

Meeting	ASSESSMENT SUB COMMITTEE
Time/Day/Date	3.30 pm on Tuesday, 2 October 2018
Location	Board Room, Council Offices, Coalville
Officer to contact	Democratic Services Officer (01530 454512)

The Monitoring Officer would like to remind members that when they are considering whether the following items are exempt information under the relevant paragraph under part 1 of Schedule 12A of the Local Government Act 1972 they must have regard to the public interest test. This means that members must consider, for each item, whether the public interest in maintaining the exemption from disclosure outweighs the public interest in making the item available to the public.

AGENDA

Item	Pages
1 ELECTION OF CHAIRMAN	
2 APOLOGIES FOR ABSENCE	
3 DECLARATIONS OF INTEREST	
Members are requested to declare any interests connected to this matter and to identify the nature of that interest as to whether it is pecuniary or non pecuniary under the Code of Conduct.	
4 EXCLUSION OF THE PRESS AND PUBLIC	
Assessment Sub-Committee to decide whether the press and public should be excluded from the hearing and the grounds for the exclusion based on representations from all parties.	
5 ALLEGATIONS OF A FAILURE TO OBSERVE THE CODE OF CONDUCT	
Report of the Head of Legal and Support Services	3 - 92

Circulation:

Councillor Robert Ashman
Councillor John Clarke
Councillor Dan Harrison

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NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL**ASSESSMENT SUB-COMMITTEE - 25 SEPTEMBER 2018**

Title of report	ALLEGATIONS OF A FAILURE TO OBSERVE THE CODE OF CONDUCT
Contacts	Head of Legal and Commercial Services 01530 454762 elizabeth.warhurst@nwleicestershire.gov.uk
Purpose of report	<ol style="list-style-type: none"> 1. To consider the report of the Head of Legal and Commercial Services and Monitoring Officer. 2. To request that the Assessment Sub-committee determine what action should be taken.
Implications:	
Financial/Staff	There will be resource implications if the matter proceeds to investigation. The costs of an investigation can be met from existing budgets.
Link to relevant CAT	N/A
Risk Management	N/A
Equalities Impact Assessment	N/A
Human Rights	The Act and Regulations thereunder have taken account of human rights.
Transformational Government	The complainant may request a review of the decision of the Assessment Sub-committee to be heard by the Review Sub-committee.
Consultees	N/A
Background papers	Local Government Act 2000 (www.opsi.gov.uk). Local Government and Public Involvement in Health Act 2007 (www.opsi.gov.uk). Localism Act 2011 (www.legislation.gov.uk) Arrangements adopted by Council on 26 June 2012. NWLDC Local Assessment of Complaints Guidance.

Recommendations	THAT THE ASSESSMENT SUB-COMMITTEE MAKES A FINDING ON THE COMPLAINT AS SET OUT AT PARAGRAPH 5 OF THE REPORT.
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1. COMPLAINTS

- 1.1 The Sub-committee is requested to consider two complaints which have been made about Councillor Bridges by Mr Redfern and Mr Sharp. The complaints concern Councillor Bridges' actions in respect of a request to call in a planning application at Measham Road, Moira. Whilst the complaints broadly turn on the same facts, they have been dealt with separately by the Monitoring Officer up until this point. The complaints have been summarised below. The purpose of the summary is to provide members with sufficient information to make a decision about what to do with the complaint. The summary may contain copies of correspondence such as e-mails and letters. It is not intended to be exhaustive and contain every piece of correspondence on the matter. The correspondence would be made available to an investigator should the Sub-committee decide to request that the Monitoring Officer commission an investigation.
- 1.2 There is a history over a number of years of applications being submitted for the Measham Road site, of objections being made by local residents and ongoing concerns about the construction of the development particularly in relation to flooding. This report focuses on the allegations about Councillor Bridges' conduct in relation to application 17/01327 and the request to call-in the application to Committee, not the merits or otherwise of the planning applications on the site. The complainants' principal issue is that Councillor Bridges failed to call-in the application to Committee thus depriving them of the opportunity to make representations. In addition, it is alleged that Councillor Bridges was dishonest and mislead the complainants and others by providing various versions of the sequence of events surrounding call-in. The complainants believe both issues are breaches of the Members' Code of Conduct.

2. COMPLAINT 1 - MR SHARP

- 2.1 Mr Sharp lives close to the Measham Road application site. The Monitoring Officer initially became aware of Mr Sharp's concerns in early 2018. Mr Sharp had written to the Chief Executive raising concerns about the development, potential breaches of planning conditions by the developers, the response and service from the Council's enforcement and planning teams and the actions of Councillor Bridges. The Monitoring Officer was asked to make some initial enquiries into the concerns raised about Councillor Bridges and respond to Mr Sharp on that point. The other issues raised by Mr Sharp were dealt with separately by other officers.
- 2.2 Mr Sharp's complaint was that Councillor Bridges had breached the Members' Code of Conduct by failing to call-in planning application 17/01327 on a request from Ashby Woulds Town Council and that had the effect of depriving the public of the opportunity to address the Planning Committee.
- 2.3 A copy of Mr Sharp's letter to the Chief Executive dated 8 December 2017 is attached at Appendix 1. A copy of the initial response from the Monitoring Officer is attached at Appendix 2.

- 2.4 Mr Sharp confirmed that he would like to make a formal complaint about Councillor Bridges on 2 April 2018.
- 2.5 The Monitoring Officer met with Mr Sharp on 1 May 2018 (a meeting which had been scheduled for 30 April 2018 had to be rescheduled due to the availability of the Monitoring Officer). Mr Sharp provided the Monitoring Officer with a Powerpoint presentation to explain his complaint. A copy of the presentation is attached at Appendix 3. The presentation set out the history of the development site, longstanding concerns from Mr Sharp's point of view, as well as details of the complaint about the call-in. Mr Sharp considered that Councillor Bridges had been dishonest, not supported the Nolan Principals and brought the Council into disrepute as a result.
- 2.6 During the meeting the Monitoring Officer explained the process for dealing with complaints which was adopted by the Council in 2012 (see below). Mr Sharp stated that he did not wish to take part in the informal resolution process. This was confirmed in an e-mail from Mr Sharp on 4 May 2018. The e-mail exchange between Mr Sharp and the Monitoring Officer is attached at Appendix 4.
- 2.7 The Monitoring Officer provided a status update to Mr Sharp on 12 June 2018. A copy of the e-mail is attached at Appendix 5.
- 2.8 Mr Sharp requested a further meeting with the Monitoring Officer on 7 August 2018. Mr Sharp wanted to update the Monitoring Officer on some information he had received from Ashby Woulds Town Council. Mr Sharp provided the Monitoring Officer with a Powerpoint presentation which is attached at Appendix 6.
- 2.9 Mr Sharp remained concerned about the sequence of events surrounding the call-in of application 17/01327. He is concerned that there are different versions of what happened. Initially Councillor Bridges stated that he had received the request to call-in the application from Ashby Woulds Town Council. He forwarded that to the Development Control Team on 10 October 2017 and on receipt of the draft planning report concluded that there were not sufficient grounds to call the application into Committee. Effectively, the potential grounds from the parish did not crystalize into grounds on which he was prepared to exercise call-in. Mr Sharp was concerned that the response from the Town Council set out a different version of events. It stated that Councillor Bridges believed that he had called in the application, having used the same procedure on other occasions.

3. COMPLAINT 2 - MR REDFERN

- 3.1 Mr Redfern lives close to the Measham Road application site. The Monitoring Officer initially became aware of Mr Redfern's concerns in early 2018. Mr Redfern had been in correspondence with the then Head of Planning, raising concerns about the way that planning application 17/01327 had been dealt with. On 15 January 2018 Mr Redfern e-mailed the Monitoring Officer and requested that Councillor Bridges' involvement in the call-in of the application be looked into. Mr Redfern provided an extract from the minutes of Ashby Woulds Town Council (from 08.01.2018) in which Councillor Bridges stated that the application had been called in. A copy of the e-mail from Mr Redfern dated 15 February 2018 is attached at Appendix 7.
- 3.2 On 15 February 2018 the Monitoring Officer also received an e-mail from the clerk to Ashby Woulds Town Council requesting that the issue of call-in be clarified (Appendix 8).

- 3.3 Following the correspondence from Mr Sharp, Mr Redfern and Ashby Woulds Town Council, the Monitoring Officer met with Councillor Bridges and the planning case officer (separately) to establish the sequence of events surrounding the call-in of the application.
- 3.4 The Monitoring Officer responded to Mr Redfern on 21 March 2018 (Appendix 9).
- 3.5 Following further correspondence, Mr Redfern decided that he wished to make a formal complaint about Councillor Bridges' conduct. Mr Redfern met with the Monitoring Officer on 24 April 2018. Mr Redfern provided the Monitoring Officer with copies of annotated e-mail correspondence between himself and Councillor Bridges in support of his complaint. A copy of those papers is attached at Appendix 10. The Monitoring Officer explained the complaints process, invited Mr Redfern to give some thought to the outcomes he was seeking and consider whether he would be prepared to engage in the informal resolution process. Mr Redfern was initially reluctant to engage with the informal resolution process but on further consideration and advice from the Monitoring Officer decided that he would.
- 3.6 The Monitoring Officer met with Councillor Bridges on 1 May 2018. The purpose of that meeting was to outline the complaints which had been made by Mr Redfern and Mr Sharp, to discuss the complaints process and ask Councillor Bridges to consider whether he would be prepared to work with the Monitoring Officer and Mr Redfern to go through the informal resolution process. A copy of the e-mail dated 2 May 2018 from the Monitoring Officer to Councillor Bridges after the meeting is attached at Appendix 11.
- 3.7 The Monitoring Officer e-mailed Mr Redfern dated 2 May 2018 to update him on the meeting with Councillor Bridges and confirming Councillor Bridges' willingness to meet with Mr Redfern as part of the informal resolution process (Appendix 12).
- 3.8 There was an exchange of e-mails between Mr Redfern and the Monitoring Officer in which the wording of Mr Redfern's complaint was clarified as follows:
- "that Councillor Bridges has breached the Code of Conduct as he was not open and honest about the call-in request of the Measham Road application in both a series of e-mails to the complainant and by statements that he had made at Ashby Woulds Town Council meetings".
- 3.9 A meeting took place between Councillor Bridges, the Monitoring Officer and Mr Redfern on 4 June 2018. Mr Sebastian, Legal Team Manager, took notes of the meeting and circulated them to both Councillor Bridges and Mr Redfern afterwards. A copy of the note is attached at Appendix 13.
- 3.10 An outcome of the meeting was that Mr Redfern would set out any specific questions he had about the matter to Councillor Bridges via e-mail. Councillor Bridges would consider them and respond. Mr Redfern would consider the response and decide how he wished to move forward with his complaint.
- 3.11 Mr Redfern sent a list of questions to Councillor Bridges on 7 June 2018, attached at Appendix 14.
- 3.12 The Monitoring Officer contacted Councillor Bridges on 4 July 2018 and 13 August 2018 to find out whether progress had been made towards answering the questions posed by Mr Redfern (Appendix 15).

