

# Public Document Pack

**Standards Committee – Hearings Sub-Committee – 11<sup>th</sup> May 2010**

**Previously exempt appendices:**

Appendix 1 – page 1

Appendix 2 – page 203

Appendix 3 – page 219

Appendix 4 – page 221

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## Leeds City Council

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Sections 57A(2), 66 and 82A of the Local Government Act 2000 and The  
Standards Committee (England) Regulations 2008

Report of an investigation by Claire Lefort, acting as Investigating Officer,  
into an allegation concerning the conduct of Councillor Pauleen Grahame of  
Leeds City Council

14 December 2009



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## CONTENTS

Summary	Page 3
Relevant legislation	Page 5
Councillor details	Page 6
The evidence obtained	Page 7
Reasoning as to whether there is a breach of the Code of Conduct	Page 28
Finding	Page 36
Schedule of evidence	Page 37

## Summary

1. An allegation was made by Mr Michael Weaver, a Neighbourhood Warden at Leeds City Council ("the Council"), that Councillor Pauleen Grahame of the Council failed to comply with the Council's Code of Conduct ("the Code") in relation to her conduct:
  - a. at a meeting of the North Whinmoor Forum on 6 July 2009, it is alleged that she interrupted Michael Weaver whilst he was giving a report on behalf of Aire Valley Homes Housing Office. It is alleged that Councillor Grahame stated that she did not think a warden should give a report on behalf of the housing office, as he was not qualified to do so; and
  - b. on 7 July 2009, during a telephone call to the Swarcliffe housing office of Aire Valley Homes in which she was complaining that no one from the Housing Office had been at the Forum meeting, it is alleged that Councillor Grahame stated that a "Tory-BNP" person had given a report, meaning Mr Weaver.
2. I have investigated whether Councillor Grahame:
  - a. Failed to treat others with respect, contrary to paragraph 3(1) of the Code;
  - b. Bullied others contrary to paragraph 3(2)(b) of the Code;
  - c. acted in such a way which compromised or was likely to compromise the impartiality of those who work for, or on behalf of, the authority, contrary to paragraph 3(2)(d) of the Code;
  - d. conducted herself in a manner which could reasonably be regarded as bringing her office or authority into disrepute, contrary to paragraph 5 of the Code; and
  - e. used her position improperly to confer on or secure an advantage or disadvantage for herself or others, contrary to paragraph 6(a) of the Code.
3. As a result of my investigation I have concluded that Councillor Grahame
  - a. at a meeting of the North Whinmoor Forum on 6 July 2009 did not fail to comply with paragraphs 3(1), 3(2)(b), 3(2)(d) and 5 of the Code.

- b. During a telephone conversation on 7 July 2009 to the Swarcliffe housing office of Aire Valley Homes failed to comply with paragraphs 3(1), 3(2)(b), 5 and 6(a) of the Code.
- 4. My finding under Regulation 14 of the Standards Committee (England) Regulations 2008 is that there has been a failure to comply with the code of conduct.

## Relevant Legislation

5. On 14 August 2009, the Assessment Sub-Committee of the Council's Standards Committee decided to refer the allegation against Councillor Grahame to the Monitoring Officer for investigation under Section 57A(2) of the Local Government Act 2000 (CLT1).
6. An investigation carried out by a Monitoring Officer following referral under section 57A(2) is governed by section 66 of the Local Government Act 2000. Under section 66, the Secretary of State may make regulations as to the way in which any matters referred to the Monitoring Officer are to be dealt with. Regulations made by the Secretary of State under this section are The Standards Committee (England) Regulations 2008 (SI 1085). These Regulations apply to this investigation.
7. Section 82A of the Local Government Act 2000 (inserted by virtue of section 113 of the Local Government Act 2003), enables a Monitoring Officer to delegate any part of his or her functions in relation to an investigation to any nominated person. In this case, I have been appointed under section 82A to investigate the allegation and prepare a report of my investigation.
8. The Council adopted The Local Authorities (Model Code of Conduct) Order 2007 with effect from 24<sup>th</sup> May 2007. The relevant paragraphs of the Code I have considered are:

