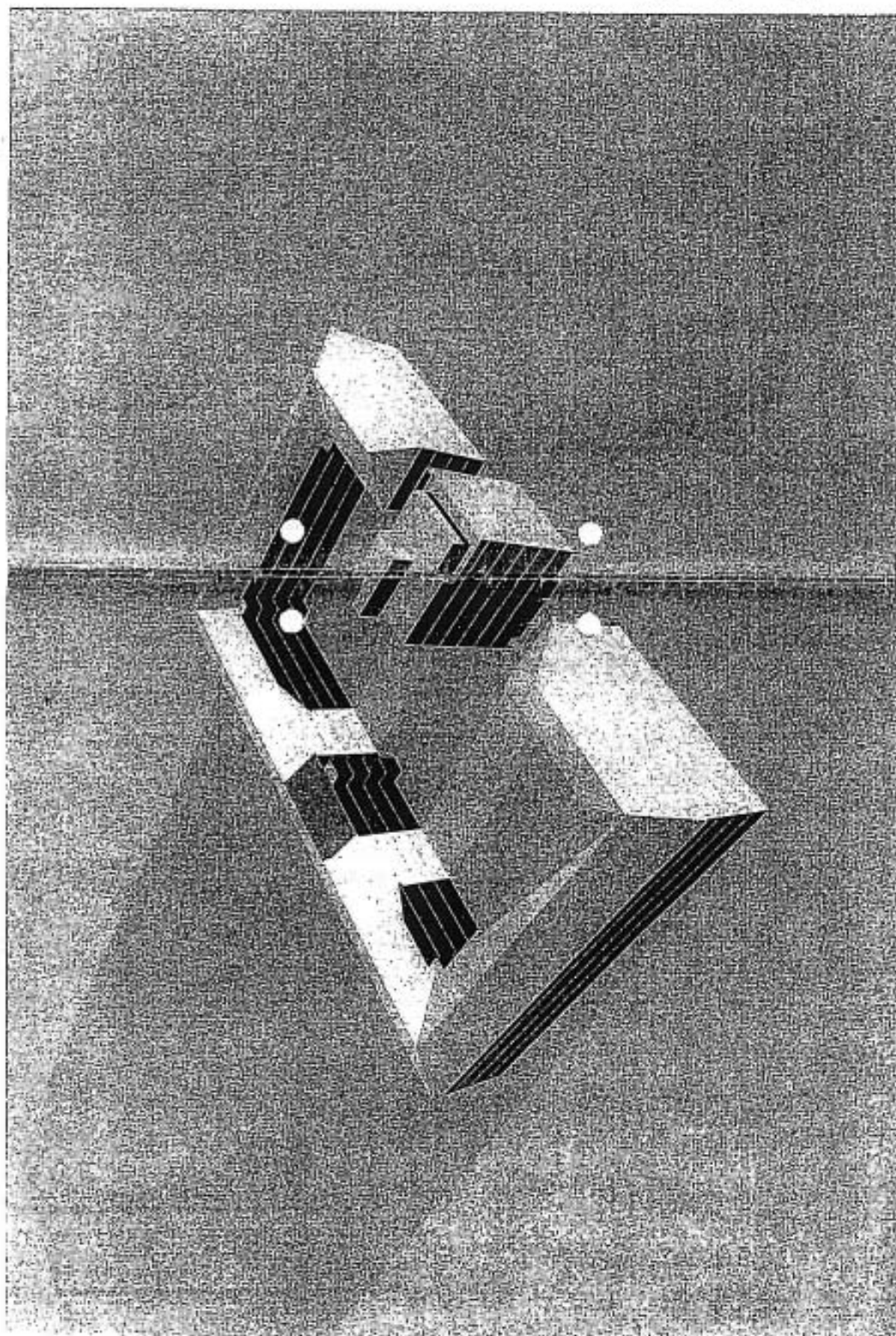
Enc Artist's impression and plans for proposed development at Grange Road

Longitude 0 deg 46' West
Latitude 52 deg 02' North

9:00 AM
December 21st

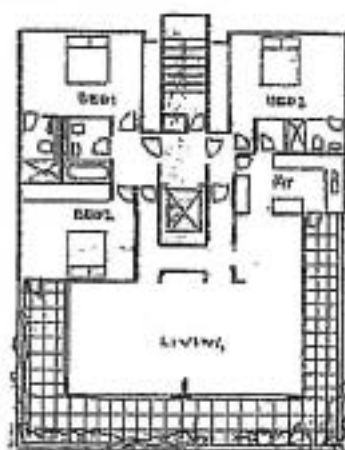
Azimuth : 139.4
Altitude : 4.9

Dec 05

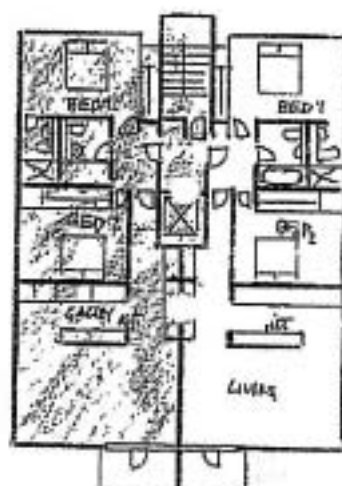
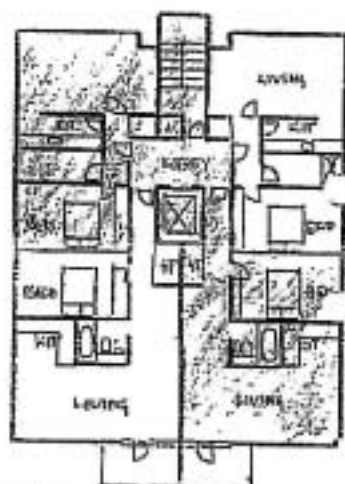


SCHEDULE

6	PENTHOUSE	7	165 m ²
5	2ND 2 BEDS	2	98 m ²
4	2ND 2 BEDS	2	
3	2ND 2 BEDS	2	
2	4TH 1 BED	4	110 m ²
1	4TH 1 BED	4	
CAR	—	15	UNITS

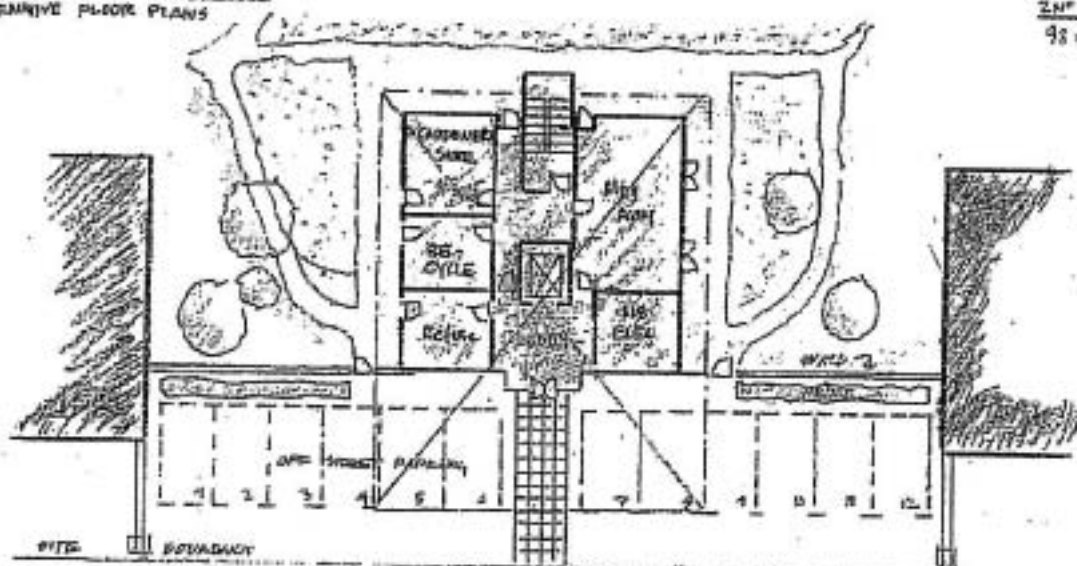


3 BED PENTHOUSE 165 sq.m. AREA



1ST FLOOR APARTMENTS 98 sq.m.
ALTERNATIVE FLOOR PLANS

2ND FLOOR/BATH APARTMENT
98 m²



GROUND FLOOR PLAN

PAD POSED TOWER
1/1/15

SCALE: 1:1200 @ A3

CASE L

ANSTY METROPOLITAN BOROUGH COUNCIL – COUNCILLOR MAHMOOD KHAN

Summary

The details of the case are summarised in the Standards Board for England's decision notice below. The complainant sought a review of the decision not to refer the matter for investigation. Members were asked to decide, in light of the review request, whether that decision should be overturned or upheld.