- 3.13 The Sub-committee will note that the Monitoring Officer requested that Councillor Bridges confirm whether he intended to respond to the questions by 24 August 2018. No response was received from Councillor Bridges and Mr Redfern confirmed that he wanted to pursue his complaint to the Sub-committee stage in an e-mail of 30 August 2018 (Appendix 16).
- 3.14 Subsequently and co-incidentally following a conversation with Councillor Bridges the Monitoring Officer learned that Councillor Bridges had not had access to his e-mails since mid August. He had not been aware of the deadline from the Monitoring Officer.
- 3.15 The Monitoring Officer sought support from IT Services to resolve the e-mail issue and clarified with Councillor Bridges whether he intended to respond to Mr Redfern's questions. Councillor Bridges confirmed that due to his current workload, he did not feel that he would be able to respond to the questions in the near future. He was conscious of the length of time the matter had been ongoing and did not wish to delay the matter further. The Monitoring Officer e-mailed both parties and confirmed the position on 5 September 2018 (Appendix 17).
- 3.16 The Monitoring Officer has concluded that the informal resolution process has not been successful and has therefore referred the matter to the Sub-committee, alongside the complaint from Mr Sharp, for consideration and decision.
- 3.17 The Monitoring Officer has consulted Mr Pearson, one of the Council's appointed independent persons on the matter before referring the complaints to Committee. Mr Pearson was supportive of efforts to resolve the complaints informally but understood that it was likely that the matter would need to be considered by the Assessment Sub-committee.

4. INFORMAL RESOLUTION PROCESS

- 4.1 Under the arrangements for dealing with complaints about councillors adopted by the Council in 2012, the Monitoring Officer has the opportunity, in the early stages of a complaint, to work with parties to see whether it is possible to resolve the matter informally. The process does not involve deciding whether the Code has been breached or not. It is about identifying an issue of concern and looking for ways to resolve it to the satisfaction of both parties. Although the informal resolution is very successful, there are some cases where it is not possible to resolve the complaint in this way. The Monitoring Officer will make a judgement on a case by case basis about whether and how far the informal route should be pursued before referring a matter to the Sub-committee for consideration.
- 4.2 In this case the willingness of Mr Redfern and Mr Bridges to co-operate with the process is noted. However, for the reasons outlined above, informal resolution is has not been successful.

5. INITIAL TESTS

- 5.1 Councillor Bridges is a current serving member of North West Leicestershire District Council. He was in office at the time of the conduct complained of. The complaint could, if proven, lead to a breach of the Code of Conduct.

6. INFORMATION FROM THE COMPLAINANT AND SUBJECT MEMBER

- 6.1 In response to a request from the Monitoring Officer, Mr sharp and Mr Redfern have confirmed that they have no additional information which they would like to make the

Monitoring Officer and Sub-committee aware of. They have both indicated that they are likely to attend the meeting in an observational capacity. Councillor Bridges has said that he is not able to attend the meeting but asked that an e-mail be brought to the attention of the Sub-committee. The e-mail, dated 13 September, is attached at Appendix 18.

7. ASSESSMENT OUTCOMES

71 The following outcomes are available to the Sub-committee under the Arrangements adopted by Council:

7.1.1 Refer the complaint to the Monitoring officer to take other action.

7.1.2 Request further information from the parties.

7.1.3 Refer the complaint to the Monitoring Officer for investigation.

7.1.4 No action to be taken in respect of the complaint.

8. CONSIDERATION AS TO WHETHER THE HEARING SHOULD BE HELD IN PRIVATE

8.1 Under the Council's Arrangements there is a presumption in favour of the hearing being held in public unless it is considered appropriate for it to be held in private.

8.2 In considering this aspect of the hearing the Sub-committee needs to consider what information is being presented before them.

8.3 Relevant facts to consider would be:

- the correspondence which gives rise to the complaint or is relevant to it between the parties;
- the issue was raised in a public meeting of Ashby Woulds Town Council and Councillor Bridges' statement to the meeting was minuted;
- the parties have been made aware of the Standards Committee process, including the likelihood of meetings being held in public and have not requested that any documents are kept confidential.

8.4 The Sub-committee will need to decide whether the hearing should be held in public or private. The Sub-committee will need to consider the public interest test. Is the public interest in holding the hearing in public outweighed or not by the public interest in excluding the press and public? The Sub-committee will need to make this decision at the start of the meeting.

9. REVIEW OF THE DECISION OF THE ASSESSMENT SUB COMMITTEE

9.1 The Assessment Sub-committee has the authority to allow or not a right of review of their decision to take no further action.

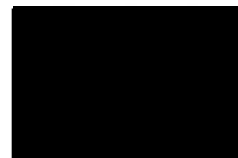
9.2 However, the complainant should be advised that no review will be granted unless further / additional evidence is submitted to the Monitoring Officer. It will be the decision of the Monitoring Officer as to whether such additional evidence warrants

another assessment.

- 9.3 This is to ensure a fair process and to avoid frivolous / vexatious appeals.
- 9.4 A request for review can be made at the time the Sub-committee makes its determination or within 30 days of the decision.

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Bev Smith
Chief Executive
North West Leicester District Council
Whitwick Road
Coalville
LE67 3FJ

8th December 2017

Dear Ms Smith,

I wish to bring to your attention my concerns regarding my experience whilst dealing with your Planning and Redevelopment Department and the members of the Planning Committee, with regards to the Peveril Homes development on Measham Road, Moira.

Since work started on this site in October 2015 I have advised your Enforcement Officers, initially Jim Wilmot and latterly Dean Flower, of breaches of planning conditions. Specifically: construction work starting before 8am; at weekends and on bank holidays; the burning of trade waste; and failure to comply with the conditions imposed by the Planning Committee when approving 16/1225/VCUM namely the provision of a land drain, and to reduce the ground levels around my property back to that shown on the Topographical Site Survey and shown on MOI-SS-01 which forms part of the approved plans.

During April 2017 I communicated with Dean Flower by email regarding the land drain and soil levels and wrote on 10th May 2017⁽¹⁾ since he was satisfied that the levels were acceptable, and again on 2nd July 2017⁽²⁾ since I had heard nothing from him. Mr. Flower had originally offered a site meeting but has since reneged on this. I confirmed the situation at that time to him in my email dated 26th July 2017⁽³⁾ In his reply email dated 28th July 2017⁽⁴⁾ Mr. Flower made it clear he did not intend to meet as originally offered and clarified that whilst obliged to investigate potential breaches, was not obliged to take action.

At this point I sought the help of my Ward Member Councillor John Bridges, my email of 29th July 2017⁽⁵⁾ refers. Cllr Bridges visited my home on 31st July at which time I reminded him that the conditions regarding the land drain and levels were applied to the planning approval of 16/1225/VCUM to protect my property from surface water run off from the now raised development site. We reviewed photographs of surface water in my garden taken at the end of 2016 and Mr. Flowers email responses and the impasse that now existed between us.

Cllr Bridges concluded the best way forward was to request a meeting with Planning and Development to review planning conditions, his email to Jim Newton and Chris Elston dated 1st August 2017⁽⁶⁾ refers and includes my contribution to the meeting agenda.

I have never been formally advised that this meeting would not take place but I have an email from Jim Newton to Ashby Wolds Town Council Clerk dated 5th September 2017⁽⁷⁾ in which he states he is

of the view a meeting is not necessary. This email was discussed at the AWTC meeting on 11th September. At the meeting Cllr Bridges clouded the issue by linking my concerns with those of other residents and stated he hoped to separate the issues at a meeting with Jim Newton. Subsequently, in his email 27th September 2017⁽⁸⁾ he has denied this despite the Council Minutes recording the facts as I understood them.

In an attempt to seek the help of the Planning Committee chair I wrote to Councillor Stevenson on 16th October 2017⁽⁹⁾ to date he has not replied nor acknowledged my letter. This remains the situation to date.

Furthermore in his email of 27th September 2017 Cllr Bridges alerted me to the fact that Peveril had submitted a planning application 17/01327/VCUM to raise the levels of plots 10 and 11. This impacts on my property in two ways: it further increases the risk to my property from flooding as shown on my drawing⁽¹⁰⁾; and impacts on my privacy. Both of these reasons were given for refusal of planning permission 15/00966/VCUM issued by Chris Elston on 14th October 2016⁽¹¹⁾

I am aware that other residents had approached Cllr Bridges to ensure this was 'called in' and on 9th October 2017 the AWTC voted to request him to do so, his email to a neighbour Mr. Redfern confirms and states he has advised District Council (DC) of his intention to call the application in⁽¹²⁾. Mr. Redfern has enquired of Cllr Bridges several times since then for confirmation that it was called in but his replies have been evasive.

I now understand from James Mattley in his email to Mr. Redfern dated 5th December 2017⁽¹³⁾ and the Officer Report for this application that Cllr Bridges decided the concerns raised (by myself, other residents, and the Parish) and the fact that the Planning Committee had previously refused these changes were not sufficient reason for refusal, and that on this basis no formal request had been made for the application to be heard by the Planning Committee. Planning permission was granted on 20th October 2017

I find this incredulous, not least because Cllr Bridges is Deputy Chair of the Planning Committee, but because he is aware of residents' concerns regarding flood risk; the lack of adherence to planning conditions which I have raised with him and the strength of local feeling. Even the owners of newly occupied plot 8 (now 14 Oaklands Drive) have objected since their garden suffers with surface water run off from the site.

I believe that residents have a good case to seek legal advice regarding the Councils officers approach and in particular Cllr Bridges lack of attention to council procedures. I look forward to receiving your comments.

For your information I have referenced the various documents referred to above and include copies of these for your attention. You will of course be able to obtain Officer's correspondence from them directly.

Yours faithfully

A large black rectangular redaction box covering the signature area.

Colin Sharp

JULIE FINUCANE

From: ELIZABETH WARHURST
Sent: 26 March 2018 12:17
To: Colin Sharp
Subject: Application 17/01327 measham road development

Dear Mr Sharp,

Thank you Thank you for your patience in allowing me to deal with this matter. I am sorry for the delay in replying to you. I am aware that there has been a lot of correspondence on this application and I wanted to be clear about the issue that I was looking into. In your letter of 8 December 2017 you raise issues about the actions of Cllr Bridges and whether he did or didn't call in the application to planning committee and the sequence of events. That is the matter which I have made enquiries about. I have not conducted an informal investigation, this is something which I am not able to do unless commissioned to do so by the Standards Committee. I haven't treated this as a complaint under the Members Code of Conduct. I have set out further details about that process below.

I have now had the opportunity to speak to Cllr Bridges and James Mattley, the Planning Officer who dealt with this application. I am aware that you have had correspondence with Mr Newton and Mr Mattley on a range of issues. I haven't re-examined those.

When I met with Cllr Bridges he explained that he had emailed the Council's Development Control Team on 10 October 2017, the email says "please can you read the call in request from the Parish". He was referring to an email from the Clerk at Ashby Would Town Council to Development Control dated 10 October 2017. That email sets out the three grounds on which the Parish Council is objecting and states "I have forwarded a copy of this email to Councillor John Bridges with a request to call in this application".

Councillor Bridges is aware that Parish Councils can't call in applications to planning committee. He recognised that the wording of the email from him to Development Control on 10 October could have been much clearer, stating whether he wanted to call in the application or not. He explained that he always considers carefully whether to call in applications and will only do so where there are good planning grounds. At the time of these two emails he was aware that the application was being considered by officers, he discussed it with Mr Mattley and was awaiting the draft officer report to be written so he could see what the officers response was to the grounds raised by the Parish Council. Once he saw that report, he then concluded that he didn't think there were sufficient grounds to call in the application. Effectively, the potential grounds set out in the email from the parish didn't crystalize into grounds on which Cllr Bridges was prepared to exercise call in.

I talked to Cllr Bridges about whether it would have been helpful to explain to the Parish what was happening, he acknowledged that it probably would have been. There is no obligation on members to notify people about whether they will or won't be calling an application in. It's a matter of the members judgement and good practice as to how they manage their case work.