**Paragraph 2(1) of the Code states:**

*"Subject to sub-paragraphs (2) to (5), you must comply with this Code whenever you-*

*(a) conduct the business of your authority (which, in this Code, includes the business of the office to which you are elected or appointed); or*

*(b) act, claim to act or give the impression you are acting as a representative of your authority,*

*and references to your official capacity are construed accordingly."*

*(2) Subject to sub-paragraphs (3) and (4), this Code does not have effect in relation to your conduct other than where it is in your official capacity.*

*(3) In addition to having effect in relation to conduct in your official capacity, paragraphs 3(2)(c), 5 and 6(a) also have effect, at any other*

*time, where that conduct constitutes a criminal offence for which you have been convicted.*

*(4) Conduct to which this Code applies (whether that is conduct in your official capacity or conduct mentioned in sub-paragraph (3)) includes a criminal offence for which you are convicted (including an offence you committed before the date you took office, but for which you are convicted after that date)."*

**Paragraph 3 (1) of the Code of Conduct states:**

*"You must treat others with respect."*

**Paragraph 3 (2)(b) of the Code of Conduct states:**

*"You must not bully any person"*

**Paragraph 3 (2)(d) of the Code of Conduct states:**

*"You must not do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, your authority."*

**Paragraph 5 of the Council's Code states:**

*"You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute."*

**Paragraph 6(a) of the Council's Code states:**

*"You must not use or attempt to use your position as a member improperly to confer on or secure for yourself or any other person, an advantage or disadvantage"*

## **Councillor Details**

9. Councillor Grahame was first elected to the Whinmoor and Scholes ward of the Council in 2002. Councillor Grahame was most recently elected on 7 May 2007 to the Cross Gates and Whinmoor ward. Her term of office ends on 3 May 2011. Councillor Grahame is currently the Labour Group Secretary, the Chair of the Scrutiny Board (Central and Corporate), the Chair of the Crossgates Forum, and is a member of the Corporate Governance and Audit Committee and the East (Outer) Area Committee. Councillor Grahame is also governor at John Smeaton Community College, Swarcliffe Primary School, White Laith Primary School and Manston Primary School.



10. Councillor Grahame said that she attended training on the Code of Conduct when she was first elected but has not attended any recent training, although the Code arises in meetings. Councillor Grahame said that she considers herself to be familiar with the Code (CLT2 p3).

11. It was reported to the Council's Standards Committee in October 2007 that following the Council's adoption of the new Members' Code of Conduct on 24th May 2007, the Standards Committee supported an extensive programme of training for all Members and certain officers of Leeds City Council. A total of 91 Councillors attended training sessions or briefings between May and October 2007, and the remaining eight receiving the training materials by post.

12. Councillor Grahame gave a written undertaking that she would observe the Code on 10th May 2007.

#### **The evidence obtained**

13. I interviewed the following witnesses during my investigation

- i. Michael Weaver, Neighbourhood Warden, Leeds City Council;
- ii. Councillor Grahame, subject member;
- iii. Councillor Gruen, Chair of Aire Valley Homes, Chair of North Whinmoor Forum and ward member of Cross Gates and Whinmoor ward;
- iv. James Nundy, Administration officer for Outer East Area Management at the Council;
- v. Greg Sharp, Principal Engineer, Traffic Unit at the Council
- vi. Karen Shaw, Housing manager at Aire Valley Homes
- vii. Caroline Elsworth, Housing manager at Aire Valley Homes
- viii. Martin Hackett, support to Outer East Area Committee at the Council
- ix. Mindi Singh, member of the public
- x. Tony Stringwell, recreation officer at the Council.

14. During the investigation, I also obtained the following documents:

- a. confirmed minutes of the North Whinmoor Forum meeting which took place on 6 July 2009;
- b. manuscript notes made by Mr Weaver on a copy of the agenda for the 6 July 2009 North Whinmoor meeting;

- c. handwritten notes taken by the minute taker, James Nundy,
- d. comments from PC Bickerdyke and PCSO Thimm who were present at the North Whinmoor Forum meeting which took place on 6 July 2009.