COPIED TO MO

RU Review.

RU

23 MAR 2006

RECEIVED

Councillor
C/O Members Secretariat
Town Hall

P. 23/3

The Chief Executive
The Standards Board for England
1st Floor
Cottons Centre
Cottons Lane
London
SE1 2QG

RECEIVED
23 MAR 2006
MARCH 2006

Dear Sir,

REF: SBE12100.06

With reference to your recent decision with regards to my complaint against Councillor Mahmood Khan wish to formally ask for a review of the decision not to investigate my complaint.

My original complaint was separated into two areas that I referred to as Part One and Part Two. I am not asking for a review of Part Two.

In Part One, I alleged the following.

1. He is using his own position improperly to his or someone else's advantage.
2. He has failed to register financial or other interests
3. He is taking part in a meeting or making a decision where he has an interest that is so significant that it is likely to affect his judgement.

With reference to (2) above, I accept that Cllr M Khan has now entered a register of interest to the register on 10th February 2006. Even though this is the first entry since 2003, and he has had no declared interest for almost 3 years, if the Standards Board does not see this as an issue, then I do not wish to pursue it.

With reference to (3) above, I accept the Standards Board comment that "no information has been provided concerning meetings of the authority at which Councillor Khan was present and failed to declare an interest in the matter" I do not wish to pursue this issue, other than to say I was wrongly assuming a wider definition to the words "meeting" and "decision".

With reference to (1) above, I wish to stand by this allegation, the reasons for which will be explained.

In addition I wish to add the following allegation

- That he is doing something that prevents those who work for the Authority from being unbiased.

I note the Standards Board view that "It is not considered that responding as a ward member to general consultation on the future of the site in the absence of any particular planning application would disclose a potential breach of the Code of Conduct"

It must be noted at this point that the consultation was not "general" as the Standards Board have stated above.

Councillor Khan is a member of the Qadiya Group. No further evidence for this is needed other than Cllr Khan's February 2006 entry on the Members Register of Interests, which the Standards Board has seen. It is also clearly stated that Cllr Khan is a signatory to the groups account(s), a position of (usually) some importance within any voluntary group. It is also noted that Cllr Khan was a member of the Executive of the Anstey Council for Voluntary Service in March 2005. Again, a position of some importance for a voluntary group. Evidence for this was previously provided.

When Councillor Khan was consulted on 1st September 2005 (appendix F in original complaint) by AMBC Corporate Property, the letter clearly states that the group wishing to purchase the land is the Qadiya Group. Cllr Khan responded to the consultation without disclosing his membership of the said group. The letter also clearly states that as this land is recreational, an Executive Meeting for Corporate Resources identified consultation with ward members as being necessary.

I must stress, that contrary to the Standards Board statement of a "general consultation", this was actually the Executive Member specifically seeking the views of the ward members due to the fact that the land is recreational in the AMBC UDP. Sale of and building on any such land would be a departure from the UDP, and therefore an important decision with all of the necessary facts being on the table. The fact that Cllr Khan is a member of the Group trying to purchase the land (where there is an assumption against building) is an important factor that was not disclosed. It is my belief that the Executive Member concerned (Councillor Ryaby) did not know that Cllr Khan was a member of Qadiya, when she made her decision to proceed on 15th November 2005. It is also my belief that the various officers from Corporate Property, Committee Administration, the legal advisor and senior Directors present at that meeting, did not know that Cllr Khan was member of the group offering to purchase the land.

I believe that Cllr Khan's membership of the group, and his failure to disclose this whilst being consulted on a controversial sale of land, was a breach of the Code of Conduct. It was a breach because his involvement in the group could have caused the officers' report to the Executive Member to be biased.

It should be noted that when the Executive Member next met on the 24th January 2006, it was reported that there was "growing concern" in the area. The Executive Member then took an entirely different line to that adopted on 15th November 2005, in that she then asked for in-depth consultation to be undertaken. This in effect has temporarily stopped the exclusive negotiations with Qadiya.

Two things had happened between 25th November 2005 and 24th January 2006 to make the Executive member adopt a new position on the land. Firstly, that contrary to the views of the ward members (including Cllr Khan), a local population of 259 people living immediately in the vicinity of the land voiced their opposition to it being sold. Secondly, ~~Cllr Rigby~~ became aware of Councillor Khan's membership of the Qadiya Group, therefore aware of his non declaration of an interest. (She would have become aware of this at the time of the newspaper article dated December 31st 2005)


These two events would put significant doubt into any decision makers mind about the validity of the earlier exclusive consultation with ward members. It could no longer be seen that the consultation was not tainted, and therefore any reasonable person could not have trusted the report written by the appropriate officer as being unbiased.

It could be argued that a ward Member may not necessarily represent the views of his constituents. However if that Councillor was a member of the organisation that a 259 name petition was opposing, a reasonable person could argue that he could have been influenced more by his membership of the organisation rather than the wellbeing of his constituents. It is a reasonable assumption to make that the average person on hearing of Councillor Khan's support for the sale would say "well he would support it; he is a member of the organisation buying it!" Whether this is true or not, it looks wrong and taints the entire decision making process. Therefore it could be argued that he may be using his own position improperly to further somebody else's advantage. In this case, using his position to further the advantage of the Qadiya Group.

I believe that Councillor Khan's non declaration of an interest and his subsequent influence on the exclusive consultation process is so significant that it should be investigated by the Ethical Standards Officer.

I therefore ask that the earlier decision not to investigate be reviewed.

Yours Sincerely

A handwritten signature in black ink, appearing to read 'A Hill'.

Councillor Andy Hill
Ansty MBC

26 February 2006



Councillor Andy Hill
64 Gartside Way
Geltsdale
GE3 5ES

1st Floor, Cottons Centre
Cottons Lane
London
SE1 2QG

Direct Line: 020 7378 5101
Fax: 020 7378 5005

john.williams@standardsboard.co.uk
www.standardsboard.co.uk

Dear Councillor Hill

SBE13100.06

I refer to the recent allegation of a breach of the Code of Conduct which you made to the Standards Board for England.

Our decision is set out in the attached notice, which also explains the relevant procedures, including your right to seek a review of the decision. If you decide to exercise this right, we must receive your written request by 26 March 2006.

Yours sincerely



John Williams
Referrals Case Manager



the
Standards Board
for England

Decision Notice

Reference **SBE13100.06**

The Complaint

The Standards Board for England recently received a complaint from Councillor Andy Hill concerning the alleged conduct of Councillor Mahmood Khan of Ansty Metropolitan Borough Council. Officers conducted an assessment and decided not to refer the complaint for investigation. The following summarises the general nature of the allegation:

It is reported that Councillor Mahmood Khan has been a member of a voluntary organisation, the Qadiya Group, since before the adoption of the Code of Conduct and his election as a member, and that he was identified in the *Ansty Evening News* in December 2005 as chairman of the group.

The first part of the allegation concerns land at Earl Street, Ansty. It is reported that one of the council's estates surveyors wrote to Councillor Khan as ward councillor in August 2004 to say that a request to buy the land had been received and that he would welcome any opinions members may have on the proposal as ward member for the area. Another surveyor wrote to ward members in September 2005 with a plan of the site to say that it was the subject of a grant in November 2004 to the Qadiya Group of an exclusive arrangement for 12 months to enable details to be prepared for the development of a mosque on the site, and that the group had progressed matters resulting in negotiations for their purchase of the site. On 8 February 2006 a chief officer confirmed to the complainant that on each occasion ward members were consulted, they indicated their support for the disposal of the land.