I have spoken to Mr Newton about improving the way in which these issues are recorded on the file, for example, by sending follow up emails after meetings or telephone calls to record the outcome of that discussion. Here it would have been helpful to have been able to refer to an email from the planning officer to Cllr Bridges which confirmed the discussions which had taken place, what had been decided in relation to call in by Cllr Bridges and why.

You have not raised this but I thought I would offer some information about making a complaint about members conduct. As you may know, all members of the district and parish councils are required to abide by the members code of conduct. If someone feels that the code of conduct has been breached then they can make a formal complaint to me as Monitoring Officer. In that complaint its helpful to explain which parts of the code have been offended and outcome which is being sought. Under the arrangements for dealing with complaints that the Council adopted in 2012, I am required to work with the parties to see whether the complaint can be resolved informally. This is dealt with confidentially to enable parties to speak freely and work towards resolution.

If I conclude that the complaint cannot be resolved informally, then I refer the matter to the Initial Assessment Sub-committee. This is usually a public meeting and they will decide whether to take any further action on the complaint or not. They can request that I undertake an investigation into it to determine whether the complaint has been breached. I usually ask another MO from a Council to do this work. There would then, at the end of the investigatory process, be another report to a Hearing Sub-committee who would make a determination on the complaint. If it is found that the complainant has breached the code, then the sanctions are quite limited and range from censure to training and request to the group leader to remove the member from their seats on committees. There is no power to suspend a member from office.

I hope that the above addresses your question about this matter in relation to Cllr Bridges and call in.

Kind Regards

Elizabeth Warhurst
Head of Legal and Commercial Services and MO

Meeting with Elizabeth Warhurst

Monday 30th April

Purpose

- We believe Councillor Bridges has breached the Members' Code of Conduct.
- The purpose of this meeting is to discuss the background to this.
- To receive guidance on making a formal complaint.

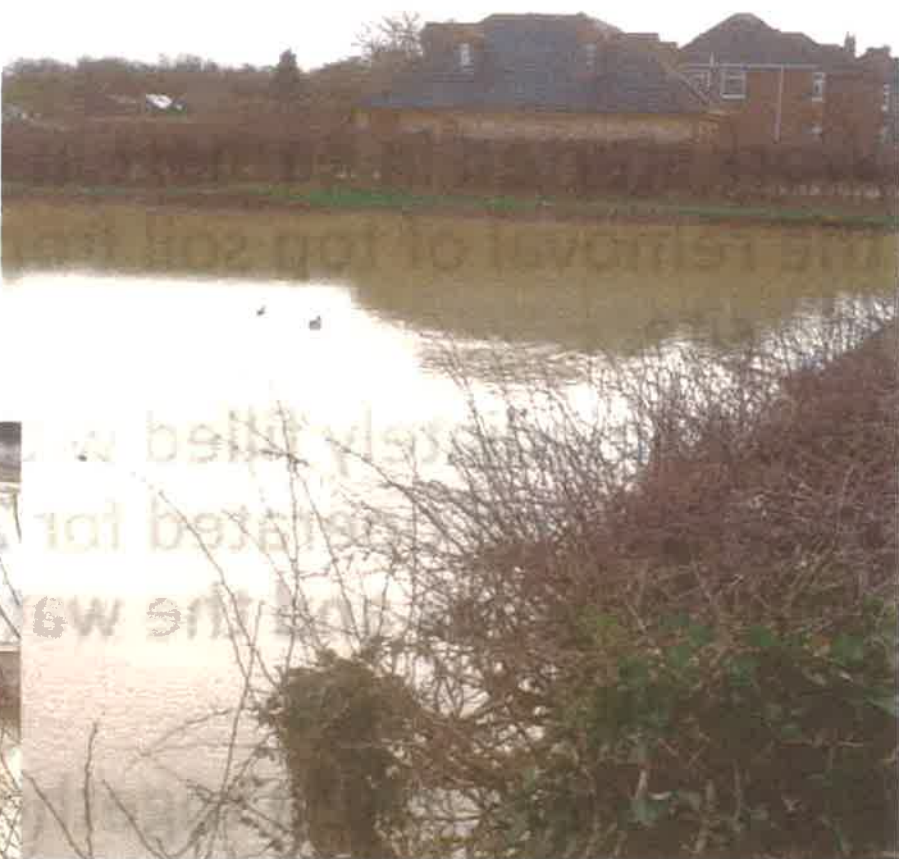
Background

For over 30 years proposals to build on the site on Measham Road, Moira have come to nothing because of concerns of:

- Flood Risk - low lying land liable to flooding
- Combustion risks and water rebound from abandoned coal mines.
- Presence of Springs – adding to the risk of flooding

We moved to Moira in May 2014 with the knowledge of the planned development and the low lying nature of the adjacent field.

We are not unhappy with the development but the way we have been represented throughout this democratic procedure.



The Development

Work started in earnest in October 2015 with the removal of top soil from the lower level of the site.

This immediately filled with water. Pumps were installed and operated for 24 hours per day 7 days per week and the water level temporarily reduced.

Pumps were in use together with settlement tanks for more than nine months.

The digging of foundations for plots 2 to 5 commenced in November and flooding returned submerging foundations.



Throughout December 2015 water continued to build up until it became a threat to our property. At which point we contacted the Developer and NWLDC to no effect.

References:

- 1. Letter to Tom Broster 6th January 2016.*
- 2. E mail to Chris Elston 6th January 2016*
- 3. E mail from Chris Elston 23rd February 2016*

Developer raised ground around plots 2 to 5 and excavated a vee ditch around my property to divert the water away from the workings in order to make progress.



We start to look in detail at the flood risk assessment.

The Environment Agency were aware of surface water flooding and mines but did not object on these grounds. They also stated they were unaware of other sources of flood risk present on the site.

For each subsequent planning amendment they had no objections even though they were now aware of these additional risks.

Reference :

4. Letter to MP from EA 17th May 2016.

In May 2016 Peveril Homes retrospectively apply to raise the finished floor levels of plots 2 to 11 after residents became aware of significantly new heights and brought this to the attention of enforcement.

This prompted a meeting of residents with the Ward Member John Bridges who advised on potential action.

References:

5. Planning application 15/00966/VCUM 23rd May 2016.

6. Objection letter 31st May 2016.

In June 2016 for the first time in our experience our back garden flooded with clay coloured water from the site.



References:

- 7. Email to Tom Broster 15th June 2016.*
- 8. E mail from Tom Broster 15th June 2016*

At the Planning Committee meeting on 6th September 2016 the application was deferred to give the Developer time to provide more information regarding mitigating the risks of flooding.

The Developer immediately resubmits application with veiled threats if it is not approved.

References:

9. Letter from Simon Chadwick to Chris Elston 13th September 2016.

Flooding continues to be an issue for the Developer as this picture of plot 1 foundation demonstrates.



At the Planning Committee meeting on 4th October 2016 the application was refused on the grounds of:

- Increased flood risk contrary to NPPF guidelines.
- Impact on privacy contrary to Policy E3 and D2

The District Council steer refusal away from plots 2 to 9 referring only to plots 10 and 11 in refusal notice.

Reference:

10. Refusal notice dated 14th October 2016.

Enforcement allowed Developer to continue to work on plots 2 to 9 leaving residents with the impression that the application would be ultimately allowed. Residents complained but this was not upheld.

On the 14th October 2016 John Bridges met with the Developer and members of the local Planning Authority to discuss the refusal, and advised residents that Peveril Homes were to seek a meeting with residents to find an acceptable way forward once their proposals were available for review by residents.

By the end of October Peveril homes had made a new planning application 16/01225/VCUM without consulting residents!

Reference:

11. Letter to Tom Broster 31st October 2016.

On 4th November 2016 Developer holds a meeting with residents, planners and John Bridges.

The meeting was not very constructive. Everything proposed was rejected by the Developer at that time.

The Developer subsequently confirmed that plot 10 and 11 would be removed from the application and proposed to amend the ground levels around the properties on Measham road to ensure they are equivalent or below the original ground levels.

Reference^s:

12. My drawing showing water run off.

13. Letter from Paul Stone to Chris Elston 10th November 2016.

Just prior to the planning meeting on 6th December 2016 after heavy rain caused flooding of my garden again, the Developer dug a trench to draw the water away from my garden(into plot 8) and offered to install a land drain to be fully functional within four months.



At the planning meeting on 6th December John Bridges, Deputy Chair of the Planning Committee emphasises how the Developer met with residents in a constructive meeting. Jim Newton miss quotes me and states how a land drain is now working, and councillors agree that the flooding has now been resolved!

This together with plots 10 & 11 now removed from the application it was approved.

Reference:

14. Minutes of planning meeting 6th December 2016 .

The Developer continued to build up the rear of plots 6 to 9 contrary to the planning conditions and over a period from May to July 2017 I communicated this to the enforcement officer.

A meeting was offered but then withdrawn.

Finally the enforcement officer wrote that whilst he was obliged to investigate potential breaches of planning he is not obliged to take action.

Reference :

15. E mail to Dean Flower 28th July 2017.

I contacted John Bridges our Ward Member with regard to enforcing the planning conditions. He proposed asking for a meeting with planning and issued an agenda. Jim Newton was of the opinion a meeting was not necessary.

This was raised at the Ashby Woulds Town Council meeting on 11th September 2017 and Councillor Bridges stated he was to meet with Jim Newton to get the issues clarified. Subsequently he denied this was what had been agreed although it is minuted thus.

Reference:

16. Minutes of meeting AWTC 11th September 2017.

By December 2017 it was unclear if councillor Bridges had called-in the application and the AWTC resolved to clarify the situation at their meeting on 11th December.

At the January meeting of AWTC Councillor Bridges stated that he felt exonerated because:

- Planning officer had accepted it was called-in.
- It was discovered after the time limit.
- The Chair of the planning Committee was approached as he has discretion to allow a call-in. He considered it not in the authorities interest to bring the application before the committee

References:

18. Minutes AWTC 11th December 2017.

20th September 2017 Peveril Homes apply to
raise the levels of plots 10 and 11!
17/01327/VCUM

This exactly as the refused application.

On 10th October 2017 AWTC ask John Bridges to
call-in the above application on the same
grounds it had already been refused i.e. on the
grounds of flooding and privacy.

Even the new owners of plot 8 object on privacy
and flooding grounds.

Reference!17

↳ *Letter of objection from Martin Goldby 8th October 2017*

After the AWTC meeting in February the council resolved to seek further advice from the Monitoring Officer and to ask her to investigate the calling-in of the application.

We now have your findings which conclude that Councillor Bridges did not think there were sufficient grounds to call-in the application.

Councillor Bridges chose not to inform AWTC or residents of this decision indeed he avoided the question and misled both the council and residents.

We feel that ever since the refusal of the planning application in October 2016 that the planning officers and John Bridges have deliberately manipulated the planning process by:

- Steering the refusal notice away from plots 10 and 11
- Emphasizing the Developer was co-operating with Residents
- Not enforcing planning conditions
- Not calling in the application
- Approving the application despite continuing flooding and objections.

Councillor Bridges:

- Was aware of the refusal issued in October 2017 and the reasons given at that time which are still valid..
- Was aware of planning conditions not being enforced.
- Was aware of increased flooding to new properties on the development as well as existing residents.
- Did not call-in the application as requested to do but told the AWTC that he had.

Councillor Bridges:

- Has told lies.
- Has been deceitful.
- Has not been open and honest.
- Has not supported the principles of public life by leadership and example.
- Has robbed us of the chance to address the Planning Committee with our objections.
- Has brought his office into disrepute.

