

Dear Mike

Purely for the record, neither I or Steve attended university. We both left school and entered the world of employment. We have both acquired professional qualifications I acknowledge. I do not know whether Ian attended university but certainly Cllr Worrall attended Queens University, Belfast.

I will now address your points.

There is no secret that is being maintained between those that attended the meeting. Everything that was said by the Council representatives present was nothing but the truth and I would be perfectly willing to take an oath to that effect. Everything that has ever been said by me in relation to IQW is wholly truthful. I do not lie to protect myself or the Council. There is no secret that I am trying to maintain. I set the very highest standards of conduct and probity for myself and my officers. Any substantial failings are addressed through the Council's disciplinary process and officers have on occasion been dismissed for serious failures to maintain the highest standards the public is entitled to expect. I would neither be party to nor tolerate any conspiracy to conceal the truth. I also know that Cllr Worrall would never be a party to concealment of the truth.

I have again spoken to both Julie Beliby and Adrian Stanfield who dealt with your Code of Conduct complaint against the local Members. Both categorically deny they agreed with you that there had been irregularities. I know these officers to be completely honest and truthful. Adrian also has a professional responsibility as a Solicitor and Commissioner for Oaths to be truthful. I will not do you the disservice that you are very ready to do others who do not agree with your version of events and merely state your recollection is at fault.

I have again sought Brian Gate's recollection of events at the Examination in Public. The following is a direct quote from his account:

"I have checked with Jill and Nigel who were both in the public gallery when the alternative site at Ightham was being discussed and when Mike Taylor was giving his evidence and none of us can remember "a prolonged and robust exchange about the truth of the Parish Plan".

My recollection was that Mike Taylor did speak at length about his opposition to Isles Quarry and he is right that the Inspector was extremely generous to him in letting him stray so widely from his brief which was to do no more than support Mr Hayward's case for developing in Ightham by demonstrating that Isles Quarry was subject to contamination. I do recall eventually politely pointing out to the Inspector that he was straying well beyond his brief. It was after that, that I think she drew a line under things.

If he did mention the Parish Plan, and I am not saying he didn't, then I am sure I would have said no more than we could only work on the basis of the Plan that was sent to us by the Parish Council and have regard to the written representation from the Parish Council which supported the proposal. In my written evidence it is a fact that I only make passing reference to the Parish Plan and the Parish Council's support. It is

by no means the main plank of my case. It is obviously debatable whether, if the Parish Council had expressed a different view the Inspector would have come to any other conclusion. She certainly makes no mention of the Village Plan in her report.

But what is clear, is that there was quite considerable opposition to the Isles Quarry proposal much of it from professionals representing competing land owners. So there was no way that the case against the proposal was not robustly argued. The Inspector therefore had plenty of opposition to the proposal to consider and it seems unlikely that the Parish Council adding its weight to that opposition would have materially affected her recommendation which does not read to me as if it was a finally balanced decision. She considered that the Council had good reasons for promoting the proposal and she supported it unequivocally."

So, there are three officers who have the recollection that Brian has set out. That may not accord with your own memory but it most certainly does not make them liars and I don't think your comment was appropriate or merited.

You say "Yesterday you yourself denied knowing about my evidence, despite having been formally presented with that evidence as Stage 3 of the complaints procedure. Perhaps you didn't read it before pronouncing, and relied on a report from someone else."

I have re-read all the correspondence that related to your complaint with great care. This includes the following:

Your letter of 10th June, 2010 to Brian Gates.
Steve Humphrey's reply to that letter dated 16th, June 2010
Your letter to Steve Humphrey also dated 16th, June 2010
Steve Humphrey's letter to you dated 13th July, 2010
Your letter to Steve Humphrey dated 18th July, 2010
My own Stage 3 letter to you dated 27th July, 2010

Firstly, I assure you I read everything you had submitted very thoroughly before making my reply of 27th July, 2010. Every Director and senior officer of the Council will confirm that I am meticulous in the handling of all complaints and this has been recognised by the Ombudsman as you will see from the attached under the section entitled "Liaison with the Local Government Ombudsman."