It is therefore alleged that Councillor Khan has a conflict of interest and should have taken no part in the consultation process due to his close involvement with the Qadiya Group; that he has failed to register his interest, and that he is taking part in a meeting or making a decision where he has an interest that is so significant that it is likely to affect his judgement.

The second part of the allegation concerns a petition handed to the Mayor of Ansty with 259 signatures from the Earl Street community and the Earl Community Group calling upon the council not to sell the land. It is reported that the leader of the council gave the petition to Councillor Idris Khan, another ward councillor. The complainant reports allegations that Councillor Mahmood Khan was visiting the petitioners, and concern that intimidation was occurring. He believes it is reasonable to assume that Councillor Idris Khan gave the petition to Councillor Mahmood Khan. Another member spoke to the leader, Councillor Rigby, and it is reported that she asked Councillor Mahmood Khan to stop what he was doing.

The complainant has provided a newspaper article which refers to different opinions as to what the land should be used for: as a mosque, as a children's play area, or as a small mosque with a play area attached.

Decision

Standards Board officers have seen copies of the relevant reports to the executive member on 29 November 2004, 15 November 2005 and 24 January 2006. On the first occasion, she agreed that the council discuss the future of the site exclusively with the Qadiya Group for a period of twelve months. In November 2005, officers recommended that terms for the group's purchase of the site be agreed in principle subject to planning permission. The executive member asked for further examination of the scheme. The report listed the trustees of the Qadiya Trust, which did not include Councillor Mahmood Khan. (The January 2006 report noted growing concern about the potential loss of open space in the area, and the executive member asked for an in-depth consultation exercise to be undertaken in the absence of any decision.)

It is noted that an updated version of Councillor Khan's entry in the register of members' interests dated 10 February 2006 (the date the complaint was submitted) appears on the council's website which is different from the one provided by the complainant dated 24 June 2003. To it is appended the following note:

"There is Qadiya Group in Ansty and this is a musical group and the objective of this group is to provide cultural and artistic opportunities for people in Ansty including lessons on traditional musical instruments.

To organise social events outing and leisure activities to reduce isolation and increase the members' social circle, do other such things necessary to the attainment of the said objective.

So I am a member of this group since 28 years. The group try to buy land in Earl Street to create a small mosque and medressa for the local children. I am not a trustee, president or any other officer. I am only signing on the cheque, moreover the mosque and medressa is the charity society. Nobody can sell, nobody can buy, nobody has ownership of the building, which are charity.

(2) I am trustee of Islam Masjid, Great Central Street, Geltsdale since 1983 up to present. So I have inform my clear cut interest in Earl St land. (Signed) Councillor Mahmood Khan"

The Charities Commission website does not indicate that the Qadiya Group is a registered charity, and although Councillor Khan states in his declaration that it has a charitable purpose, he adds that he does not hold an official position there but that he is authorised to sign cheques.

With regard to the allegation of intimidation, it is considered that members are entitled to call on their constituents, and no information has been provided to indicate that this involved duress.

No information has been provided concerning meetings of the authority at which Councillor Khan was present and failed to declare an interest in the matter. It is not considered that responding as a ward member to general consultation on the future

use of the site in the absence of any particular planning application would disclose a potential breach of the Code of Conduct.

The Standards Board for England has decided that the allegation should not be referred to an ethical standards officer for investigation. Having taken account of the available information we do not believe that a potential breach of the Code of Conduct is disclosed. We have made no finding of fact.

We notify all concerned parties in writing once we have assessed a complaint. This decision notice is sent to the person or persons making the allegation, the member against whom the allegation was made, and the monitoring officer of the relevant authority.

Review

At the request of the complainant, the Standards Board's Chief Executive (or, in his absence, another senior officer) can review and change a decision not to refer an allegation for investigation. However, he will generally only do this if he is persuaded that the decision was unreasonable in law. This would be if the decision was flawed because of the irregular way in which we processed the allegation, or because we made an irrational judgement on the reported facts.

A request for the Chief Executive to conduct a review has to be made in writing. We must receive the complainant's written request within 30 days of the date of this notice, explaining in detail on what grounds our decision should be reviewed.

If we receive a request for a review, we aim to deal with it within two weeks of receipt. We will write to all the parties mentioned above, notifying them of the outcome.

Terms of Reference

The Standards Board for England was established by the Local Government Act 2000 with a primary duty to consider written allegations. The Act also gave the Board a wide discretion to decide whether or not a written allegation should be referred to an ethical standards officer for investigation.

The Local Government Act 2003 permitted the Standards Board for England to delegate this function to nominated officers. In doing this, the Board has established a careful checking and monitoring procedure.

Only the information provided by the complainant is assessed. For this reason, and to avoid unnecessary anxiety for members, officers do not normally contact the parties before notifying them of the decision.

Additional Help

If you need additional support in relation to this or future contact with us, please let us know as soon as possible. If you have difficulty reading this notice, require large print, or a Braille or taped transcript, or translated version of the information in this letter, we are able to assist you.

Signed  Date
Head of Referrals (On behalf of the Standards Board for England)

**Notification by Member of a Local Authority of
Financial and Other Interests**

I, (full name)

IBHAI PATEL

a Member of (authority)

COUNCILLOR

ANST7 / Council

GIVE NOTICE that I have the following financial interests (please state "None" where appropriate):

(a) [My employment] [Business carried on by me] (delete whichever does not apply)

NONE

(b) [Name(s) of employer(s)] [Name(s) of firm(s) in which I am a partner]
Name(s) of Company/ies of which I am a remunerated director] (delete whichever do not apply)

NONE

(c) Name(s) of person(s) (other than a relevant authority) who has/have made any payment to me in respect of my election or any expenses incurred by me in carrying out my duties

NONE

(d) Name(s) of any corporate body/ies having a place of business or land in the authority's area, and in which I have a beneficial interest in a class of securities of that body/those bodies that exceeds the nominal value of £25,000, or one hundredth of the total issued share capital of that body/those bodies

NONE

I further GIVE NOTICE of the following other interests:

(a) I am a member or hold a position of general control or management of the following body/ies to which I have been appointed or nominated by the authority as its representative

None

(b) I am a member or hold a position of general control or management of the following public authority/ies or body/ies exercising functions of a public nature

None

(c) I am a member or hold a position of general control or management of the following company/ies, industrial and provident society/ies, charity/ies or body/ies directed to charitable purposes

None

(d) I am a member or hold a position of general control or management of the following body/ies whose principal purposes include the influence of public opinion or policy

None

(e) I am a member or hold a position of general control or management of the following trade union(s) or professional association(s)

None

Date

10-02-2006

Signed...

M. K. J. A. N.

NOTE - A member must with 28 days of becoming aware of any change to the interests specified above, provide written notification to the authority's monitoring officer of that change (form LGA 3 may be used for this purpose)

PLEASE READ NOTE BACKSIDE OF
THIS PAGE PT-C

10-2-2006

DEAR SIR

There is a Muslim group in Bolton. And this is
A musical group. The objective of this group
are to provide cultural and artistic opportunities
to the people in Bolton including lessons in
traditional musical instruments.

We organise social events, outings, and
leisure activities to reduce isolation and
increase the members social circle.
Do other such things as necessary to the
attainment of the said objective.

So I am a member of this group since
28 years. This group try to ^{buy} land in ulster.
So to erect a small mosque & madrasah
for the local children. I am not a
trustee, president, or any other officer.
I am only signing on the charter. Moreover
mosque & madrasah is ^{the} charity society.
No body can sell, no body can buy
no body has a ownership of the
buildings, which are charity.

(2) I am a trustee of Masjid
Islam, Bolton since 1983. Up to present

So I have inform my (clear cut
interest in the said land

Thanking you so much

COMMISSIONER
MARTIN WATSON

John Williams

Subject: FW: Land at Earl Street

From: John Williams
Sent: 23 February 2006 09:54
To: Paul Gwilym
Subject: FW: Land at Earl Street

Dear Paul

Thank you for the background information, it is very useful. As I said on the phone, this is only a preliminary inquiry and not an investigation, so I do not have any more questions. I will shortly write to your successor and the members concerned with my decision.