JULIE FINUCANE

From: ELIZABETH WARHURST
Sent: 08 May 2018 08:57
To: Legal Admin
Subject: FW: Confidential: complaint about Cllr Bridges

For the file

From: ELIZABETH WARHURST
Sent: 08 May 2018 08:57
To: 'Colin Sharp' [REDACTED]
Subject: RE: Confidential: complaint about Cllr Bridges

Dear Mr Sharp,

Thank you for your prompt reply to my email. I have noted that you do not wish to meet with Cllr Bridges and you do not wish to participate in the informal resolution process. I will await the outcome of the informal resolution process on the other complaint before taking steps to convene an initial assessment sub-committee for the reasons set out below. I am not able to say when the meeting will be as yet as it depends on the informal resolution process of the other complaint, members and my availability.

I will update you when I have something useful to say.

Kind Regards

Elizabeth

From: Colin Sharp [mailto:[REDACTED]]
Sent: 04 May 2018 13:44
To: ELIZABETH WARHURST <ELIZABETH.WARHURST@NWLeicestershire.gov.uk>
Subject: RE: Confidential: complaint about Cllr Bridges

Dear Ms Warhurst,

Thank you for the opportunity to discuss this matter with you on Tuesday. Regarding the informal resolution process, any possible outcome of this stage would not resolve the issues addressed in my complaint, and therefore I confirm I do not wish to meet with Councillor Bridges but to progress to the next stage.

Regards

Colin Sharp

Sent from Mail for Windows 10

From: ELIZABETH WARHURST
Sent: 02 May 2018 15:48
To: Colin Sharp
Subject: Confidential: complaint about Cllr Bridges

Dear Mr Sharp,

Thank you for attending the rearranged meeting with me on Tuesday. I have taken your slide presentation as your complaint, with the last 2 slides detailing your concerns and how they may relate to the code of conduct.

I wanted to let you know that I have now met with Cllr Bridges and he is willing to meet with Mr Redfern to discuss the complaint as part of the informal resolution process. I am aware that you have said that you do not wish to meet Cllr Bridges and we did discuss the informal resolution stage when we met. I would urge you to think again please about whether you would be prepared to meet Cllr Bridges. It is important that the informal resolution process is given a chance. If you are not content with the outcome of any meeting then you can still pursue the complaint through the process. The Initial assessment sub committee are keen to see that parties have tried to achieve a resolution. If you could let me know your decision on this please, that would be most helpful.

If you feel you are able to meet then I will look to arrange a meeting with Cllr Bridges. If you decide that you would rather not, then I will conclude that informal resolution has not been successful and convene an initial assessment sub-committee. Given that there is another complaint running, I will wait until I know the outcome of that informal resolution process before arranging the committee, so I know if I am including 1 or 2 complaints in the report.

I will keep you updated when I have something useful to tell you. in the meantime, if you would like to speak to me to ask any questions, please do so.

Regards

Elizabeth



You can report, request and pay for things online at www.nwleics.gov.uk

----- Email confidentiality notice -----

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JULIE FINUCANE

From: ELIZABETH WARHURST
Sent: 12 June 2018 14:16
To: Colin Sharp
Subject: FW: Confidential: complaint about Cllr Bridges

Dear Mr Sharp,

I wanted to update you on the progress which has been made on the parallel complaint which has been submitted about Cllr Bridges. As you know, Mr Redfern agreed to meet with Cllr Bridges to discuss the issues arising from Cllr Bridges complaint. That meeting took place on 4 June. Both parties took some actions away from the meeting with a commitment to undertake what they had agreed to do. Mr Redfern would then consider the position, how he felt about his complaint and decide what the next steps would be, whether that be another meeting or something else.

I am conscious of both Mr Redfern and Cllr Bridges availability over the next few weeks and I said that I would check in with them towards the end of the month or early July to see what progress had been made.

I would still like to wait for the outcome of this step in the informal resolution process before convening an initial assessment sub-committee to deal with your complaint. It makes sense to deal with both at the same time, if needs be.

I will update you again when I have something useful to say.

Regards

Elizabeth

Meeting with Elizabeth Warhurst

Tuesday 7th August

Review of Status To Date

October 2017 -AWTC Ask Councillor Bridges to Call In Planning Application.

October 2017 -Officer Report issued and sent to Cllr Bridges giving him a second chance him to call-in the application.

December 2017 -AWTC were alerted to the fact that that no formal call-in request had been made.

January 2018 -Bev Smith asks Monitoring Officer to Investigate.

January 2018 -At AWTC Meeting Cllr Bridges states:

- Planning Officer accepts it was called in.
- It was discovered after the time limit.
- He was upset that he was thought not to have called it in.

February 2018-AWTC agree they have not been given a clear explanation and ask Monitoring Officer to Investigate.

March 2018 -Monitoring Officer emails her findings:

- Cllr Bridges had concluded there were insufficient grounds for him to call-in the application.

April 2018 -At AWTC Meeting I drew to their attention the discrepancy between Cllr Bridges account to the Council and the account he gave to The Monitoring Officer, and asked the council to take action.

May 2018 -We meet with Monitoring Officer to discuss a formal complaint against Cllr Bridges.

Latest Developments

Mr. Redfern pursues a formal complaint against Cllr Bridges and agrees to meet informally as a first step.

AWTC conclude it's enquiries and report:

- Cllr Bridges did, with the best of intention believe he had called it in.
- A procedure had been used to call it in which had been used previously without difficulty and had not been challenged before.
- The Council is disappointed and frustrated the call-in went badly wrong.
- In the Interest of future working relationships the Council do not feel there are any grounds for further action and consider the matter closed.

Conclusion

AWTC Findings are contrary to your own.

Cllr Bridges has once again deceived the Council, he has not been honest and has brought the Council into disrepute.

The Council has accepted Cllr Bridges explanation and considers the matter closed.

This needs to be take into account when you refer the matter to the Initial Assessment Sub-Committee.



Ashby Woulds Town Council

17 Ashby Road
Moira
Swadlincote
Derbyshire
DE12 6DJ

Tel: 01283 552784

24th July 2018

Dear Mr Sharp

Application 17/01327/VCUM Measham Road Moira

The Town Council has concluded its enquiries into the calling in of application 17/01327/VCUM and it was agreed we would inform you of the outcome.

A call in of the application was specifically requested by the town council and so the first step was to ask the monitoring officer to look into what happened at the time that it was thought that Cllr Bridges had called in the application. A sequence of events was established and Cllr Bridges had sent an email to the planning officer. Unfortunately, the wording of the email was not clear and failed to state whether he wanted to call in the application or not.

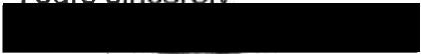
It is acknowledged that Cllr Bridges did with the best of intention believe he had called it in but the request failed as the correct procedure was not followed. We understand it was a procedure used on previous occasions without any difficulty and had not been challenged before. The Town Council is extremely disappointed and frustrated that the call in on this occasion went badly wrong.

We are aware of improvements to the way in which planning issues are recorded and since this situation arose there has been a planning peer challenge and review which has resulted in major changes to the planning system as a whole. It does not however change what has happened but we hope will prevent such an error occurring again.

We have met with Cllr Bridges and written to him to set out the standard expected by the town council and to ensure the correct procedure will be followed in the future.

Having discussed the calling in at several meetings and in the interests of future working relationships we feel there are no grounds to take any further action and consider the matter now closed.

Yours sincerely


Cllr John Perry
Mayor
Ashby Woulds Town Council.

JULIE FINUCANE

From: Roy Redfern <[REDACTED]>
Sent: 15 February 2018 08:26
To: ELIZABETH WARHURST
Cc: clerk@aw-tc.co.uk
Subject: Application 17/01327/VCUM. Measham Road Development

Dear Ms Warhurst

Over these past weeks Jim Newton and myself have been copying you into our emails regarding the calling in of above planning application and so you will be aware I have been asking questions trying to establish why the application was not called in when Cllr Bridges said he had called it in. You will also be aware James Mattley and Mr Newton have not been very forth coming in answering my questions. There is one question which Mr Newton has totally ignored in fact he has took the stance not to reply to my emails which I find quite rude and so now appeal to yourself to get this question answered sooner rather than later, I could apply through FOI which would then drag this situation on even longer, but thought you have the authority to interview the officer's and access such information and so would ask the following:

On the 11th October 2017 Cllr Bridges in an email to me confirmed that he stated in emails and discussions with Jim Newton and James Mattley that he would be calling in this application.

My question:

Did Mr Newton or any other officer prior to 10th October 2017 receive an email from Cllr Bridges stating this intention, or did no such email exist, yes or no? If yes then I would be obliged if you could forward me a copy please?

So that there is no confusion the email that I refer to has no link to the Parish request only my own on behalf of Measham Road Residents.

On the 8th January 2018 Cllr Bridges addressed the Ashby Woulds Town Council meeting making a statement about the call-in that completely contradicts what the planning officer's say, which makes this a relevant question that needs to be clarified.

James Mattley and Jim Newton both state no call-in request was received, Cllr Bridges states otherwise.

For your information I have attached a copy of the minutes when Cllr Bridges addressed the Town Council meeting.

I look forward to your earliest reply.

Kind Regards

Roy Redfern
Measham Road Resident

ASHBY WOULD'S TOWN COUNCIL

152 DISTRICT COUNCIL

District Cllr Bridges updated the meeting on district matters for the Moira Ward.

- The Woodlands, Bath Lane – complaint received regarding the recent planning applications. Complaint is being investigated.
- Trees at Briton Lodge Close – meeting held with tree officer and residents. Tree officer accepts there is some damage to driveways. Residents to submit application for trees to be removed and replaced.
- Measham Road – Planning officer Mr Mattley has accepted that a request to call in was received. However, as it was discovered after the time limit had elapsed the Chairman of the Planning Committee was approached as he has the discretion to allow a call in after the deadline. He took advice and it was considered not in the authority's interest to bring the application before the committee. District Cllr Bridges added that he was quite upset that he was thought to have not called it in when he did.

JULIE FINUCANE

From: Town Clerk <clerk@aw-tc.co.uk>
Sent: 15 February 2018 11:15
To: ELIZABETH WARHURST
Subject: ENQUIRY FROM ASHBY WOULD'S TOWN COUNCIL

Dear Elizabeth,

I am instructed to request your help please regarding a planning matter and a query regarding the calling in of a planning application for a development by Peveril Homes at Measham Road, Moira. Application Reference 17/01327/VCUM.

There is clearly some confusion between the ward member Councillor John Bridges and the planning team as to how and when the application was called in. The planning case officer James Mattley has informed us the application was not called in even though Councillor Bridges insists that it was and consequently the application was not put before the planning committee. We are aware Councillor Bridges later spoke to the Chair of the Planning Committee who did not support the application being put before the committee but our understanding is that had it been called in within the 3 week call in period it would have been automatically referred.

This development is an extremely sensitive issue for residents. All activities on site are closely monitored and all planning applications carefully considered. The latest application was considered by the town council on 9th October and a request made to Councillor Bridges to call it in verbally at that meeting giving planning grounds and this was confirmed in writing the following morning. At least two residents also made requests to Councillor Bridges to call it in prior to the meeting. The residents are very upset the application was not called in and have asked us to clarify what has happened. Unfortunately from the conflicting information we have received so far we are not able to do that.

We would like your assistance to ascertain an accurate account of the calling in of this application. I can provide more information, minutes of our meeting and emails from residents should you require further details.

Thank you for your time and assistance.