### **Background**

15. Mr Weaver is the Neighbourhood Warden for Whinmoor and Scholes ward. Neighbourhood Wardens work for Leeds City Council and operate from within the Area Management Teams within the Regeneration Division. Each Neighbourhood Warden is responsible for their area and carry out uniformed patrols within that area, making contact with local people and identifying issues which need addressing. Wardens are also involved in planned activities, in conjunction with a variety of agencies, to encourage the regeneration of targeted areas. Neighbourhood wardens deal with housing problems, road repairs, lighting, anti-social behaviour and other issues affecting the community. Part of the role includes attendance at local forum meetings to report back on the activities in the neighbourhood. Mr Weaver reports to the North East Area Management Committee although he is based at the Swarcliffe office of Aire Valley Homes, which is an arms length management organisation (ALMO).
16. Aire Valley Homes is one of 3 ALMO's responsible for housing in Leeds. The housing stock is divided up between a number of offices. Swarcliffe Housing Office manages housing in Swarcliffe, Whinmoor and Halton. There are 3 tenancy management officers dealing with tenancy issues who are: Karen Shaw and Nick Swithenbank (who have responsibility for Swarcliffe) and Caroline Elsworth (who has responsibility for Whinmoor and Halton). The Chair of Aire Valley Homes is Councillor Peter Gruen.
17. The North Whinmoor Forum meeting is held every 3 months. It is chaired by Councillor Gruen and is attended by Councillor Grahame and Councillor Suzi Armitage who are the three ward councillors for Cross Gates and Whinmoor ward, as well as local residents and groups. It is arranged by the South East Area Management Team. There are regular reports from the neighbourhood warden, the police and Aire Valley Homes housing office as well as topical reports on highways, planning or environmental issues.

18. Councillor Gruen explained that there were some concerns as to the attendance of officers from Aire Valley Homes at the North Whinmoor Forum meetings as there had been more than one meeting at which officers of Aire Valley Homes had not attended (CLT3 p4).

**Comments by Mr Weaver and Councillor Grahame as to previous knowledge of each other and their relationship**

19. Mr Weaver explained that in the past, he has not got on very well with Councillor Grahame. He explained that he was asked to work in the Whinmoor ward because he says that Councillor Grahame had the previous warden removed. He explained that he first met Councillor Grahame at the Fieldhead Carr Community Centre at a coffee morning for OAPs and that when he was introduced to Councillor Grahame, Councillor Grahame said, "Yes, I've heard all about you." Mr Weaver explained that since then, he has always received a very frosty reception from Councillor Grahame. He explained that he has limited contact with Councillor Grahame; he sees her at forum and community meetings but does not have much contact regarding issues in the community (CLT4).

20. Councillor Grahame explained that she has very little contact with Mr Weaver except at the Whinmoor Forum and at Hebden Green. [REDACTED]

[REDACTED]

21. Councillor Grahame also explained that she did not get on with Mr Weaver because he had tried to intimidate her. Councillor Grahame explained that Mr Weaver is over 6 feet tall and that he would always attend coffee mornings with the Whinmoor Warriors and at Manor House at the same times when she was attending. She explained that she could see no reason for Mr Weaver to attend these meetings, and it seemed to her that wherever she was, Mr Weaver would also be there which made her feel uncomfortable.

### **North Whinmoor Forum meeting – 6 July 2009**

22. The minutes of the meeting were taken by James Nundy of South East Area Management (CLT6). The approved minutes record apologies for Councillor Suzi Armitage, Caroline Elsworth and Phil Diamond. The order of the minutes is as follows, although it is apparent from the handwritten notes provided by James Nundy and comments made during interview that the items of business were not considered in the sequence recorded in the minutes:

1) Welcome / introductions / apologies

2) Minutes from 30 March 2009

3) Matters arising from those minutes

4) 10 minute open floor

5) Highways issues on Coal Road (Greg Sharp)

6) Community Safety

**Police:** 6.01 – 6.06

**Neighbourhood Warden (Mike Weaver):** 6.07 – 6.14

7) Leisure (Tony Stringwell)

8) Fieldhead Community Centre

9) Housing Schemes / Aire Valley Homes Leeds / Regeneration Schemes

    9.1 Costs for the MUGA on Sherburn Road have risen from £70K to £100K. It is on hold at the moment due to the funding issues.