Best wishes for the future

Kind Regards

John Williams

From: Gwilym, Paul [mailto:paul.gwilym@ansty.gov.uk]
Sent: 23 February 2006 09:21
To: John Williams
Cc: Metcalfe, Estelle
Subject: RE: Land at Earl Street

Dear Mr Williams

I have now spoken to Mr Dowling. The 'recent report' referred to in his letter dated 1 September 2005 did not in fact refer to the land at Earl Street. It related to the disposal of an area of land, formerly municipal tennis courts, in a different part of Ansty. When considering the tennis courts site disposal at a meeting on 19 July 2005, the Executive Member and the other members who were present, asked the officers to ensure that the relevant Ward Councillors are consulted about any proposals for the disposal of recreational or open space land. Although all proposed land transactions are notified to all members of the Council in a regular 'property bulletin', so that they can notify officers of any concern, it was felt that the possible disposal of any recreational land was so significant as to justify express consultation with the local councillors.

Although the Earl Street land might have been mentioned at the 19 July meeting (I was present but cannot recall whether it was mentioned) it was not recorded in the minutes.

Mr Dowling wrote to the ward councillors for the Earl Street area as a result of the members' request.

I have not faxed to you the tennis courts report or minute, as they do not refer to the Earl Street land, but will do so if you so wish. I believe that the reports which I faxed to you yesterday are more directly relevant.

Please note that I will be leaving the Council at the end of this week - Estelle Metcalfe has been appointed as Monitoring Officer, pending a permanent appointment. If you require any further information in this case after 24 February, please contact Estelle (tel 01102 331204).

Regards,

Paul Gwilym

21/05/2007

-----Original Message-----

From: John Williams [mailto:John.Williams@standardsboard.co.uk]

Sent: 22 February 2006 12:33

To: Gwilym, Paul

Subject: RE: Land at Earl Street

Dear Mr Gwilym

Thank you for your help - the faxes have arrived. I look forward to hearing from you again when you have spoken to Mr Dowling .

Regards

John Williams

-----Original Message-----

From: Gwilym, Paul [mailto:Paul.Gwilym@ansty.gov.uk]

Sent: 22 February 2006 12:03

To: John Williams

Subject: RE: Land at Earl Street

Dear Mr Williams

I am sending you by fax copies of three reports about this matter - dated 29 Nov 2004, 15 Nov 2005 and 24 Jan 2006 - with the respective minutes. I believe that there have been no other formal reports on this matter during this period. I am not sure which report Mr Dowling is referring to in his letter dated 1 Sept 2005 - he is out of the office until tomorrow. As soon as I can clarify the position with him I will let you know.

Regards,

Paul Gwilym

-----Original Message-----

From: John Williams [mailto:John.Williams@standardsboard.co.uk]

Sent: 22 February 2006 10:06

To: paul.gwilym@ansty.gov.uk

Subject: Land at Earl Street

Dear Mr Gwilym

Following our conversation just now, it would be very useful if I could have site of the report and minutes of the Executive Member for Corporate Resources's proceedings referred to in Mr Dowling's letter of 1 September 2005 (Ref MD/8223).

Many thanks for your help.

Regards

John Williams

Referrals Case Manager
Standards Board for England
Cottons Centre
London SE1 2QG

21/05/2007

Tel: 020 7378 5101
Fax: 020 7378 5005

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This footnote also confirms that this e-mail message has been swept for the presence of computer viruses currently known to the Council. However, the recipient is responsible for virus-checking before opening this message and any attachment.

Unless expressly stated to the contrary, any views expressed in this message are those of the individual sender and may not necessarily reflect the views of Ansty MBC.

<http://www.ansty.gov.uk>

Fax Message

Our Fax No: 31040

Problems sending or receiving a Fax to this number?
Phone 331102/331106 and we will try to help

RU

22 FEB 2006

CENTRAL SERVICES - DIRECTORS' OFFICE, ROOM 106

RECEIVED

Recipient's Fax No:

020 4348 5005

Date:

22 FEB 06

From:

PAUL GWILYM

To: (Company Name)

STANDARDS BOARD

F.A.O.:

JOHN WILLIAMS

No. of pages (including this one):

21

Message:

Copy reports & minutes re
land at Earls Street,
Arrive e-mail message
refers.

The information contained in this fax message is intended to be confidential and only for the person or organisation to whom it is addressed. If you are not the addressee, you should not retain, copy or distribute any part of the message, nor take any action based on its contents.

If you have received this fax in error, please telephone us so that we can arrange for its return.

Please note that Council does not accept service of documents by fax.

Report to: Executive Member for Corporate Resources

Date: 29th November 2004

Report of: Director of Central Services
(Contact Officer Ext 8416)

TITLE OF REPORT:

Land at Earl Street, Anisby

CONFIDENTIAL: Paragraph 7&9 (Schedule 12A, Local Government Act 1972)

RECOMMENDATIONS:

The Executive Member is recommended to approve the grant of a 12 month exclusive negotiating period to the *Quindley* Group as outlined in the attached report.

DECISION

Agreed

Signed:

Gary Nisby
Executive Member

John Rea
Chief Executive / Chief Officer

Date:

6/12/04

29/11/04

CONFIDENTIAL

CONFIDENTIAL**BACKGROUND INFORMATION**

The *Qadiya* Group, a local community group, first applied to use the land shown by black edging on the attached plan as a site for a mosque in December 1999. Although provisional terms were agreed at the time, the application was eventually declined as it was the view that the piece of land made a valuable contribution to the local community as open space.

The site has continued to be of interest to the Group, as well as to individual applicants for residential purposes. The most recent application for the mosque development was in June 2004, when it was decided to review the matter and seek the views of the Commercial Services and Education & Culture Departments. No objections were received to the possibility of disposal, but Commercial Services suggested that a local consultation exercise be undertaken. As a result, the views of the three Ward Members were sought and their support has been received to the mosque proposal.

The site is allocated for recreational purposes under Policy O2 of the current draft UDP. However, the Head of Planning Control has indicated that the community benefits arising from a mosque development, as put forward by the Group, would allow the Planning Department to look favourably upon a planning application for such use. The possibility of a residential development would not be supported as the community benefits that accrue with a mosque scheme would not apply to a housing project.

The site is a former railway cutting which has been filled. There has been no investigation carried out to date to confirm the suitability of the land for development.

PROPOSAL

The proposal is supported by the local Ward Members and the Commercial Services Department have no objection to the loss of the open space. However, until a planning application is submitted and further ground investigation work undertaken, it is difficult to agree detailed terms as to the size and cost of the mosque building.

It is therefore proposed that the Council agree a 12 month period when it will not enter into discussions or negotiations with any third parties to enable the *Qadiya* Group to progress these aspects further. This will enable terms to be agreed when the planning position and ground conditions have been clarified.

A further report will be submitted to the Executive Member when such terms have been agreed or at the end of the 12 month period.

29 Nov 2004

65. LAND AT EARL STREET

The Director of Central Services submitted a report which detailed a proposal by the Qadiya Group to develop an area of land at Earl Street.

It was explained that until a planning application was submitted and further ground investigation work undertaken it was difficult to agree the terms of the disposal.

Consequently, it was proposed that the Council agree a 12 month period when it would not enter into discussions or negotiations with any third parties to enable the Qadiya Group to progress the proposal further. This would enable terms to be agreed when the planning position and ground conditions had been clarified.

The Executive Member APPROVED -

The grant of a 12 month exclusive negotiating period with the Qadiya Group, as now detailed.

Report to: Executive Member for Corporate Resources

Date: 15th November 2005

Report of: Director of Central Services
(Contact Officer Ext 8416)

TITLE OF REPORT:

Land at Earl Street, Ansty

CONFIDENTIAL: Paragraph 7&9 (Schedule 12A, Local Government Act 1972)

RECOMMENDATIONS:

The Executive Member is recommended to approve the transaction as detailed in the report and authorise the Head of Legal Services to complete documentation.