I expressed surprise at the meeting when you stated you had provided me with "evidence" because I had no recall of anything that could remotely be described as "evidence." Forgive me for quoting from Wikipedia but it will help me make an important point:

"Evidence in its broadest sense includes everything that is used to determine or demonstrate the truth of an assertion. Giving or procuring evidence is the process of using those things that are either (a) presumed to be true, or (b) were themselves proven via evidence, to demonstrate an assertion's truth. Evidence is the currency by which one fulfills the burden of proof."

I have re-read every single word contained in the correspondence I have listed above

and there is nothing whatsoever contained within in that merits the description of "evidence." It consists of nothing more than assertions on your part. You saying something is the case does not make it so.

Your thought that there has been some form of "conspiracy between T&M planners, some members of BGPC, and Hanson" is without a shred of evidence to substantiate it and simply wrong. How can a conspiracy exist when the Borough Council has been quite open that it was promoting IQW as a site for residential development, supplied evidence to support its position and had that evidence assessed and tested in an "Examination in Public?"

You say "I cannot understand why such strenuous attempts are being made to deny the truth that I assert." I am denying nothing - I am simply saying there is no evidence to substantiate what you assert. The Council accepted in good faith what was sent to it by another sovereign body - Borough Green Parish Council. You assert the process that Council followed was flawed. I am not familiar with the process for producing a Parish Plan but I very much doubt that it is prescribed such that every single Parish Council follows precisely the same process. Your argument is that the final version was different to that which was displayed to the public. That may or may not be so - I honestly don't know. But even if it was, that doesn't make the process flawed. Unless you are suggesting that the version the Clerk sent to the Borough Council was not supported by the majority of the then Parish Councillors then it had democratic legitimacy. The Parish Council is not a body that is required to follow the views of the majority of the electorate. Its members are elected to take decisions as they see fit and are then accountable to their electorate for those decisions. So, if the majority view of the parish councillors was that they supported IQW and the Plan was changed to reflect that it does not make the process irregular or flawed. I have no reason to believe it was not the case that the majority view of the Parish Council was in support of IQW, with some understandable caveats, as shown in the attached two communications from Charles Wilsher and the Clerk. I think you would agree the Borough Council is entitled to accept in good faith what those persons said was the view of the Parish Council.

If you do believe that the version that was submitted did not command the majority support of the then Parish Council then I would like to know on what you base that belief. I cannot believe the Clerk would submit a document she knew was not supported by the majority of Parish Councillors. And if that had happened, wouldn't at least one Parish Councillor and probably more have come forward to challenge the document and the process? You are literally the only person who has ever raised the matter with the Borough Council. And if there was a problem with the process, for which there is no evidence, the Borough Council has no locus to investigate the issue. And, for the umpteenth time, we do not believe the Parish Plan played any significant part in the Inspector's decision making so to me the matter is not of great relevance. That may annoy you. which is not my intention, but I am being again completely honest in stating that.

You are at liberty to disagree with my view that had the Parish Plan opposed development at IQW then the Inspector would not have reached a different conclusion. Neither of us can prove or disprove our view and we are entitled to hold different perspectives.

I am now drawing a line under this whole issue. We have explained the timescales for reviewing the LDF even if we ourselves wished to remove IQW. Nothing at all can be gained from continually re-visiting what might or might not have happened 5 years or so ago. You say you have referred the matter to the police. That's fine. We will co-operate fully should they decide they wish to interview anyone here but I don't think you are suggesting we falsified the Borough Green Parish Plan.

The Council's capacity is heavily stretched and it is not sustainable for me and other senior officers continually to re-visit these issues. So, this is positively my last communication on the subject of IQW and its allocation in the Core Strategy.