Kind regards

Andrea Robinson
Ashby Would's Town Clerk

JULIE FINUCANE

From: ELIZABETH WARHURST
Sent: 21 March 2018 08:46
To: Roy Redfern
Subject: RE: Application 17/01327/VCUM. Measham Road Development

Dear Mr Redfern,

Thank you for your patience in allowing me to deal with this matter. I have now had the opportunity to speak to Cllr Bridges and James Mattley, the Planning Officer who dealt with this application. I was looking into the issue of what Cllr Bridges did regarding application 17/01327, did he call it in or not and the sequence of events. I am aware that you have had correspondence with Mr Newton and Mr Mattley on a range of issues. I haven't re-examined those. Also, as I explained in an earlier email, I haven't treated this as a complaint under the Members Code of Conduct.

When I met with Cllr Bridges he explained that he had emailed the Council's Development Control Team on 10 October 2017. You have a copy of that email and it says "please can you read the call in request from the Parish". He was referring to an email from the Clerk at Ashby Would Town Council to Development Control dated 10 October 2017. I understand you have that email as well and, in summary, it sets out the three grounds on which the Parish Council is objecting and states "I have forwarded a copy of this email to Councillor John Bridges with a request to call in this application".

Councillor Bridges is aware that Parish Councils can't call in applications to planning committee. He recognised that the wording of the email from him to Development Control on 10 October could have been much clearer, stating whether he wanted to call in the application or not. He explained that he always considers carefully whether to call in applications and will only do so where there are good planning grounds. At the time of these two emails he was aware that the application was being considered by officers, he discussed it with Mr Mattley and was awaiting the draft officer report to be written so he could see what the officers response was to the grounds raised by the Parish Council. Once he saw that report, he then concluded that he didn't think there were sufficient grounds to call in the application. Effectively, the potential grounds set out in the email from the parish didn't crystalize into grounds on which Cllr Bridges was prepared to exercise call in.

After consultation with the Chairman of the Planning Committee, where he decided that he wouldn't have accepted a call in of this application, the application then went on to be determined and Mr Newton has detailed this part of the process in his responses to you.

I talked to Cllr Bridges about whether it would have been helpful to explain to the Parish what was happening. As Mr Newton explained, there is no obligation on members to notify people about whether they will or won't be calling an application in. It's a matter of the members judgement and good practice as to how they manage their case work.

I have spoken to Mr Newton about improving the way in which these issues are recorded on the file, for example, by sending follow up emails after meetings or telephone calls to record the outcome of that discussion. Here it would have been helpful to have been able to refer to an email from the planning officer to Cllr Bridges which confirmed the discussions which had taken place, what had been decided in relation to call in by Cllr Bridges and why.

You have not raised this but I thought I would offer some information about making a complaint about members conduct. As you may know, all members of the district and parish councils are required to abide by the members code of conduct. If someone feels that the code of conduct has been breached then they can make a complaint to me as Monitoring Officer. In that complaint its helpful to explain which parts of the code have been offended and outcome which is being sought. Under the arrangements for dealing with complaints that the Council adopted in 2012, I am required to work with the parties to see whether the complaint can be resolved informally. This is dealt with confidentially to enable parties to speak freely and work towards resolution.

If I conclude that the complaint cannot be resolved informally, then I refer the matter to the Initial Assessment Sub-committee. This is usually a public meeting and they will decide whether to take any further action on the complaint or not. They can request that I undertake an investigation into it to determine whether the complaint has been breached. I usually ask another MO from a Council to do this work. There would then, at the end of the investigatory process, be another report to a Hearing Sub-committee who would make a determination on the complaint. If it is found that the complainant has breached the code, then the sanctions are quite limited and range from censure to training and request to the group leader to remove the member from their seats on committees. There is no power to suspend a member from office.

I hope that the above addresses your question about this matter.

Kind Regards

Elizabeth Warhurst
Head of Legal and Commercial Services and MO

From: Roy Redfern [REDACTED]
Subject: Application 17/01327/VCUM
Date: 25 Sep 2017 at 09:17:28
To: john.bridges@nwleicestershire.gov.uk

Hi John

No doubt you will be aware that Peveril Homes have once again applied to increase the levels of plots 10 and 11 at the rear of our properties, please find attached a copy of my objection letter and so would ask if you could arrange for this new amended application to be called in and look forward at some point to confirmation of this.

Best Regards

Roy

From: Roy Redfern <[REDACTED]>
Date: 25 September 2017 at 08:42:47 BST
To: CHRIS.ELSTON@NWLeicestershire.gov.uk
Subject: Application 17/01327/VCUM

Proposal: Variation of Condition 2 of Planning Permission 16/01225/VCUM to amend the finished floor levels of plots 10 and 11

Dear Mr Elston

I strongly object to this new planning application on the grounds of increased levels to plots 10 and 11 and would refer you to reason 2 which planning application 15/00966/VCUM was refused back in 2016 NWLDC Refusal of Planning Permission (Town and Country Planning Act 1990) dated 14th October 2016 signed by yourself.

" Policy E3 of the adopted Local Plan and Policy D2 of the submitted Local Plan seeks to prevent development which would be significantly detrimental to the amenities enjoyed by the occupiers of nearby dwellings. The proposal, by virtue of the raising of the levels at plots 10 and 11 , would result in an

unacceptable impact upon the privacy of existing residents at No.s 45 - 53 Measham Road and therefore, would be detrimental to the amenities of the occupiers of surrounding dwellings. The proposal would be contrary to policy E3 of the adopted Local Plan and Policy D2 of the submitted Local Plan "

I find it disturbing that Peveril Homes could be so devious to manipulate the planning system in this way and would remind the Council of a letter from the Developers consultants, Stone Planning Services Ltd, dated 10th November 2016 addressed to yourself, to considerations made by the Developer taken from a meeting that was held on the 4th November 2016 between the Developer, their Consultants, local residents and various Council Officials. This quotes the submission of a revised Section 73 Application stating they no longer wish to increase the slab levels of plots 10 and 11 such that the levels would revert back to that of the original approved application 13/00183/FULM. This now appears to have been a devious, despicable act to pacify the Planners and local residents, which concluded in application 16/01225/VCUM being approved.

By virtue of the developments planning history this new application needs to be brought before and debated once again by the Planning Committee and not just a procedural tick box exercise. What the developer has done is increase the plot levels back to that of application 15/00966/VCUM WHICH WAS REFUSED. I will therefore be writing to Councillor John Bridges to request this application be called in. To permit would make a mockery of the Planning System.

Roy Redfern

Measham Road Resident

From: bridges [REDACTED]
Subject: Re: Fwd: Application 17/01327/VCUM
Date: 26 Sep 2017 at 07:51:44
To: Roy Redfern [REDACTED]

Hi Roy.

I am away until Sunday and I'll touch base with you then.

Regards

John

HE NEVER CONTACTED ME, BUT PRESUMED IT HAD
BEEN CALLED IN -

Sent from my Samsung Galaxy smartphone.

From: Roy Redfern [REDACTED]
Subject: Measham Road
Date: 26 Sep 2017 at 07:54:06
To: john.bridges@nwleicestershire.gov.uk

No probs thanks John

Regards

Roy

15 days later

On the 9th October 2017 I went to a Town Council meeting and Cllr Bridges was there so I asked him if his call- in request had been accepted, I could not believe it when he said he had done nothing about it, stating he wanted to ask for the backing of the Town Council. At this point he had two days left to call-in the application.

On the first part of the call-in procedure there is a strict three week deadline

From: Roy Redfern [REDACTED]
Subject: Application Ref: 17/01327/VCUM
Date: 10 Oct 2017 at 09:50:42
To: john.bridges@nwleicestershire.gov.uk, Susan McKendrick
[REDACTED], [REDACTED] Eddie
Shephard [REDACTED], Town Clerk clerk@aw-tc.co.uk

Proposal: Variation of Condition 2 Planning Permission 16/01225/VCUM to amend the finished floor levels of plots 10 and 11

Dear John

At the Ashby Woulds Town Council meeting last night I was very disappointed to hear you say that you had done nothing about my request on behalf of Measham Road residents to call in this new application, in your email dated 26 September 2017 you said you would get in touch the following Sunday you did not, that was nine days ago, you are fully aware the time scale set for this procedure expires on the 11th October yet you did nothing not even a call to explain why. In the meeting you used the word tenuous I have found nothing tenuous about the last twelve months with the continuous conflict of all the amended applications with increased levels we have had to fight regarding Plots 10 and 11 which were all called in and debated on by the Planning Committee Members, nothing has changed the same Material Planning Considerations still apply and so refer you to Refusal of Planning Permission for Application 15/00966/VCUM decision date 4th October 2016 the two refusal reasons both still apply even residents living on the new development have been affected by water, so reason 1 now applies to them.

In view of the two days we have left to call in this application, once again on behalf of Measham Road residents nos 45 to 53 I ask most urgently if you would call in this new amended Planning Application. At the meeting the Town Councillors all voted in favour to ask the same and will also be writing to you.

Regards

Roy Redfern

From: Town Clerk [REDACTED]
Subject: RE: Application Ref: 17/01327/VCUM
Date: 10 Oct 2017 at 10:07:03
To: Roy Redfern [REDACTED]
Cc: [REDACTED]
[REDACTED] Eddie Shephard
[REDACTED], Colin Sharp [REDACTED] John
Perry [REDACTED]

Good morning Roy,

Thank you for copying me into your email.

I emailed Cllr Bridges earlier this morning to request this application is called in on the grounds of public interest, the continued risk of flooding and on the basis previous conditions have not been met. I have also made the case officer James Mattley aware of the situation.

Regards

Andrea
AWTC Clerk

Subject: Re: Application Ref: 17/01327/VCUM

Date: 11 Oct 2017 at 06:58:15

To: Roy Redfern

john.bridges@nwleicestershire.gov.uk, Susan McKendrick

Eddie

Shephard, Town Clerk clerk@aw-tc.co.uk

Hi Roy,

I did not make myself clear at the meeting so this is confirmation that I did fully state in my emails and discussions with James Mattley and Jim Newton that we would be calling this in. As I explained at the Parish meeting and in discussion with Parish due to the complexity with differing opinions and for clarity I wanted the Parish to be supportive of the Call In, which they are.

* I have emailed once again to DC formally that it is our intention to call this Application in.

I am sorry for any confusion that I may have caused which was not my intention.

Regards

John

* JAMES MATTLEY HAS NO RECORD OF THESE EMAILS

* JAMES MATTLEY SAID THIS IS THE ONLY EMAIL THEY HAVE

After Johns email on the 11th October 2017 I was expecting to receive a letter from the District Council telling me I have the right to speak at the Planning Committee Meeting.

It never arrived, so after five weeks I started to feel a little uneasy and emailed John to ask him for an update on the call- in.

Dates to bear in mind when you read these next emails:

Planning Permission was granted by a delegated decision on the 20th October 2017

I was not made aware it had been granted till 5th December 2017 by James Mattley

And of course John had took the decision not to support the call-in.

From: Roy Redfern [REDACTED]
Subject: Planning Application Ref: 17/01327/VCUM
Date: 18 Nov 2017 at 09:23:01
To: john.bridges@nwleicestershire.gov.uk, [REDACTED]

Proposal: Variation of Condition 2 of Planning Permission 16/01225//
VCUM to amend the finished floor levels of plots 10 and 11

Hi John,

Have you any news yet regarding the call in of this new amended planning application has a decision been made yet to allow or disallow , I would be obliged if you could let me know or if not when a decision is likely to be made.

Kind Regards

Roy

From: Roy Redfern [REDACTED]
Subject: Re: Application 17/01327/VCUM
Date: 24 Nov 2017 at 15:38:16
To: Town Clerk clerk@aw-tc.co.uk

Hi Andrea

Have you heard anything yet regarding the call in of the Measham Road application.