DECISION

Defer for a consideration exercise

Defer for further examination + consideration + consultation

Signed:

Joy Riggs
Executive Member

Date:

15/11/05

Michael McKelvey
Chief Executive / Chief Officer
Deputy Executive Officer

15/11/05

CONFIDENTIAL**1.0 SUMMARY OF REPORT**

- 1.1 The site shown by black edging on the attached plan comprises an area of open space amounting to approximately 2,300 sq. yards.
- 1.2 At the meeting of 29th November 2004, the Executive Member for Corporate Resources approved the grant of a 12 month exclusive negotiating period with The Qadiya Group to progress proposals for a mosque development on the site.
- 1.3 During the exclusive period, The Group commissioned a desk top study into the site. It recommended that a full intrusive survey be carried out, including soil sampling, a land gas survey and borehole investigations. In addition an architect has prepared an initial draft scheme for pre-application discussions with Planning Officers.
- 1.5 Because of the high cost of undertaking the feasibility work, the Group made a request to acquire the site. This would give them sufficient evidence to approach the local community for funding purposes.
- 1.6 Discussions have been progressing between Officers of the Council and representatives of the Group as to how best to achieve this. The Council would wish to ensure that the Group have the necessary resources to carry out the work, whilst not restricting their ability to raise funding from the community.
- 1.7 Terms have therefore been agreed in principle for purchase of the land for an agreed sum, when the Group have obtained planning permission and provided proof that the proposal can be implemented. A Contractual Agreement would be entered into committing the Council to the sale of the site when these conditions have been satisfied. The Agreement would allow a 5 year period for the information to be provided and give the Group security to raise funds.
- 1.8 The Conveyance would incorporate provisions for completion of the mosque within an agreed reasonable period of time.

2.0 BACKGROUND INFORMATION

2.1 The ~~Qadiriya~~ Group first applied to use the land as a site for a mosque in December 1999. Although provisional terms were agreed at the time, the application was eventually declined as it was the view that the piece of land made a valuable contribution to the local community as open space.

2.2 The current application for the mosque development was first made in June 2004, when it was decided to review the matter and seek the views of the then Commercial Services and Education & Culture Departments. No objections were received to the proposal, but Commercial Services suggested that a local consultation exercise be undertaken.

2.3 As a result, the views of the three Ward Members were sought and their support was received to the mosque proposal.

2.4 The site is allocated for recreational purposes under Policy O2 of the UDP. However, the Head of Planning Control has indicated that the community benefits arising from a mosque development, as put forward by the Group, would allow the Planning Department to look favourably upon a planning application for such use.

2.5 The site is a former railway cutting which has been filled and therefore no guarantee that it is capable of development has been given.

2.6 Ward Members have again been directly consulted because of the loss of open space and all support the current initiative.

2.7 The loss of the public open space will have to be advertised in the ~~Arnsby~~ Evening News and any objections raised will be reported to Members for consideration.

3.0 FINANCIAL IMPACT

3.1 The Director of Finance has examined the proposal and has no objections, as there will be a capital receipt generated when the work is completed.

4.0 RECOMMENDATION

4.1 The Executive Member is therefore requested to approve the proposal, based upon the following terms and conditions :

- Site: As shown by black edging on the plan amounting to 2,300 sq. yds. or thereabouts.
- Tenure: (1) An Agreement for Sale for 5 years.
(2) Freehold upon grant of planning permission and evidence that the site can be satisfactorily developed.
- Purchaser: The Trustees of the *Qadiya* Group, 12 *Grange Street* *Ansty* SE1 8LX.
The named Trustees are :
1. Idi Mehmet Khan, 12 Arbitration Street, Ansty
2. Imran Patel, 41 Union Street, Ansty
3. Ali Khanum, 2 Clark Street North, Southwich
4. Izet Aleef, 14 Earl Street, Ansty
- User : The land only to be used for a mosque in accordance with planning permission to be obtained.
- Sewer Easement: The transaction is to be subject to an easement for a sewer over the land shown by black hatching on the plan.
- Price : £40,000 payable upon transfer of the freehold interest at completion of the sale.
- Costs : Payment of my Surveyors Fees of £2,000 and reasonable Legal Costs.
- Other Terms: The Group to construct a mosque and maderrassa in accordance with approved plans within an agreed period of time.

15 Nov 2005

107. LAND AT EARL STREET, ANSTY

Further to Minute 65 of the Executive Member for Corporate Resources held on 29th November, 2004, the Director of Central Services submitted a report which put forward the proposed terms and conditions in respect of the sale of an area of land at *Earl Street, Ansty*, as shown edged black on the plan now submitted.

The report outlined the current situation regarding the site and previous discussions regarding its future development.

The Executive Member AGREED –

To defer this item for further examination.

108. PARK MUNICIPAL GOLF COURSE, LINKS ROAD,

The Director of Central Services submitted a report which outlined the various issues surrounding the lease of Park Golf Course and sought approval to amend the rental levels, on the basis now detailed.

The Executive Member APPROVED –

The revised rental level in respect of the Municipal Golf Course, on the basis detailed in the report now submitted.

109. LAND AT DERBY STREET,

A report of the Director of Central Services was submitted which sought approval to vary the lease terms in respect of an area of land at Derby Street, *Leit*, shown edged black on the map now submitted.

Report to: Executive Member for Corporate Resources

Date: 24th January 2006

Report of: Director of Central Services
(Contact Officer p Ext 8416)

TITLE OF REPORT:

Land at Earl Street, Ansty

CONFIDENTIAL: Paragraph 7&9 (Schedule 12A, Local Government Act 1972)

RECOMMENDATIONS:

The Executive Member is requested to note the contents of the report.

DECISION

Subject to simplification / consolidation of consultation exercises + further investigations of other options.

Signed:

Joy Rigby
Executive Member

Amunath Chandra
Chief Executive / Chief Officer

MONITORING OFFICER

Date:

24/1/06

24/1/06

CONFIDENTIAL**1.0 SUMMARY OF REPORT**

- 1.1 The site shown by black edging on the attached plan comprises an area of open space amounting to approximately 2,300 sq. yards.
- 1.2 At the meeting of 15th November 2005, approval was sought of the Executive Member for Corporate Resources for a conditional sale of the site to The *Qadiya* Group to progress proposals for a mosque development on the site.
- 1.3 The report was deferred for further examination. Because of the growing concern about the proposal and the loss of open space, a local consultation exercise was requested, so that the results could be taken into consideration as part of the decision making process.
- 1.4 *Anshy* at Home have experience in carrying out resident consultation exercises of a sensitive nature and have therefore been independently commissioned to progress a survey of the community in the vicinity of ~~Earl~~ Street.
- 1.5 The consultation will be undertaken in two stages, these are as follows:
- Desk Top Study – a review of all current data concerning the area will be undertaken this will include information on the following:
 - Age range of local residents
 - No of children below the age of 16
 - Number of places of worship/faith in the area
 - Number of open places/ play areas
 - Any unused /derelict buildings in the vicinity
 - Resident Consultation. Face to face interviews will take place with residents in the area. Community Researchers primarily from the BME community (but also some from the white community) will be trained and paid to undertake the research within the area. All researchers will carry ID and will leave a letter with each person they interview to ensure they are clear about why the interview took place and what will happen to the information they have given.
- 1.6 A questionnaire has been designed to elicit views about the current use of the open land and whether there is support for developing the land either for community use through recreation and play or for an alternative format. A copy is attached to the Report for information.

- 1.7 The questionnaire will be distributed to a proportion of the 600/700 (approximately) households within the immediate vicinity of the open space. It will be undertaken by a group of local community researchers who live within the () borough, some from the local area. The researchers will carry out a door to door survey to ascertain the views of local people as to the most appropriate use for the land. The community researchers, where feasible, will also speak to people in the street, at any local schools and community centres to ensure a diverse and representative sample of the local community is consulted.
- 1.8 The sample will be determined through initial analysis of the demographic profile of the area using census records. This will enable the consultation to ensure an accurate representation of the community is reflected of the following:
- Gender
 - Age
 - Ethnicity
 - Religion/Faith
 - Family structure (dependent children etc)
 - Disability levels (where possible)
- 1.9 The consultation will begin in February 2006 and will end mid February with final analysis and the report of the findings being available by mid March 2006. The report will be available to the public upon request.
- 1.10 The findings will be reported back to the Executive Member at a future date.

2.0 BACKGROUND INFORMATION

2.1 The site is a former railway cutting which has been filled and there is therefore no guarantee that it is capable of development.

