Philip Metcalfe

From: Tracy Darke
Sent: 15 September 2008 12:26
To: Philip Metcalfe
Cc: Trevor Prowse
Subject: FW: Planning application 07/00813/COU - Motorcycle Track, Cow Lane, Ratby
Attachments: David Haynes re Cow Lane, Ratby 12.9.08.doc

Philip, please note, keep copy on file and ensure that Steve is informed as soon as we get a decision.

Tracy

From: Jane Stew
Sent: 12 September 2008 16:55
To: Trevor Prowse; Tracy Darke; Carol Gardner; Michael Rice; Paul Bessant; Jeffrey Bannister; Martin Cartwright; David Gould; Keith Lynch; Rob Mayne; Wendy Moore
Subject: Planning application 07/00813/COU - Motorcycle Track, Cow Lane, Ratby

Hi

Please find attached a copy of Steve's response to Mr Haynes' letter, which was distributed to all Councillors.

Regards
Jane

Please ask for: Steve Atkinson
Direct Dial: 01455 255606
Direct Fax: 01455 890229
Email: steve.atkinson@hinckley-bosworth.gov.uk
Our ref: SA/CW
Date: 12 September 2008

Mr David M Haynes
56 Leicester Road
Groby
Leicester LE6 0DJ

Dear Mr Haynes

PLANNING APPLICATION 07/00813/COU – MOTORCYCLE TRACK, COW LANE, RATBY

I write in response to your letter of 5 September 2008, which I received on 9 September 2008. As you had copied your letter to all Members of this Council, I need to do the same, so that they have the full information.

My letter of 5 August 2008 properly referred the matter to the relevant Director for him to consider further at Stage 2 in the complaints process. That was an acknowledgement made in order to ensure that your complaint was properly expedited.

Mr Prowse responded to you on 14 August 2008, advising you that it would be inappropriate for your complaint to be considered further at this time, as the issue in question was subject to judicial review. He advised you that your complaint would be registered and addressed once the judicial review had been completed.

As you have rightly pointed out in your most recent letter to me, Mr Prowse was involved in this issue at an earlier stage, albeit as Head of Environmental Health; a fact which Mr Prowse has acknowledged to me when we have reviewed the file.

On that basis, I fully agree that there would be an unacceptable conflict of interest if Mr Prowse were to conduct the review of your complaint at Stage 2.

Once the judicial review is completed, therefore, the Stage 2 process will be activated to address your further complaint, but will be addressed by an officer not previously involved in the process thus far. You will be advised at that time of the relevant person.

I hope that this satisfactorily responds to the concern you have raised with me and apologise that it has been necessary for you to do so.

Yours sincerely

Steve Atkinson
Chief Executive

cc: HBBC Councillors
Trevor Prowse Director of Community and Planning Services **(with bcc note to advise Steve once judicial review completed)**
Tracy Darke Development Services and Policy Manager
Carol Gardner Compliance Officer
Mike Rice Solicitor