Regards,

David

>>> "Mike Taylor" <mike.cast@virgin.net> 19/05/11 08:25 >>>

Dear David,

Thank you all again for the time you all invested yesterday, and I apologise for having to add further to the discussion. But you must remember, that whilst I can talk effectively, and am a voracious reader and a quick learner, I am basically a truck driver who left school at 15 to join the Army, I don't have the benefit of the University education that you all have, and the experience of the sort of debate that occurred yesterday. I can just about hold my own, but I don't have the skills in tactical analytic thinking, and so it is often only as I mull over afterwards that I see the inconsistencies.

You came across yesterday as a team at ease with each others abilities, comfortable that you could each rely on the other's honesty. But, equally possible is a different dynamic, where some knew a secret, and were perhaps attempting to ensure the secret stayed secret from others, purely a hypothesis. Or perhaps you all knew, and were attempting to convince me see the error of my ways. I do not know, I cannot read minds

Some apparent inconsistencies.

Now , I do not claim an eiditic memory, but my conversation with Julie Beilby, where I reported she had accepted there were irregularities in the Parish Plan evidence. She

was trying very hard to do what you did yesterday, to make me see that even if my allegations were true, it would not affect the validity or progress of the LDF, and that the Parish Plan had no great weight in the decision process. It is a thin line between saying "even if the parish plan is false, it has no effect", to agreeing that the plan might be suspect. I believe that during the conversation Julie did step over the line, perhaps inadvertently. We can never be sure, because none of us have total recall, nor were verbatim notes or a recording made. We must agree to differ, but I know what I heard.

It is a completely different matter regarding Brian Gates. He denies that there was a prolonged and robust exchange about the truth of his Parish Plan and the alleged support by the people and Parish Council of BG at the inquiry. That is clearly a lie: it was carried out in front of Keith Haward and his planner, Rydon homes Rep and another developer, and Hanson's rep. I was surprised that the Inspector allowed me to stray so far beyond my remit as Keith Hawards expert witness on IQW contamination, but she allowed me a full rein to challenge Brian. But he has conveniently forgotten. There is extensive correspondence after the inquiry between myself and the program officer, Lynette Benton, to the point where through her the Inspector ordered me to stop, that my evidence was too late to affect her decision.

Yesterday you yourself denied knowing about my evidence, despite having been formally presented with that evidence as Stage 3 of the complaints procedure. Perhaps you didn't read it before pronouncing, and relied on a report from someone else.

I am sure you have comprehensive explanations for my misinterpretations, but in the light of the events of the past few years I must admit to leaning towards a theory of a conspiracy between T&M planners, some members of BGPC, and Hanson. I know there were secret meetings, I know that Sue Murray spoke privately about extensive meetings with Hanson, where they offered her the Bypass, a new school, a new surgery, even a cemetery, if BGPC supported development, and threatened "dirty industry" and traffic chaos if they didn't. I know there was correspondence that must be significant because of the lengths taken to prevent me gaining access. It is also possible that the person whose pudgy fingerprints are all over the false Parish Plan would perhaps not have the knowledge to concieve the damning inserts without professional help.

I cannot understand why such strenuous attempts are being made to deny the truth that I assert, as you have said on many occasions it cannot affect the LDF, and that you couldn'y change even if you believed me. It follows that it can only be an attempt to discredit my veracity on those occasions, making it easier to assert that everything I say is demonstrably false by association.

You have stated on several occasions that the Parish Plan would have had little effect on the Inspector's decision. I disagree: I believe that had the people of Borough Green been properly consulted, and advised by their Borough Councillors, the real Parish Plan and a strong opposition by local people would have had a significant effect on the outcome. To say that it didn't, because the Inspector didn't mention it, is spurious: had there been a strong response she would have referred to it, but because the people were deliberately misled, the Inspector had no evidence from which to draw a conclusion.

Rgds
Mike

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