2.2 Ward Members have been directly consulted because of the loss of open space and all supported the mosque initiative.

2.3 Any loss of the public open space will have to be advertised in the ~~Anst~~ Evening News and any objections raised will be reported to Members for consideration.

3.0 RECOMMENDATION

3.1 The Executive Member is therefore requested to note the content of the Report.

7

24 JAN 2006

132. LAND AT EARL STREET, ANSTY

Further to Minute 107 of the meeting of the Executive Member for Corporate Resources held on 15th November, 2005, the Director of Central Services submitted a report which provided an update on the current situation regarding the site at Earl Street, Ansty and the consultation exercise that was being undertaken regarding the future development of the site. The findings would be reported back to the Executive Member at a later date.

The Executive Member NOTED the report and requested that:-

- (i) The consultation exercise be modified on the basis now detailed; and**
- (ii) Further investigations be carried out into whether the independent local consultation exercise on the loss of green space being conducted in Ansty could be undertaken in the Earl Street area.**

133. LAND AT THE REAR OF ST PATRICKS RC PRIMARY SCHOOL,

The Director of Central Services submitted a report which sought approval to transfer the land at the rear of St. Patrick's RC Primary School to the School Trustees to enable a small classroom extension to be erected.

The Executive Member APPROVED –

The transfer of the site shown contained black on the plan to the Trustees of St. Patrick's RC Primary School on the basis detailed in the report now submitted, and that the Director of Central Services be authorised to complete the legal formalities of the transfer.

Corporate Property Services
Earl Street Consultation
January 2006

As part of our commitment to continuous improvement a review is to be undertaken of the open spaces within the some parts of the borough. To support this review we need to find out what local people think should be done, if anything, about our open spaces.

This review enables us to ask local people about open spaces in their area and seek their opinions in terms of redeveloping, changing or leaving open spaces as they are.

This part of the review is focused on the open space adjacent to Earl Street, which is currently classified as Recreational Open Space. We would not normally build on this land except in circumstances where it is deemed to have no existing or potential benefit to the community. Several suggestions have been forwarded to the Council for the use of this land and the survey is being undertaken to ascertain what local people would like to see happen to this piece of open space.

We ask that you take the time (about 10 minutes) to give us your thoughts on the open space in Earl St and what you think the Council should do with it.

All responses are strictly confidential and no individual will be identified in any way.

1	How long have you lived in this area?	Less than 6 months	6-18 months	Over 18 month but less than 3 years	Over 3 years but less than 5 years	Over 5 years
---	---------------------------------------	--------------------	-------------	-------------------------------------	------------------------------------	--------------

2	How long have you lived in this house?	Less than 6 months	6-18 months	Over 18 month but less than 3 years	Over 3 years but less than 5 years	Over 5 years
---	--	--------------------	-------------	-------------------------------------	------------------------------------	--------------

3	Do you have children under the age of 16 living in your household?	Yes	No	No Response
---	--	-----	----	-------------

THE SEASONS: EARL ST OPEN SPACE

THE SEASONS: EARL ST OPEN SPACE

Please indicate by circling how strongly you agree or disagree with the following statements.

4a	Have you or members of your family made use of the open land on <u>Earl St</u> ?	Yes	No	Not Applicable
----	--	-----	----	----------------

Please answer the next question only if you have made use of the open space in Earl St in any of the following ways

4b						
a)	Children play area	Very Frequently	Frequently	Sometimes	Rarely	Never
b)	One off events (fundays/ fairs etc)	Very Frequently	Frequently	Sometimes	Rarely	Never
c)	Sports (football/cricket)	Very Frequently	Frequently	Sometimes	Rarely	Never
d)	Walking and dog walking	Very Frequently	Frequently	Sometimes	Rarely	Never
e)	Other (Please state) _____ _____	Very Frequently	Frequently	Sometimes	Rarely	Never

5	Earl St Open Space should remain as it is - a recreational area for the community				
	Strongly Agree	Agree	Disagree	Strongly Disagree	Neither
Comments					

6	East St open space would be best used for the following:					
a)	Mosque	Strongly Agree	Agree	Disagree	Strongly Disagree	Neither
b)	Play area for local Children	Strongly Agree	Agree	Disagree	Strongly Disagree	Neither
c)	Community maintained and managed recreational area	Strongly Agree	Agree	Disagree	Strongly Disagree	Neither
d)	Other (Please state)	Strongly Agree	Agree	Disagree	Strongly Disagree	Neither

This section asks you about yourself, all information is confidential and will only be used for the purposes of this survey

7	Please tell us your gender	Male	Female	No Response
---	----------------------------	------	--------	-------------

8. Please tell us your age range

Under 16	16 - 18	19 - 21	22 - 25	26 - 30	31 - 35
36 - 40	41 - 45	46 - 50	51 - 55	56 - 60	61 - 65
66 - 70	71 - 75	76 plus			

9. What is your ethnic group? (Please circle as appropriate)	
White	British
	Irish
	Other (please state)
Mixed	White and Black Caribbean
	White and Black African
	White and Asian
	Any other Mixed background (please state)
Asian or Asian British	Indian
	Pakistani
	Bangladeshi
	Any other Asian background, (Please State)
Black or Black British	Caribbean
	African
	Somali
	Any other Black background, (please state)
Chinese or Other Ethnic Group	Chinese
	Iraqi
	Any other group - (Please state)

10. Please indicate your religion

Muslim	Hindu	Buddhist	Christian
Jewish	No Religion	Other (Please specify)	Do not wish to answer.

Disability

Under the Disability Discrimination Act 1995, a person is considered to have a disability if he/she has a physical or mental impairment which has a substantial and long-term effect on his/her ability to carry out normal day to day activities.

11	Do you consider yourself to have a disability	Yes	No	Don't Know
----	---	-----	----	------------

12. If you do have a disability please indicate the main type of disability			
Visual Impairment	Hearing Impairment	Mobility Disability	Mental Health Disability
Learning Disability	Communication Difficulties	Other (Please specify)	

13. Do you have any other comments you wish to add?

Thank you for your time to complete this survey.

The information asked for in this document is for the use of AMBC, to assist in developing and improving the services provided by Corporate Property Services.

However, occasionally we may share information with other partners to influence service delivery across Anshy.

Please indicate if you agree to the sharing of information contained within this document

☐

Yes I agree to the sharing of this information with partners of AMBC

☐

No I do not agree to the sharing of this information with partners of AMBC

complaint form

14 FEB 2006

RECEIVED



If you have any questions or difficulties filling this form in, for example, if English is not your first language or you have a disability, please contact the Referrals Unit on 0800 107 2001.

You can also e-mail them at referrals@standardsboard.co.uk

RECEIVED
14 FEB 2006

Please note

- > we can only accept complaints in writing;
- > one of our officers may contact you personally to go through the details of your complaint;
- > we are unlikely to be able to keep your identity confidential if you make a complaint.

ABOUT YOU

title Mr Ms Mrs Miss Councillor ☒ other (please specify)

first name **ANDY** surname **HILL**

address **64 GARTSIDE WAY**
GELTSDALE postcode **GE3 5ES**

daytime telephone **071 884305**

evening telephone **01459949**

e-mail **Nicholas.peel@anssty.gov.uk**

Please consider the complaint I have described below and in the evidence attached. I understand and accept that the details will normally be disclosed to the member, particularly if the matter goes through to investigation.

signature

date **1 0 0 2 0 6**

YOUR COMPLAINT

Who are you complaining about?

Please give the name of the councillor/s, member/s or co-opted member/s you consider has broken the Code of Conduct and the name of their authority/ies.

name of the individual/s

name of their authority/ies

COUNCILLOR MAHMOOD KHAN

ANSTY M.B.C.

Please tick here if you work for the authority/ies shown above

Please tick here if you are a member of the authority/ies shown above ☒

complaint form



WHAT ARE YOU COMPLAINING ABOUT?

Please provide us with as much information as you can about your complaint to help us decide whether or not it should be investigated. Include the **date** and **details** of the alleged misconduct, and any information that supports the complaint.

We can only investigate complaints that a member has broken the Code of Conduct (see section 3 of the information leaflet 'How to make a complaint about a councillor'). Continue on a separate sheet if there is not enough space on this form.