    9.2 AVH have provided a drop in service in a mobile office at White Laithe Court on Wednesdays.

**Environmental projects**

10) AOB / Next meeting.

23. The handwritten notes taken by James Nundy do not provide any additional details to those recorded in the minutes and demonstrate that the items were taken in a different order (CLT7).

### **Allegation made by Mr Weaver concerning Councillor Grahame's conduct at the North Whinmoor Forum meeting on 6 July 2009**

24. Mr Weaver states in his complaint form that he was asked to read out a report on the Sherburn North Road MUGA /football post project on behalf of Caroline Elsworth (CLT8). During interview, Mr Weaver explained that he attended the North Whinmoor Forum meeting on the evening of 6 July 2009 to give his neighbourhood warden's report, on activities and issues in the ward in the 3 months since the previous

meeting, as usual. He explained that on the day of the meeting he was asked by Caroline Elsworth, the Tenancy Management Officer at Aire Valley Homes, to give a short report on the Sherburn North Road MUGA/Football Post Project. Mr Weaver explained that Caroline Elsworth was unable to attend due to childminding issues and that the temporary manager, Phil Diamond, was on holiday. Therefore instead of nobody attending on behalf of Aire Valley Homes, Mr Weaver says that Aire Valley Homes asked him to read the small report out. He also explained that the issue was on the agenda and he had previously been involved in the project at an early stage. Mr Weaver explained that Caroline Elsworth and Phil Diamond gave their apologies to the meeting which were read out at the beginning of the meeting.

25. Mr Weaver explained during interview that the MUGA had originally been a project that he had put forward. He explained that there was a piece of spare land on a busy road and that he had proposed putting up a couple of football posts and a fence to stop the children running into the road. He explained that this had been put forward to Area Committee and taken out of his hands. He explained that the next he knew, a MUGA had been suggested and costs had risen to an exorbitant amount.
26. Mr Weaver recalled that at the meeting, there were 4 or 5 members of the public, 3 officers from the Keepmoat development as well as Councillor Grahame and Councillor Gruen. During interview, Mr Weaver could not recall which other officers were in attendance without looking at his notes.
27. Mr Weaver states in his complaint form that he was half way through the report and Councillor Grahame interrupted him saying that she did not think that a warden should be giving a report on behalf of the Housing Office saying that he was not qualified to do so.
28. During interview Mr Weaver explained his complaint further by stating that he gave his neighbourhood warden's report as usual and that when the Aire Valley Homes housing office report came up on the agenda, he stood up and said that nobody was able to attend on behalf of Aire Valley Homes and that he had been asked to give a brief report.

29. Mr Weaver was provided with an email from Mark Wheelwright to officers of the Council, including Phil Diamond and Caroline Elsworth, regarding the MUGA. Below this was written,
- "Mick, 1) Please report on my behalf – costs £70 100K. Major problems with funding, this has been put on hold as far as I am aware for the moment. 2) Aire Valley bus / mobile office at Whitelaite Court on Wednesday for local residents to pop in".*
- Mr Weaver referred to this email at the meeting which formed the short report that he was asked to provide by Caroline Elsworth (CLT8).
30. Mr Weaver explained during interview that he started to read the report out and after a couple of minutes Councillor Grahame interrupted saying that she felt that a neighbourhood warden was not qualified to give a report on behalf of the housing office. Mr Weaver explained that he tried to explain that he had been involved with the MUGA project previously but that Councillor Grahame repeated that a "*mere warden*" should not be giving a report on behalf of the housing office. Mr Weaver said that Councillor Grahame did not offer any explanation as to why she thought it was not appropriate for him to give the report and made no suggestions that it was because he would not be able to answer any questions. Mr Weaver explained that no other members at the meeting appeared to be concerned that he was giving the report. Mr Weaver explained that he is very clear on what Councillor Grahame said as something like that sticks in the mind.
31. Mr Weaver explained that rather than antagonise the situation, he just sat down without finishing the report. He explained that he felt annoyed and a little bit belittled, as well as feeling a bit embarrassed that it was said at a public meeting. He recalled that others present at the meeting looked down at their papers and he felt that people were shocked and embarrassed for him. Mr Weaver described Councillor Grahame's demeanour and tone as that of looking down her nose and pulling a face which he says is her usual demeanour and tone.
32. Mr Weaver produced a copy of the agenda for the Forum meeting held on 6 July which contains his handwritten notes which he made at the meeting. He has starred under item "*9.0 Housing Issues/Aire Valley Homes/Regeneration schemes*" on the agenda "*Housing Managers report – Phil Diamond*" and wrote at the side of this starred item "*For Caroline*". He has also written on the other side "*Clr (sic) Grahame*".

