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Ms Moira Fraser
Democratic & Electoral Services Manager
West Berkshire Council
Market Street
Newbury
RG14 5LD

Dear Ms Fraser:

Further to our discussion this morning (18th September, 2014) I wish to again raise my concerns about the process that is being undertaken following the fact that back in May of this year I raised the initial concerns about potential misconduct of at least one Officer at Newbury Town Council, which has resulted in what I deem as two malicious grievances being submitted in order to thwart the investigation into my original concerns which I believe may well breach 'Misconduct in Public Office' legislation.

I appreciate that West Berkshire Council deem any rights and wrongs about the grievance investigation as a separate matter and that you only wish me to comment on the points raised in the two complaints provided to me in your letter dated 8th September, 2014.

I will briefly respond to the complaints received as follows:

Complaint One – Mr Graham Hunt, Chief Executive, Newbury Town Council

During mid-May 2014 I discovered following being asked direct questions by members of the public, that Newbury Town Council had failed to claim from legal costs insurance cover that it possesses in order to recoup considerable damages (approximately £500,000) caused by Costain Ltd to Victoria Park, Newbury during the building of the Parkway Shopping Centre, and with whom we as a Council were in dispute. The failure to claim as of May had meant that in excess of £50,000 of public money had needlessly been spent, and the Council had used the services of a local (and apparent favoured) solicitors who did not and still does not possess the level of expertise to deal with the claim. This figure will now be significantly higher than this.

Following discussions with the Leader of Newbury Town Council, Cllr Julian Swift-Hook (who had been Deputy Leader in 2010, when the damage to the park was discovered) who Mr Hunt has a history of being rude to and obstructing, it was agreed by Cllr Swift-Hook that I would directly pose the questions to Mr Hunt about the insurance cover claim which I did via email on 28th May, 2014 (please see the attached email thread from 28th May, 2014 back to 28th July, 2010).

On the 29th May, with Cllr Swift-Hook, I was due to have a meeting with Mr Hunt and it was agreed that I would arrive early and Cllr Swift-Hook would arrive late in order to give me the opportunity to further question Mr Hunt as the Responsible Officer in 2010 about the fact that he had failed to submit the claim for legal costs, which had resulted in many thousands of pounds of public money being needlessly spent.

From the outset of my meeting with Mr Hunt, was evasive in his answers, after he realised that he had admitted blame for the failure to submit the insurance claim, and even tried to blame his Deputy, Mr Granville Taylor, as well as the Leader and Deputy Leader of Newbury Town Council in 2010 for the failure to claim within the appropriate time period on the Council legal costs insurance. I offered to record the meeting with Mr Hunt, which I have suggested before, because both Cllr Swift-Hook and myself regularly find that the notes that he takes bare no resemblance to the meetings that we have had with him. Mr Hunt declined to accept my offer to electronically record the meeting.

Mr Hunt, who when challenged often makes counter claims decided to refuse to answer my questions when he realised that he had admitted that it was his responsibility to submit the legal costs claim. I am a former police officer and I am used to interviewing people in such situations, so I appreciate that Mr Hunt will have felt that he was at a disadvantaged when being questioned.

Without any notice, and without reason in my opinion, Mr Hunt started to claim that he was being bullied, which I have heard from him before when Cllr Swift-Hook has challenged him. At this point I did advise Mr Hunt that he should seriously consider what he was saying (again offered to electronically record the meeting) and I suggested that he may well wish to take the rest of the day off to consider his response, for I stated to him that I would be requesting an investigation of his actions.

As an elected representative of the public, I feel that although I was robust and very direct in my questioning style I did not breach any codes of conduct, and that I was duty bound as a public servant to question Mr Hunt about matters that could well breach 'Misconduct in Public Office' legislation.

In conclusion to Mr Hunt's grievance/complaint, I am more than happy to be subjected to a full investigation about my conduct in this manner, so long as it is undertaken appropriately, and that my original concerns into potential breaches in 'Misconduct in Public Office' are investigated.

Complaint Two – Mr Granville Taylor, Newbury Town Council

During the early morning of 19th May, 2014, I was required to attend Newbury Town Council as its Deputy Leader to engage in talks with Costain Ltd about the recovery of monies for damage to Victoria Park. Mr Taylor who had I believe been arranging the meeting had previously sent out an email erroneously quoting me as saying something that I had not when I had spoken with him about who should be present in the meeting room.

After the usual morning pleasantries, (it was before 0800hrs as we were going to have a breakfast meeting before meeting with the solicitors at 0900hrs) I stated to Mr Taylor in the presence of Cllrs Swift-Hook and Allen that he had been incorrect in an email, and that I did not say that I needed to be in the actual discussions, but Cllr Payton should as he is a barrister by profession. For some unbeknown reason, but I suspected because he was stressed, Mr Taylor refuted in a loud manner that I was wrong, and he had written down exactly what I had said. I asked to see this, for I know that I had not asked to be in the room. Mr Taylor then left the room clearly annoyed, as I admit I was at being spoken to in such a manner by a member of staff, who I already suspected was involved in the failure to submit the legal cover insurance application.

I approached Cllr Swift-Hook and stated that I was not willing to be spoken to in such a manner and cover up for Officers who I believed to be implicitly involved in the entire fiasco involving Newbury Town Council's current dilemma. As I left, I did state to Cllr Swift-Hook that I believed the Newbury Town Council was a 'Numpty Council', but did not say that Mr Taylor was and I did not refer to Mr Taylor derogatorily as a 'Ex-Prison Officer' because I know that he was civilian member of staff in the Prison Service. Councillors and Staff alike have heard me use this term before about many of the strange practices of the Town Council, which does not seem to exist for the benefit of the public.

As for the term 'Numpty' being offensive, this is not my understanding, as I believe it to mean someone or something that is silly and through speech or action expresses a lack of awareness. If I had believed the term 'Numpty' to be offensive I would not have used it. Subsequent investigation into this term has revealed that in the 21st century the term is not commonly deemed as offensive at all, but refers to something or someone being 'silly'.

With regard to this complaint, I am aware that from Cllr Payton, that Cllr Swift-Hook was approached by Mr Hunt following this incident to ask whether he should invoke disciplinary action against Mr Taylor regarding the rude manner in which he had spoke to me. Cllr Swift-Hook already knew by this stage that I did not wish to progress matters that way and I would be happy with an apology. Up until the time that I was informed that Mr Taylor had submitted a grievance, Cllr Swift-Hook and others stated that it was Mr Taylor who was at fault, and it was I who wanted nothing done formerly.

Surprisingly, after Mr Hunt had submitted his grievance, I was informed that My Taylor had also submitted one. I believe that Mr Taylor's grievance/complaint is a result of his involvement in failing to submit the legal costs insurance claim, which has resulted in a loss of public money.

In conclusion to Mr Taylors complaint, I am more than happy to be subjected to a full investigation about my conduct in this manner, so long as it is undertaken appropriately, and that my original concerns into potential breaches in 'Misconduct in Public Office' are investigated.

Both grievance/complaints in my opinion have been made as a way of thwarting the investigation into the failure of Newbury Town Officers and potentially Members who did not make a claim through a legal costs policy in 2010 that has resulted in a considerable amount of public money being needlessly spent. These same people have subsequently for the past four years I believe colluded to keep this hidden from Members and the Public alike.

Should the Council wish to proceed with a full investigation, I am only too willing to comply for I will not be allowing the concerns that I have raised to be dropped.

Sincerely,

Ruwan Uduwera-Perera
Newbury Town Council - Councillor for Victoria Ward