Regards

Roy

6 DAYS LATER No Reply from John
SO EMAILED TOWN CLERK.

From: clerk@aw-tc.co.uk
Subject: Re: Re: Application 17/01327/VCUM
Date: 24 Nov 2017 at 15:38:18
To: [REDACTED]

I am currently out of the office. For urgent enquiries please contact the Mayor Sue McKendrick on [REDACTED] or email [REDACTED]

off work.

From: Roy Redfern [REDACTED]
Subject: Re: Planning Application Ref: 17/01327/VCUM
Date: 29 Nov 2017 at 10:19:03
To: JOHN BRIDGES JOHN.BRIDGES@NWLeicestershire.gov.uk

Thanks John

I look forward to an update tomorrow

Regards
Roy

Sent from my iPad

On 29 Nov 2017, at 09:50, JOHN BRIDGES
<JOHN.BRIDGES@NWLeicestershire.gov.uk> wrote:

Hi Roy.

I have only just received your email and I chase tomorrow in my meeting with Chris.

John Bridges

From: Roy Redfern [REDACTED]
Sent: 28 November 2017 14:03:53
To: JOHN BRIDGES; [REDACTED]
Subject: Planning Application Ref: 17/01327/VCUM

Hi John

Eleven days ago I emailed to ask if you had any news regarding the call in of this application, I am still awaiting your reply, I would be obliged if you could update me please.

Kind Regards

Roy

From: Roy Redfern [REDACTED]
Subject: Re: Planning Application Ref: 17/01327/VCUM
Date: 1 Dec 2017 at 17:52:21
To: [REDACTED], [REDACTED]

Hi John

After your meeting yesterday with Chris Elston I would be obliged for an update please regarding the call in of above Planning Application, if you could get back to me asap.

Regards

Roy

From: [REDACTED]
Subject: Re: Planning Application Ref: 17/01327/VCUM
Date: 2 Dec 2017 at 15:39:52
To: Roy Redfern [REDACTED]
Cc: JAMES MATTLEY james.mattley@nwleicestershire.gov.uk

Hi Roy,

* As documented there was a call in placed but as you know all call ins should have planning grounds. The grounds that are given are agreed or disagreed and also have the discretion of the Chairman.

* The Parish also have the ability to call in such items if they so wish.

* I have spoken to James previously and it was agreed that it would be the Chairman's discretion.

* I have not pushed our Chairman as he and his wife are extremely ill so I await to see him on Tuesday to discuss this further.

Regards

John

On Saturday, 2 December 2017, 9:55, Roy Redfern <[REDACTED]> wrote:

Hi John

Thank you for your email today, however the determination deadline for this amended Planning Application is 13th December 2017 and fast approaching.

With not hearing from you until the other day I emailed James Mattley who informed me that no call in request has been received for this application, which has left me confused and so I ask on what date did you request the call in and to whom?

I would appreciate your earliest reply as we look for some clarity on this situation.

I also look forward to the out come of your discussions with the Planning Committee Chairman.

Regards

Roy

On 2 Dec 2017, at 07:06, "[REDACTED]" <[REDACTED]> wrote:

Hi Roy,

Chris could not attend the meeting on the 30/12 only another officer attended, so it will be discussed at our Planning meeting on 5/12 with the Chairman.

I will revert back on the 6/12

Thanks

John

On Friday, 1 December 2017, 17:52, Roy Redfern <[REDACTED]> wrote:

From: Roy Redfern [REDACTED]
Subject: Re: Planning Application Ref: 17/01327/VCUM
Date: 3 Dec 2017 at 11:19:31
To: [REDACTED] [REDACTED]

Hi John

From my understanding there is a strict procedure to follow when calling in a planning application which must be adhered to and with confirmation in writing, you say you have called it in, James Mattley says no call in request has been received this concerns me, when the chairman of the Planning Committee can only use his discretion if the application has been called in, otherwise it would be a delegated decision taken by the Planning Officers which is why I asked for clarity.

Regarding planning grounds I refer you to the reasons of Refusal of Planning Permission Application [15/00966/VCUM](#) dated 4th October 2016 signed by Chris Elston. By virtue of the developments planning history these same reasons apply. You also asked the Parish Council for their support of the call in, a vote was taken on the 9th October 2017 at a meeting which you attended and they gave you 100% backing quoting Public Interest / continued risk of flooding and previous conditions having not been met, are these not reasons enough!

Raising the building levels of plots 10 and 11 was a contentious issue through 2016 involving four amended Planning Applications being presented to Committee:

The first application was presented but withdrawn for a further amendment
Re- presented again and was deferred by Committee
Re- presented a month later then refused by Committee
The last application was presented and amended 17 days later to remove the raised levels which allowed the application to be approved.

So once again this new application to raise building levels should be presented to the Planning Committee Members and debated on. Further with the greatest respect I do not believe you and Mr Mattley have the power to agree to allow the Committee Chairman the deciding say, that is his right

on a call in.

I trust you will present on our behalf the full facts and reasons why this application needs to be brought before the Planning Committee and so look forward to receiving an update on the outcome of your meeting on Tuesday.

Regards
Roy

I NEVER HEARD FROM JOHN AGAIN
NO EXPLANATION NO NOTHING

JULIE FINUCANE

From: ELIZABETH WARHURST
Sent: 02 May 2018 15:28
To: JOHN BRIDGES
Subject: Confidential: Complaint - Mr Redfern and Mr Sharp

Dear Cllr Bridges,

Thank you for taking the time to meet with me yesterday to discuss the complaints from Mr Redfern and Sharp.

I know we spoke about this but I thought it would be helpful to summarise the complaints:

Mr Redfern

- He is complaining that you have potentially breached the code of conduct as you failed to call in the Measham Road development application to planning committee October 2017.
- This was contrary to emails in which Mr Redfern considers you stated that you had called the application in
- And contrary to statements which he said that you made at AWTC meetings

As we discussed, Mr Redfern is prepared to meet with you to discuss the issue about the call in of the Peverill Homes Development. This would be part of the informal resolution process and the aim of the meeting would be to see whether the complaint could be resolved to the satisfaction of both parties without recourse to the formal standards process.

Mr Redfern has provided some emails which is feels substantiate his complaint and we discussed those briefly yesterday. The informal resolution process does not require me to make a decision about whether the code has been breached or not. So it is not necessary to look in detail any evidence which may have been put forward by the parties. This is more about identifying that there is a problem and seeing whether it can be resolved by discussion. Detailed consideration of any evidence would come later, should the matter progress to an investigation.

Thank you for agreeing to meet with Mr Redfern. I will ask Julie to liaise with you and Mr Redfern to arrange a mutually convenient date to meet. You can, of course, bring someone with you to the meeting. If the complaint is resolved informally then that is the end of the matter and it is not reported elsewhere. The discussions at the informal resolution process are kept confidential as this maintains the integrity of the process.

Mr Sharp

- He is complaining that you have potentially breached the code of conduct as you failed to call in the Measham Road development application to planning committee October 2017.
- That your initial response, that the potential grounds for call in didn't crystallise into good grounds once you have reviewed the draft officer report, was not reasonable given your knowledge of the applications from Peverils and the issues on the site with flooding.

As you know, Mr Sharp is, at present, unwilling to meet to discuss the complaint. This means that it is likely that his complaint will go forward to the initial assessment sub-committee. We talked about that step in the process and how it would be better to wait until we know what has happened with the informal resolution of the complaint from Mr Redfern so I know whether I am including 1 or 2 complaints in the report.

I will, of course, go through the process in more detail as we progress. I am mindful of making this email too long. In the meantime, please do call me or pop in to see me if you would like to ask any questions.

Kind Regards

Elizabeth

JULIE FINUCANE

From: ELIZABETH WARHURST
Sent: 02 May 2018 15:39
To: Roy Redfern
Subject: Confidential: Complaint about Cllr Bridges

Dear Mr Redfern,

I write further to our recent meeting to discuss the above. I have now had the opportunity to speak to Cllr Bridges about your complaint. I have summarised the complaint as follows:

- that Cllr Bridges has potentially breached the code of conduct as he failed to call in the Measham Road development application to planning committee October 2017.
- This was contrary to emails in which you consider Cllr Bridges stated that he had called the application in
- And contrary to statements which Cllr Bridges made at AWTC meetings

I am pleased to say that Cllr Bridges is willing to meet with you, as part of the informal resolution process to see whether an outcome can be reached which is satisfactory to both parties. I have asked Julie, my secretary to liaise with you both to arrange a mutually convenient time to meet. You may, of course bring someone with you to the meeting if you wish.

As I mentioned when we met, the informal resolution process does not require me to make a determination about whether the code has been breached or not. It doesn't require the detailed consideration of evidence, though I understand you may wish to refer to your documents during the meeting. This part of the process is about identifying the issue and trying to find a mutually agreeable solution through discussion.

If the informal resolution does not work, then there will be the opportunity for detailed consideration of the evidence if an investigation is commissioned by the initial assessment subcommittee.

It is important that the informal resolution process is confidential to maintain its integrity.

I look forward to meeting with you again.

Regards

Elizabeth

MEETING NOTE

Meeting: Elizabeth Warhurst (EW), Louis Sebastian (LS), Cllr Bridges (CB) and Mr Redfern (MR)

Date: 4 June 2018 at 9am

Subject: 5 Minute Advice File 2018/19 - Complaints About District Councillors

Reference: LS/JB/NWL2197-164

Doc Reference: 2147817323

1. EW opened the meeting explaining that this was an informal resolution procedure. The aim was to discuss each other's points of view in a confidential environment to see whether it was still necessary to progress the complaint to the formal level or whether matters could be resolved at this stage.
2. EW summarised the complaint as MR feeling that CB was not open and honest about the call-in of the planning application of the development near MR's house.
3. MR stated that his view was that CB had lied in one or more emails that he had received between October and December 2017 and that CB had been withholding the truth in those emails.
4. CB began by setting a scene. He stated that he had never intentionally withheld the truth or lied to MR. He explained that he had got involved in this development fairly late on in its history. CB explained that there had been a previous planning application which had been approved 18 months – 2 years before. There had been the question of enforcement action raised in relation to the development but enforcement officers had decided not to proceed with any enforcement. Then the application which gave rise to this complaint was bought in relation to proposed changes to the initial planning application.
5. CB understood that there was not a basis to object to the initial planning application as there had been no local plan in place at the time. However as the development went on, local concerns (including the issue of flooding) had grown. In response to these concerns CB had attended the site and videoed evidence of the flooding. It is with this background in mind that CB considered the new application.
6. The parties first of all discussed the process that CB followed when trying to call in this new application on the 25th September 2017. CB had

attended a Parish Council meeting 15 days later at which concerns were raised. CB said that since this was a change to a previously approved application, he wanted the support of the Parish Council before calling it in. MR noted that from the date of the Parish Council meeting CB had 2 days left in which to excise a call in.