PLEASE SEE ATTACHED SHEET

EVIDENCE (if this applies)

Please attach to this form copies of correspondence, documents, names and details of witnesses, and any other evidence that you feel is relevant to your complaint. Please avoid sending us large amounts of background information that only relate indirectly to your complaint.

Please tick this box if you would like us to return the evidence to you

Please send this form to:

The Standards Board for England
First Floor
Cottons Centre
Cottons Lane
London SE1 2QG

The *Race Relations Act 2000* requires us to monitor ethnic or national origin to ensure that we do not inadvertently discriminate against members of a particular group. It would, therefore, be helpful if you would complete the ethnic monitoring section of the form, although this is not compulsory.

Your answers will be removed and kept entirely separate from your complaint and will be completely confidential. They will be used for statistical purposes only, in which individuals will not be identified.

DETAILS OF THE COMPLAINT

PART ONE

Councillor Mahmood Khan (for the rest of this complaint, known as MK) was elected to the Council in May 2003.

MK was elected to serve the Town Ward in 2003, which due to boundary changes became the Moor ward in 2004, when he was re-elected.

Evidence exists to show that MK was a member of the Qadiya Group as early as August 2001 (see supporting appendix A) until at least March 2005 (Appendix B) and named in an Evening News Article as the Chairman of said group in December 2005 (see Appendix C)

Appendix B is a printed page from the website of the Council for Voluntary Service 2004/5 Annual Report, dated March 2005. The website can be found at <http://www.anstycvs.org>

MK's Annual Declaration of Interest (2005/6) is dated 24th June 2003, and contains a registration of interest in nothing. All of the boxes are marked 'N/A', including Section C. (see Appendix D)

On the 25th August 2004, AMBC Corporate Property Services wrote to the 3 Moor Ward Councillors, including MK, with reference to land at Earl Street. The letter from the Surveyor states that a request to buy the land has been received and that he would welcome any opinions you may have on this proposal in your capacity as ward member. (see Appendix E)

On the 1st September 2005, a further letter was sent to the 3 Moor Ward Councillors. This letter identifies the Qadiya Group as being the beneficiary of a grant of an exclusive arrangement. The letter also states that the surveyor would appreciate the ward member's comments. (see Appendix F)

I received a letter from Mr Gwilym, Director of Central Services, on 8th February 2005, stating that with reference to the 2 consultation letters, all of the ward councillors responded and **all indicated their support** for the disposal of the land. (see Appendix G)

This is clear conflict of interests, from a Member who should have taken no part in the consultation process, due to his close involvement with the Qadiya Group.

My allegations (In Part One) against Councillor Mahmood Khan are that

1. He is using his own position improperly to his own or someone else's advantage
2. He has failed to register financial or other interest
3. He is taking part in a meeting or making a decision where he has an interest that is so significant that is likely to affect his judgement.

PART TWO

On the 14th December a petition was handed to Mayor, by Mr M Ismail and members of his family on behalf of 259 petitioners from the Earl Street community and The Earl Community Group. This petition called upon AMBC not to sell the Earl Street land. Following receipt of this petition and the resulting publicity the Evening News, AMBC committed itself to holding a full comprehensive consultation with local residents.

MK was on holiday at this time and returned around the end of January 2006. It is my understanding that at this time a copy of the petition came to MK. I also understand that the Leader of the Council, Councillor Joy Rigby gave this petition to the Councillor I Khan, the ward colleague of MK I cite as a witness to this Councillor Gott, who was given this fact by Councillor Rigby.

Allegations have been made within the last week from the date of this complaint that MK was visiting the petitioners. For what purpose can only be speculated on. There was concern that there may be some intimidation occurring therefore Councillor Gott asked Councillor Rigby to speak to MK to ask him to stop what he was doing. It is my understanding that she did this, at or around the 3rd February 2006.

I, together with Councillor Mandy Hilton, spoke with Councillor Rigby on the 6th February 2006 to emphasise the danger of what had taken place. Councillor Rigby again stated that she had handed over the petition in good faith to a Moor Ward Councillor.

Due to the allegations of MK visiting petitioners, it is reasonable to assume that Councillor I Khan gave this petition to MK.

On the 7th February after hearing more rumours that MK was still speaking to petitioners I contacted Mr Paul Gwilym to recommend that the Chief Executive of AMBC speak to MK to warn him that in view of the fact that a complaint was being considered, and in view of the fact that there could be conflict of interest he should stop what he is doing. I do not know if this happened.

The article in the Evening News (Appendix D) goes into some detail about the particular cultural difficulties the petitioners had with their own campaign, which I cannot add to. However, there is a considerable disquiet among that same community that a representative of the group that they had been campaigning against on this issue now has access to their names and addresses.

My allegations (in Part Two) against Councillor Mahmood Khan are that

1. He is doing something that prevents those who work for the authority from being unbiased. (By unduly influencing the consultation process)
2. He is revealing information that was given to him in confidence
3. He is damaging the reputation of his office and of the authority
4. He is using his own position improperly to his or someone else's advantage

ADDITIONAL INFORMATION

Further details of Councillor Mahmood Khan's membership of the Qadiya Group can be obtained from the Council for Voluntary Service, who can confirm that stood for the CVS Executive in October 2005.

Councillors Mandy Hilton, Carl Gott, Idris Khan and Joy Rigby are named witnesses in this complaint are all members of MBC.

Although my complaint is about a Member and not AMBC as an Authority, I realise that there may be some points within Part Two that would be better dealt with by the Ombudsman. If this is the case, I give my consent to anything being 'forwarded on'

I also understand that a separate letter of complaint has been sent by Mr Ismail to the The Chief Executive of MBC, Tony Lemon, I do not have this letter at present, however a copy should reach the Standards Board in due course, as I understand that the letter covers many of the same points as this complaint. The letter has apparently been copied to (amongst others) David Prince, Chief Executive Standards Board, Anne Seex, Local Government Ombudsman and Richard Thomas, Information Commissioner.

Councillor Andy Hill (AMBC) 10th February 2006

Date: 24th August, 2001

Your Ref:

Our Ref:

Enquiries to:

APPENDIX A

Mr. M Khan

Dear Mr. Khan

VOLUNTARY SECTOR GRANTS SCHEME 2001/2002

On 21st August, 2001 the Qadiya Group applied to the Council for Grant Aid under the Council's Voluntary Sector Grants Scheme for 2001/2002 of £1,425.00 towards the costs incurred by providing classes in artistic disciplines and staging a musical event.

The Grant Aid is payable subject to the following conditions:

- (a) The grant shall only be used for the purpose of providing classes in artistic disciplines and staging a musical event.
- (b) If the grant is not claimed before 20th September, 2002 then the grant shall be forfeited.
- (c) That the grant shall be paid as 50% contribution up to a maximum level of £1,425.00 (whichever is the lower) towards the cost of the project specified above.
- (d) That the grant shall only be payable upon submission of paid invoices which detail the work/items purchased and show clear proof of payment.
- (e) If it transpires before the Council has paid any grant monies for a successful grant application that the grant form contains untrue statements or that the Council has been misled or that information has been withheld by any person providing information to the Council or requested to provide information to the Council in order for the Council to assess the application for a grant, then the Council shall treat that application as withdrawn and shall not consider the application further or pay any money out on the basis of that application. Further the Council shall not consider any future applications from the said organisation unless the organisation satisfies the Council that there has been a material change in the structure of the

organisation since the situation arose which led to the Council treating the grant application as withdrawn.

- (f) That if the equipment acquired with the grant aid is sold or disposed of within five years from the date of this letter, or if the organisation is in breach of any of the terms and conditions of this grant aid then the organisation shall be liable to repay the grant to the Council in full free of any deductions.
- (g) That the grant monies or any part of the grant monies shall not be used to publish material which the Council is prohibited by Section 2 of the Local Government Act 1986 from publishing itself.
- (h) That the grant aid will not be used intentionally to promote homo-sexuality or to publish material with the intention of promoting homo-sexuality contrary to Section 2(a) of the Local Government Act, 1986.
- (i) Subject to any other terms and conditions that the Council's Borough Solicitor considers appropriate for the grant aid.

