

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

From: Jessica Tiarks [mailto:jessica.tiarks@hotmail.co.uk]

Sent: 28 April 2013 20:51

To: Michael Perry

Subject: Re: Notification of decision to investigate a complaint

Apologies for my delay in responding to this one. I believe that Cllr Freeman sent an e-mail to all the other councillors saying that he had been consulted by Mr Latham in his capacity as both a parish councillor and a district councillor over these plans. As there was a bit of an uproar over it it became quite common knowledge. Hope that helps.

Sent from my BlackBerry® wireless device

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

From: Michael Perry <mperry@uttlesford.gov.uk>

Date: Fri, 19 Apr 2013 14:23:47

To: <jessica.tiarks@hotmail.co.uk>

Subject: RE: Notification of decision to investigate a complaint

Dear Mrs Allen,

Thank you for your prompt response. I apologise for the typing error in the first question which should have read "What is the basis for your statement that Cllr Freeman was consulted in his capacity as both a Parish Councillor and a District Councillor?" I look forward to hearing from you on this point in due course.

Regards

Michael Perry

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From: Jessica Tiarks [mailto:jessica.tiarks@hotmail.co.uk]

Sent: 18 April 2013 21:51

To: Michael Perry

Subject: RE: Notification of decision to investigate a complaint

Thank you for your e-mail. I have put my responses to each of your questions below.

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Subject: Notification of decision to investigate a complaint

Date: Mon, 15 Apr 2013 15:28:45 +0100

From: mperry@uttlesford.gov.uk <mailto:mperry@uttlesford.gov.uk>

To: jessica.tiarks@hotmail.co.uk <mailto:jessica.tiarks@hotmail.co.uk>

Dear Mrs Allen,

I met last week with one of the independent members of the Standards Committee to consider your complaint regarding Cllr John Freeman of Thaxted Parish Council and Uttlesford District Council. Our conclusion was that your allegations should be investigated. I shall personally be conducting the

investigation. I am notifying Cllr Freeman accordingly and providing him with a full copy of your complaint.

I do not think it will be necessary for me to interview you in connection with the application although I would be grateful if you could respond by e-mail to the following points:-

1. Was is the basis for your statement that Cllr Freeman was consulted in his capacity as both a Parish Councillor and a District Councillor?

Please can you clarify the question - should it start as What is the basis or Was it the basis?

2. On what do you base your statement that only Cllr Freeman from the parish council was consulted?

It was brought to my attention that the Parish Council was not aware of Cllr Freeman's involvement or comments until another resident in Bolford Street informed the Chairman of the Council by email having viewed the application online. This to my knowledge was the first the Parish Council knew of it. John Freeman admitted he had been consulted and all other members have apparently said they were not.

3. Do you have any grounds to believe that Cllr Freeman was in any way instrumental in the drafting of the Design and Access Statement?

Yes. When I viewed this application online, it clearly stated that the Applicant had sought approval from the Parish Council and their Design Statement is worded to that effect. As it transpired, Cllr Freeman was to only Cllr to have been consulted on a number of options proposed by the applicant and the remainder of the Parish Council was not made aware that he had had this conversation. This demonstrates that he clearly influenced and affected the application. Following uproar from other Parish Cllrs, I understand that the applicant was written to and asked to withdraw this particular part of the Design Statement.

4. You say that the parish council had scheduled the application for discussion at its meeting on 4 April 2013. Please would you inform me:-

a. Were you present at that meeting?

No due to existing family commitments but a significant number of residents were in attendance due to this particular planning application being an item on the agenda.

b. Was the application discussed?

Yes - for some considerable time. Cllr Freeman was the only Cllr in favour of the application. (see 4e)

c. Did Cllr Freeman declare an interest?

Yes but late in the day in that he had already inferred his views to the point they were considered by the applicant and their appointed agent and referenced in the planning application

d. If he did was the interest can you remember what he said?

I am not sure as I was not in attendance and would need to seek clarification from one of the Boldford Street residents who was in attendance.

e. Did Cllr Freeman take part in the debate?

I was not present but understand he spoke at the start of the item in favour of the application and then left in what I would have seen as an attempt to influence the Council.

f. If he did can you remember what he said?

I understand he spoke for a minute or two and read from notes he made in favour of the application

g. Did Cllr Freeman vote?

I was not present but understand that he was not in the Council Chamber when the remainder of the council voted.

h. Did the council decide to support or oppose the application or to make no comment?

The Council unanimously opposed the application on a number of grounds which have I can see has now been submitted to the Council and uploaded against the application.

5. You state that Cllr Freeman has "gone . so far as projecting the views of the council without the council having even had sight of the application.". Is this something you infer from the wording of the Design and Access Statement or do you have other evidence to support this allegation? This matter was brought to the attention of the Council by an email from another resident. I know from the response that the resident received from the Chairman of the Parish Council that she denies that the Council had had any involvement with the applicant prior to it being submitted and in the email the Chairman clearly states that they had no prior knowledge.

Please feel free to add any further information you consider relevant.

Once I have heard from you I shall consider what other enquiries I need to make before I prepare my report for the Standards Committee.

Yours sincerely

Michael J. Perry LLB(Hons) Solicitor(Hons) Monitoring Officer

Uttlesford District Council

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