7. CB explained that as was often the case in situations like this the Parish Clerk forwarded a list of concerns to him and he forwarded this onto the District Council. In the past this had been sufficient to trigger a call-in of applications. MR said that he had a copy of a previous email from four weeks before where CB had triggered a call-in in a similar informal manner. MR then asked CB if he knew why their call in request had not been accepted. CB said they had always been accepted in the past.
8. MR during the course of the meeting repeated various concerns that he had identified including planning conditions not being met and levels being different to what had been agreed to. MR stated that he thought these were absolutely sufficient grounds for a call-in to be made. CB did not dispute that there were concerns around the development and stated that this was why he had indeed forwarded on the concerns listed by the Parish Clerk to the District Council. CB reiterated that he had used this process of forwarding emails in the past to activate the call-in process.
9. CB said that once he had found out that this process of forwarding emails had not triggered the call-in, and the time for calling-in as ward member had passed, he tried once again to have the matter called in by approaching the Chairman of the Planning Committee.
10. To support this approach, CB also wanted to obtain advice from planning officers as to whether the grounds set out in the Parish Council's email carried sufficient planning weight to persuade the Chairman of the Planning Committee to call it in and also whether they were strong enough to stand up to any appeal brought by the developer. In response to this request planning officers prepared a report which advised that the grounds were not very strong and were unlikely to stand up to any appeal process.
11. CB said that in pursuing the attempt to call this matter to the Planning Committee CB did speak to the Chairman. CB noted (in confidence) that at the time the Chairman was ill in hospital as was the Chairman's wife. CB understood that the Chairman had taken advice from the planning officers on whether the grounds were sufficient to trigger a call-in and then decided that the matter should not be called-in.
12. EW noted that she had had discussions with the then Head of Planning, Jim Newton in relation to how members used to go about calling-in an application. EW stated that it would have been helpful to the process of call-in if planning officers had responded to requests such as the forwarded email from CB to either state that this had triggered a call-in or to ask whether they wanted it to trigger a call-in (if forwarding such an

- email was no longer enough or if what the member had intended was not clear to the planning officer).
13. Discussion then moved on to a chain of emails between MR and CB. MR said he had emailed CB on the 25th September 2017 requesting him to call in the application. CB emailed him straight back the next morning to say he was away and would contact MR on his return, but never did. MR asked CB why he did not contact him CB said he could not remember.
 14. MR then queried CB about his email on the 10th Oct 2017 to DC asking was it meant to be a formal call in request, pointing to an email what CB had written to MR on the 11th Oct 2017. CB answered yes, stating that's how he always called them in. CB then went on to explain the planning department have always accepted his call in in this manner. MR then questioned CB about emails which CB said he had sent to planning officer James Mattley and Head of Planning Jim Newton to tell them he would be calling the application in, MR asked CB if he could show him those emails on his phone as both officers denied receiving them, but CB could not and said he would try to look for them later. One particular email which MR and CB discussed at great length, was an email which MR sent to CB on the 18th Nov 2017 asking CB if a decision had been made whether to allow or disallow his call in request, but CB never responded to his email, MR then said he sent another email 11 days later again asking CB if he had any news regarding the call in and asked him for an update, CB finally responded on the 29th Nov 2017 stating he had only just received MR's email and said he would chase up in a meeting with Chris Elston.
 15. MR asked CB what it was that he was going to chase up with CE. MR also asked CB why he did not tell MR in his email on 29 November 2017 that he had not called it in. CB said he thought he had called it in. MR noted that because of CB's delay in responding to MR, MR contacted the Planning Officer James Mattley who confirmed that CB had not called it in.
 16. MR then asked CB why it took him so long to reply to his email CB. EW. and LS all went on to explain that there was a delay in forwarding emails from the Councils email system to Cllr's private emails. MR questioned 11 days as a long time and was not happy with their answer. CB then said the system had now changed and was able to receive emails much quicker. MR noted that he had 2 email addresses and checks them both every day. CB showed on his phone that he now has the ability to check his Council emails quite easily but at the time this had not yet been set up. CB agreed that MR was entitled to have questions answered about the responses to emails, noted that he didn't have reasons there an then and said he would be willing to go back and look into such questions.
 17. One final question MR asked CB relating to this chain of emails was, on the 2nd Dec 2017 CB sent an email to MR and said that after his

discussion with the chairman on 5th Dec he would reply back to MR on the 6th Dec, but CB never contacted MR ever again, MR asked CB why.

18. It was discussed whether finding out reasons for responses not being received assist in resolving the complaint. Was it necessary for specific reasons for each one or would that not actually achieve anything in terms of resolving the complaint? MR said he wanted answers as to why CB had not replied would help. LS asked whether it would be better if MR put his questions in writing to CB. EW then asked MR if it would be ok to let CB have copies of all these emails so CB would be better prepared to answer MR questions, MR agreed. It was then agreed by all four present at the meeting that's what we would do.
19. The conversation then moved onto discussion of the planning application itself and the process following it being decided under planning officer's delegated powers. MR noted that on the 18 November 2017 he sent an email to CB asking if a decision had been made whether to allow or disallow the call-in request. MR noted that he had no response and chased again after 11 days. MR noted that even on the date of his first email the application had already been determined. When he did receive a response from CB on 29 November, there was no mention of whether it had been called in or not nor that the application had been determined. CB said that he did not know at this stage that the determination had been made.
20. MR thought that CB should have known that a decision had been made and stated that he had an email from Jim Newton saying that the "officer's" report had been sent to CB at 11.55 on 20 October 2017. There was some discussion about whether two different "officer's reports" were being talked about namely:
 - a) the report from planning officers to CB setting out why the grounds were not sufficient to trigger a call in and/or would not stand up to an appeal; and
 - b) there was also the report of the officers' delegated decision.
21. During this period (at the end of November 2017) CB said that he was still trying to go to the Chairman of the Planning Committee to get the matter called in. MR asked how this would be possible when the decision had already been made under delegated powers. EW noted that there was a difference between the officer making a decision and planning permission actually being released. For example a decision to approve can be made but no planning permission could be released until section 106 monies were agreed. While EW was not a planning expert she understood that during this period there was a continuing duty on the planning department to keep the matter under review and if necessary take the matter back to committee.
22. In relation to the delegated decision being made, MR asked whether CB knew that he had a second opportunity to activate the call-in process where decisions made under delegated powers were sent to the ward

member in question and they had 5 days to call the matter in if there had been objections from local residents. CB said that he had not been sent the report which said that the decision had been made and so was not in a position to use this process. MR said he had confirmation that planning officers had sent a report to CB and so thought that CB was lying when he said that he had not received the report.

23. At one point MR asked directly why did CB say that he had called-in the planning application. CB said "because I thought I had called it in".
24. CB noted that the planning department has been going through a period of gradual improvement and that processes had been changing. However communication from the planning department to members as to changing procedures probably could have been better than it was and it is possible that he had not followed the processes that were in place at the time. MR also noted that he was aware of the external review of the planning department that took place in February 2018 which EW acknowledged.
25. MR then turned to an email he received from CB in early December 2017. MR asked why in that email CB had said a call-in had been "placed" when no call-in had been asked for according to the planning department. CB explained he thought he had called it in and was also working to ask the Chairman to call it in after the fact and so thought he was doing the right things to get the matter called to Planning Committee.
26. Also in the email CB said that the Parish Council could call-in a planning application. MR asked why CB had said this when this was not the case and Parish Council's do not have the ability to call in matters. CB acknowledged that this was a mistake in his understanding of different bodies' abilities to call matters in. MR then asked CB if he had ever had any training in planning procedures CB said yes only once and that was a long time ago.
27. MR stated that one of his issues was that at this stage (the emails in early December) CB knew that he had not called in the application but said nothing about call in and CB knew that the planning permission had been approved under delegated powers and he had said nothing about that either. MR asserted that CB must have known that planning permission had been granted and said nothing. CB repeated that he thought he was doing what he could to activate a call-in.
28. MR summarised his view of the whole matter saying that he believed that the failure to call-in the matter was deliberate. He stated that from his understanding of how Jim Newton operates he had no intention of letting it be called-in. MR explained his reason stating that with past applications, Mr Newton would always warn Planning Committee Members that if they refused the application, it could cost the Council money on appeal. MR referred to the fact that if it turned out to be true

that CB was not sent the officers report coupled with the very informal way the Council have always allowed CB to call in applications then they could well be held accountable for maladministration. MR went on to say that he thought it was a very sloppy way to run a planning office.

29. EW noted that there may be procedural issues arising out of this matter but if that is the case it is not necessarily a complaint against CB as stated at the outset (i.e. a failure of CB to be open and honest about the planning application). CB may well have been reflecting the position that he understood at the time. If there is a complaint against the Council then there is a different route to pursue this which starts by following the Council's complaints process and ultimately making a complaint to the Local Government Ombudsman.

30. MR summarised in respect of his complaint against CB that the Cllr had had every opportunity to tell MR that the planning application had not been called in. CB again stated that he may have made mistakes in relation to the Council's processes but he never lied to MR. MR then reminded CB about the statement he made at the AWTC meeting in January when he gave a completely different account to Council Members why the application was not called in which contradicts the reason given by Planning Officer James Mattley and Head of Planning Jim Newton. MR then went on to say he did not wish to discuss this statement, has it was an issue for the AWTC to deal with.

31. MR concluded that he was still totally unhappy. CB acknowledged that there were questions that MR was entitled to have answers to in relation to his response to emails or lack thereof. CB said that he would be happy to keep the dialogue open with MR and take steps to look back at his email records to see if he can provide any explanation as to the delays in responding or clarification of his understanding on the position at the time. It was agreed that the next steps would be:-

- a) LS to provide a copy of the notes of this meeting to MR and CB.
- b) MR would consider the notes and have a think about this complaint while he is on holiday.
- c) If there are specific questions that he wants CB to answer, MR will list these and send them to CB.
- d) CB will respond to these questions by email to MR's private email address.
- e) MR will forward them onto EW
- f) MR will consider these responses, and let EW know whether he wishes to continue the complaint against the CB.
- g) If the complaint is to continue then a further informal meeting will be arranged in a few weeks' time before the formal process is instigated.

JULIE FINUCANE

From: Roy Redfern [REDACTED]
Sent: 07 June 2018 10:46
To: [REDACTED]
Cc: ELIZABETH WARHURST
Subject: Informal meeting on 4th June 2018 / questions

Dear John

As agreed at our informal meeting, it was thought best that I put my questions in writing to you and your Monitoring Officer Elizabeth Warhurst would send you copies of both our email exchanges this way you would be better prepared to answer my questions.

1 In your email to me on 11th Oct 2017 you confirmed that you did state in emails to James Mattley and Jim Newton that you would be calling the application in.

My question : Could you forward me a copy of these emails please.

2 In my email to you on 18th Nov 2017 I asked if you had any news about the call-in, You did not acknowledge my email so I sent a further email on the 28th Nov 2017 asking again if you could update me on the call-in. On the 29th Nov 2017 you finally acknowledged my email stating that you had only just received it and would chase the next day at a meeting with Chris. Bearing in mind you did not call it in and it was granted permission on the 20th Oct 2017 My questions: i Why did you not tell me in your email that you had not called it in.

ii What were you going to chase with Chris

3 In your email to me on the 2nd Dec you said Chris could not attend the meeting and said it will be discussed at a planning meeting on the 5th Dec with the Chairman. You also said that you would get back to me on the 6th Dec after the meeting.

My Questions : i What were you going to discuss with the Chairman

ii You never contacted me again, Why

4 In my email to you on the 2nd Dec I said James Mattley had informed me that no call-in request had been received which left me confused and asked you to clarify the situation. You emailed me back the same afternoon and said, as documented there was a call-in placed, stating also that you and James had agreed previously that it would be the chairmans discretion.

My Questions: i Again why did you not tell me, you had not called it in

ii Explain why you made these two statements as they would only apply had you called it in.

iii Why did you copy James Mattley into this email, for what purpose

5 At our informal meeting you said you had not received the Officers Report, only a draft report.

My Question: Do you still maintain that you never received the Officers Report

6 My email to you on the 25th September 2017 requesting you to call in, was sent to your NWL email address and you promptly responded early the next morning from your own private email. It was explained to me at the meeting how the Councils email system automatically forwards emails.

My Question: You responded within 24 hrs to this email, can you explain why it took 11 days for you to receive my email dated 18th November 2017 which was also sent to your NWL email address.