I shall be obliged if the duly authorised representatives of your organisation would sign and complete the attachment to this letter. I have enclosed two copies, would you please sign both, return one copy at your earliest opportunity and retain the other for your reference. This will certify the group's consent to the terms and conditions of the grant as specified in this letter. Following receipt of the duly completed letter I shall be able to make arrangements for future payment of the grant.

Yours sincerely,

Voluntary Sector Support Officer
Regeneration and External Funding Team

Help |

Lancashire Towns

News

Town news

UK news

Education

Weather

Asian Image

Sport

Town sport

UK sport

News

Sport

Football

Business

Leisure

Local info

Asian Image

Archive

Partnerships

Communigate

E-mail page

Print page

Make us home

Contact us

Other sites

Before you go anywhere, click here. Travelodge

'Put children first' call for mosque

From the archive, first published Saturday 31st Dec 2005.

A MOSQUE could be built on an area of open space popular with local children living in Halliwell.

Community group *Quadrant* chaired by local councillor *Mahmood Khan* is in discussion with *the* Council to build a mosque on the land.

A campaign by youngsters and their parents to save the *Earl* Street field from being sold for development is already under way.

Now, *the* Council has confirmed it is in negotiation with the group, but stressed that no decision over the future of the land has been made.

But members of the largely Muslim community say that they do not want the area developed for any purpose, including a mosque.

A local resident, who did not want to be identified, said: "Muslims cannot be seen to be campaigning against the building of a mosque. But if this land is developed on then the children will have no where to go. We do not want anything built on the land."

Earlier this month, a 259-named petition was handed to the Mayor *[Name]*, protesting against the sale of the land. Residents living in the area say it is the only space in a built up residential area to play on.

And although the land is classified as open space, the council say it could be developed if it benefits the local community.

The resident said: "The land benefits the children as it is and the only development needed is to improve it as a play area for children.

"There are three mosques nearby, on B *[Name]* Road, and on H *[Name]* Road and *[Name]* Street. It is not political or a race issue, it is just that we want to put the young people in the community first."

Local councillor *Gladwin* said he had backed proposals to build a mosque on the land with the condition that a play area would be developed nearby for the children.

Cllr *G* said there were strong arguments for a smaller mosque for use by children and the elderly who could not get to the other

APPENDIX
C

mosques.

He added: "I am also aware of the lack of open space in the area and I said I would support the proposal with the condition a children's play area also be developed."

But Labour councillor, [redacted] said: "We thought it was not right for the council to be in negotiation with just one group."

"We asked for the discussions to be stopped and for local residents to be consulted first before a decision was made to sell the land and put it out for open tender."

"If there is a need for a mosque then it could be built further up on the land leaving the open space as a play area for the children."

A council spokesman said: "We must emphasise that no decision has yet been made either formally or informally that this piece of land should be sold."

"The issue about the possible development of the land has been around since 1999 but was never progressed. Then, after an approach in 2004, it was decided that the group should be allowed a 12-month period of negotiation."

"Last month a further progress report was drawn up and at this stage a large number of objections to the proposals, including a petition, were received by the council. No decision has been made about this land and people will have a full opportunity to express their comments and views on the proposal."

"We will be conducting a full consultation exercise in the new year with people living in the area."

He added that there are "strict rules laid down" about councillors being involved in issues such as this.

Cllr Khan was unavailable for comment and Quachya refused to comment on plans to develop the play area.

LOCAL GOVERNMENT ACT 2000 s. 81(1)

The Local Authorities (Model Code of Conduct) (England) Order 2001

Notification by Member of a Local Authority of Change to Registered Financial and Other Interests

I, (full name)

MAITMOOD KHAN

Member of (authority)

COUNCILOR

ANSTY Council

GIVE NOTICE of the following changes to my financial and other interests registered by you (please state "None" where appropriate):

(a) (My employment) (Business carried on by me) (delete whichever does not apply)

N/A

(b) (Name(s) of my employer(s)) (Name(s) of firm(s) in which I am a partner)
(Name(s) of Company/ies of which I am a remunerated director) (delete whichever do not apply)

N/A

(c) Name(s) of person(s) (other than a relevant authority) who has/have made any payment to me in respect of my election or any expenses incurred by me in carrying out my duties

NONE

(d) Name(s) of any corporate body/ies having a place of business or land in the authority's area, and in which I have a beneficial interest in a class of securities of that body/those bodies that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital of that body/those bodies

N/A

APPENDIX D

(e) Description of any contract for goods, services or works made between the authority and myself or a firm in which I am a partner, a company of which I am a remunerated director, or a body of the description specified in (d) above

N/A

(f) Address or other description (sufficient to identify the location) of any land in which I have a beneficial interest and which is in the area of the authority

N/A

(g) Address or other description (sufficient to identify the location) of any land where the landlord is the authority and the tenant is a firm in which I am a partner, a company of which I am a remunerated director, or a body of the description specified in (d) above

N/A

(h) Address or other description (sufficient to identify the location) of any land in the authority's area in which I have a licence (alone or jointly with others) to occupy for 28 days or longer

N/A

I further GIVE NOTICE of the following other interests:

(a) I am a member or hold a position of general control or management of the following body/ies to which I have been appointed or nominated by the authority as its representative:

N/A

(b) I am a member or hold a position of general control or management of the following public authority/ies or body/ies exercising functions of a public nature:

N/A

(c) I am a member or hold a position of general control or management of the following company/ies, industrial and provident society/ies, charity/ies or body/ies directed to charitable purposes:

N/A

(d) I am a member or hold a position of general control or management of the following body/ies whose principal purposes include the influence of public opinion or policy:

N/A

(e) I am a member or hold a position of general control or management of the following trade union(s) or professional association(s):

N/A

Date

24-06-2003

Signed

[Signature]

NOTE: A member must within 28 days of becoming aware of any change to the interests specified above, provide written notification to the authority's monitoring officer of that change (a further form LGA 3 may be used for this purpose).

25th August 2004

y/r
o/r

Enquiries to:

Direct Line : - 338403

E-mail

Councillor M Khan
C/o Members Secretariat,
Town Hall,

Dear Councillor Patel,

Re: Land at Earl Street.

As you are aware I have received a request to buy the land shown edged black on the attached plan No SD7110NE, for the construction of a Mosque.

I am awaiting the results of consultations with other Council Departments and would welcome any opinions you may have on this proposal in your capacity as Ward Member for this area.

Yours sincerely,

Principal Estates Surveyor,
Corporate Property Services.

CC Councillor I. Khan
Councillor G. Gindwin

APPENDIX E

Date: 1st September 2005.

Your Ref.

Our Ref:

Enquiries to:

Direct Line

Councillor I. Khan

C/o Members Secretariat,

Town Hall,

Dear Councillor Khan

RE: LAND AT EARL STREET

Please find attached a plan showing the above site which was the subject of the grant in November 2004 to the ~~Gadwin~~ Group of an exclusive arrangement for 12 months to enable details to be prepared for development of a mosque on the site. Matters have been progressed by the Group resulting in current negotiations for their purchase of the site.

Following a recent report to the Executive Member for Corporate Resources, it was agreed that any scheme resulting in the loss of recreation space would be submitted to Ward Members for comment prior to seeking approval. As the development proposed will result in the loss of such space in this case, I would appreciate your comments accordingly. These will be included in the report to the Executive Member for Corporate Resources when formal approval of the transaction is sought.

I look forward to hearing from you.

Yours sincerely,

BSc MRICS
Senior Estates Surveyor

Cc Councillor M Khan
Councillor Gladwin

APPENDIX F

Date: 8th February 2006
Your Ref:
Our Ref:
WP No:

Council

CENTRAL SERVICES

Councillor A Hill

Dear Councillor Hill

RE: LAND AT EARL STREET

Thank you for your telephone enquiry concerning consultation with Ward Councillors with respect to the above-mentioned matter.

I enclose for your information copies of consultation letters which were sent to Ward Councillors (Councillors Gladwin, I Khan, and M Khan) on 25th August 2004 and 1st September 2005.

I confirm that on each occasion all of the Ward Councillors responded to the consultation, indicating their support for the proposed disposal of the land.

Yours sincerely


PAUL GWILYM
DIRECTOR CENTRAL SERVICES

APPENDIX 6

1



INVESTOR IN PEOPLE