7 In your email to me on the 11th Oct 2017 you confirmed that it was your intention to call the application in, stating also that you had once again emailed DC formally that you intended to call it in. So at this point of the planning process it is apparent that you did support the call in. At our informal meeting I asked, was the email which you sent to DC on the 11th Oct meant to be a formal call-in request, which you replied that is how I always call them in, which I would class as a very informal approach, however DC must be used to your style of call in and had

accepted them in the past. In fact only four weeks earlier you had called another application in for AWTC in an informal manner which was accepted as a formal call in.

My Question: In this instance DC did not accept your request as a call in, did they give an explanation why

Regards

Roy Redfern
Measham Road Resident

JULIE FINUCANE

From: ELIZABETH WARHURST
Sent: 04 July 2018 09:30
To: JOHN BRIDGES
Subject: Complaint from Mr Redfern

Dear Cllr Bridges,

I hope you are well. Over the last couple of weeks I have been in contact with Mr Redfern regarding this complaint. We are still in discussion regarding the meeting notes and he has asked for (and been given) a copy of the email from the planners which attached the delegated decision officer report from 20 October 2017.

He also said that he has not yet had a reply from you to the questions he posed. Can you say when you will be able to do that please?

I will be on leave for a week from Monday 16th July. I appreciate that this is a difficult matter for both parties. If we can't make progress with the informal resolution over the next couple of weeks then I will need to consider whether I should bring the informal resolution to a close and refer the matter to the initial assessment sub committee following consultation with the independent person.

If you could update me please, that would be most helpful.

Kind regards

Elizabeth

JULIE FINUCANE

From: ELIZABETH WARHURST
Sent: 13 August 2018 11:07
To: JOHN BRIDGES; Roy Redfern
Subject: FW: Informal meeting on 4th June 2018 / questions

Dear Cllr Bridges,

I hope that you are well. I was wondering whether you have had the opportunity to consider the questions which Mr Redfern posed on 7 June? I had it in my diary to contact you again this week and Mr Redfern has contacted me today to advise that he has not yet had a response.

As you know, we have been dealing with this complaint under the informal resolution process. During this process, I work with parties to see whether the matter can be resolved to the satisfaction of both parties without recourse to the formal standards committee process. I don't make any finding about whether the code of conduct has been breached as that is not the purpose of the process. I simply look to work with member and complainant to resolve an issue.

Both you and Mr Redfern helpfully agreed to co-operate with the informal resolution process and had an initial meeting where there was a good debate on the issue. Mr Redfern requested that you consider and respond to some questions he had arising from the complaint and the initial meeting. In case you don't have them to hand, I have copied the email from Mr Redfern on 7 June below. Mr Redfern felt that he needed to understand your responses to the questions to enable us, collectively, to decide what to do next in the informal resolution process. I understand that you have been very busy with work and other commitments over the summer and you have spoken to me about your intention to respond. I think it is important and in the interests of the parties if we can now move this matter on, ideally with a response to the questions which then enables us to decide how to move forward with the informal resolution process.

If you are not able to answer the questions and Mr Redfern decides that he still wishes to pursue the complaint, then I will conclude that the informal resolution process has not been successful and will need to refer the matter to the assessment sub-committee. The assessment sub-committee will decide whether to take further action or not. If they decide to take further action they can request that I commission an investigation. I would usually ask an MO at another council to undertake the investigation.

You will note that I have copied Mr Redfern into this email so that the next steps are clear to both parties. It is helpful in these situations to set a deadline to work to. I think that, given that the questions have been available to you for around 9 weeks it would be reasonable to set a deadline of 5pm on 24 August. I have chosen this date as I am on annual leave week commencing 20 August, returning to work after the bank holiday.

If I don't hear from you by then *and* if Mr Redfern confirms that he wishes to continue with his complaint then I will refer the matter onto the sub-committee.

Please do contact me if you have any questions.

Kind Regards

Elizabeth

JULIE FINUCANE

From: Roy Redfern [REDACTED]
Sent: 30 August 2018 08:12
To: ELIZABETH WARHURST
Subject: Complaint against Cllr Bridges

Dear Ms Warhurst

Thank you for your recent email.

CB has still not answered my questions I would therefore like to pursue my complaint to the Sub Committee for the following reasons.

CB had not been open and honest about the calling in of the Measham Road application in his email exchanges in Oct Nov and Dec 2017 I believe he deliberately tried to mislead me of the situation withholding the truth. Why?

CB was not open and honest at our informal meeting on the 4th June 2018 when he said at the time of these emails he was not aware planning permission had been granted by a delegated decision, he denied receiving the officer report which notified him of the decision allowing him a second opportunity to call in the application. Fact! Jim Newton head of planning at that time and principle planning officer James Mattley both confirmed CB was sent the officer report on the 20th Oct 2017 it is registered on the planning portal as ward member consulted and David Stephenson chairman of the planning committee at that time was also copied into CB same email.

CB has now given three different versions of events as to why the application was not called in:

- * One to the AWTC at a council meeting on the 8th Jan 2018.
- * One to yourself in March 2018 when you carried out an investigation for the AWTC into the sequence of events leading up to why the application was not called in.
- * One at our informal meeting on the 4th June 2018

Three different versions which one is true ?

For your information, below is a copy of an email which I sent to James Mattley on the 7th Dec 2017 when I first found out CB had not been open and honest about the call in.

I look forward to confirmation of my request.

Kind Regards

Roy Redfern
 Measham Road Resident.

From: Roy Redfern <[REDACTED]>
Date: 7 December 2017 at 12:38:10 GMT
To: JAMES.MATTLEY@NWLeicestershire.gov.uk, [REDACTED]

[REDACTED], clerk@aw-tc.co.uk, Eddie Shephard

Subject: Application 17/01327/VCUM

James,

Thank you for the copy of the officer report on Application 17/01327/VCUM

I was quite shocked to read that planning permission had in fact been granted back on 20th October 2017. I feel very angry and annoyed that for some reason Councillor Bridges has deliberately misled me of the situation. There has been several recent exchanges of emails between myself and John Bridges from 18th November right up to 3rd December 2017 yet not once did he mention that he took the decision not to support the call-in and that planning permission had already been granted. Several times I emailed him for an update but all his replies were evasive, intimating it was still ongoing and yet to be discussed. I first contacted John on the 25th September 2017 asking him to request this application be called in on behalf of the Measham Road residents, he did nothing about it until I challenged him through the chair at a Parish Council meeting on the 9th October his excuse, he wanted the support of the Parish Council who gave him their full support. John then confirmed in an email to me on the 11th October 2017 stating that he had formally emailed DC of his intention to call it in. From my understanding there is a strict procedure to follow and timescale, so when called in, it should be logged, an acknowledgment sent to the member, then the request is passed on to the Director of Services who in consultation with the Chairman of Planning committee decide if the application should be referred to Committee. This procedure does not appear to have been followed in this instance. According to your email of the 5th December 2017 Councillor Bridges decided after discussions with yourself not to support the call in and withheld this information from us, so for the past couple of weeks I have been asking him for news on a call-in which was apparently dead in the water seven weeks ago and him knowingly not having called it in, yet he said nothing, why! Should it not have been protocol for Councillor Bridges to at least notify the Parish Council of his decision not to support this call in.

The call-in procedure should be open and transparent to avoid uncertainty and to be clear. I am afraid this is a code of practice that Councillor Bridges appeared to ignore, I shall be seeking the views of the Parish Council on this matter but need to clarify some points first and so ask for the following information:

As already requested I would like a copy of the applications call in log for October 2017

Date of Councillor Bridges email when he said he formally emailed DC of his intention.

Date of your meeting when Councillor Bridges took the decision not to support this call-in

I look forward to your prompt reply.

Kind Regards

Roy Redfern
Measham Road Resident

JULIE FINUCANE

From: ELIZABETH WARHURST
Sent: 05 September 2018 13:17
To: Roy Redfern; JOHN BRIDGES
Subject: Complaint against Cllr Bridges

Sensitivity: Confidential

Dear Mr Redfern,

Thank you for your email on 30 August in which you confirmed that you would like to proceed with your complaint against Cllr Bridges. Apologies for the delay in responding. This was because of my workload over the last few days and also due to me wanting to resolve an issue which I shall detail below.

As you know, Cllr Bridges had said that he would consider a list of questions from you and decide whether he felt able to answer them or not. Depending on the outcome of that exercise, you were then to decide whether or not you wanted to pursue the complaint. I emailed you both on 13 August and set a deadline for the response from Cllr Bridges of 24 August. When I returned from leave I noted that I had not seen any emails from Cllr Bridges and that prompted me to contact you to see how you wanted to proceed. You confirmed that you would like to continue with your complaint in your email of 30 August.

I saw Cllr Bridges this week when he was in the building on another matter and I asked him whether he had received my email on 13 August. Cllr Bridges explained that he had had no access to his council emails since July/August so he hadn't seen my email of 13 August. I have spoken to IT and members services and understand that our IT services team enforce regular password changes for members in common with staff. As a member of staff, every 90 days we are prompted to change our password when we log on. For security reasons, as members are using their own devices, they are asked to contact the IT team to arrange a new password. They don't get automatic reminders and are not able to change the password remotely. This password change was enforced for all members in July/August and Cllr Bridges has not had the opportunity to sort a new password out with IT until today. He is now back up and running on the Council system and he was happy for me to share this information with you.

The reason to explain this to you, is I thought it might be helpful to understand why Cllr Bridges didn't reply to the email from me dated 13 August and the fact that he wasn't aware of the deadline of 24 August.

When I spoke to Cllr Bridges we discussed the length of time that this has been ongoing and whether he felt that he would be able to reply to the questions. Cllr Bridges explained that to respond fully to the questions he would need to go back through his emails/records. Due to his current workload, he didn't think he would have the time to do that in the near future and he didn't wish to have a further delay to the process. He understood that you wished to pursue your complaint and that the matter would be referred to the assessment sub-committee.

I will now make arrangements for the committee meeting and I will contact you both again with more information about it in due course. To manage expectations, it might be helpful to say that the purpose of the meeting is for members to decide whether further action should be taken on a complaint or not. This can include members deciding to commission an investigation. I write a summary report which enables members to make that decision. I don't include all correspondence/emails or notes of meetings. This committee also does not hear from the complainant or the subject member as they are making their initial assessment based on the papers. Further information can be gathered by an investigator should the committee make that decision. If a decision is made to take no further action then a complainant is able to request a review of the decision. The press and public will be excluded from the initial assessment sub-committee at first until the members have decided whether the matter should be heard in public and I provide them with advice on this point.

Kind Regards

Elizabeth

JULIE FINUCANE

From: [REDACTED]
Sent: 13 September 2018 10:54
To: ELIZABETH WARHURST
Cc: MICHELLE MEREDITH
Subject: Complaint

Hi Elizabeth,

I have tried emailing you this morning from my phone and hope this is received by you.

I would like it making clear that Ashby Woulds Parish Council have looked all the evidence in this allegation and concluded that there is not action required by The Parish and they as Mr Redferd pointed out that the procedure of Calling In or checking on an application on behalf of residents or Parish was followed by myself in the same way as I have done in the last 10 years.

As such they hoped that the new procedures that is being adopted at District will help in such matters in the future. It was also pointed by Mr Redfern with example given that I had followed the same procedure as in the past and in a previous application just a few weeks before this one in question, was treated in the very same way, this too involved the Parish Council.

What is not clear in ALL of the submitted reports and the complaint is that the application in question was already won at appeal by the applicant and the applicant just reverted back to the original ruling by the Inspector.

I would respectfully ask you to incorporate this email in your report to the committee.

I am also away next week so will not be attending the appeal but I have instructed my Lawyer to be on standby should I feel it be in my interest for him to attend.

Regards

John Bridges.
John

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