*interrupted me, said I am not qualified to give a report for housing. A mere warden" (CLT9).*

33. Mr Weaver explained during interview that he would have expected to see something in the minutes of the meeting referring to Councillor Grahame's comments. He explained that at the recent Forum meeting on 21 September, he did not challenge the minutes of the meeting on this point, as the matter was being investigated.

34. Councillor Grahame denies the allegation that she failed to comply with the Code at the meeting of the North Whinmoor Forum on 6 July 2009, that she referred to Mr Weaver as a "mere warden", and her tone and demeanour as alleged by Mr Weaver (CLT10). As there is some dispute of fact as to what Councillor Grahame said and the way in which she said it, I set out below the evidence of Councillor Grahame and other witnesses interviewed as to their recollections of what happened at the meeting.

#### **Councillor Grahame's evidence**

35. During interview, Councillor Grahame explained that at the beginning of the meeting, Councillor Gruen noticed that neither Caroline Elsworth nor Phil Diamond of Aire Valley Homes were present and it was then mentioned by Mr Weaver that he was giving a report on their behalf as they could not attend. Councillor Grahame said that she believed that Councillor Gruen expected Phil Diamond to be present and was unhappy at his absence. Councillor Gruen said that no apologies were given for the absence of Phil Diamond and Caroline Elsworth at the meeting.

36. During interview, Councillor Grahame was unclear as to when Mr Weaver gave his neighbourhood warden's report and when he referred to the giving a report on behalf of Aire Valley Homes. Councillor Grahame recalls that at some point of the meeting, Mr Weaver stood up and said that Phil Diamond was not going to attend the meeting but that he (Mr Weaver) had been asked to read out a report on behalf of Aire Valley Homes. Councillor Grahame thought that this comment may have been made prior to Mr Weaver giving his neighbourhood warden's report. She explained that in response, she said that it was not the place of the neighbourhood warden to give a report for the housing manager because if there were any questions, he would not be able to answer them. Councillor Grahame denied that she said it

was inappropriate for a "*mere warden*" to present the housing office report. Councillor Grahame explained that she would never use the expression "*mere*" and that her concerns were purely that a neighbourhood warden should not be placed in such a position to give a report for a housing manager.

37. Councillor Grahame described her tone as being surprised but that she was in no way disrespectful to Mr Weaver. She explained that Mr Weaver had not reacted to her comments.

38. In response to the suggestion that Mr Weaver had not been able to give the housing office report, Councillor Grahame explained that Mr Weaver read out his report, but could not be sure whether he had read out a separate housing office report. Councillor Grahame referred to the minutes of the meeting that had been agreed at the recent forum meeting on 21 September 2009, and noted that Mr Weaver had given his neighbourhood warden's report and therefore could not have been interrupted.

#### **Councillor Gruen's evidence**

39. Councillor Gruen has been a councillor since 1983 and is currently Chief Whip of the Labour Group, the Chair of the North Whinmoor Forum as well as the Chair of Aire Valley Homes. Councillor Gruen explained that he has been chairing the North Whinmoor Forum for over 10 years and working with Councillor Grahame since she was elected in 2001.

40. Councillor Gruen explained that at the Forum meeting on 6 July 2009, as far as he could recall, there was nobody from the Swarcliffe Housing office. There were officers from Aire Valley Homes present, but they were in attendance to discuss a specific regeneration project and not usual housing issues. He explained that he had been given no, or very little, notice of the fact that neither Phil Diamond nor Caroline Elsworth could attend. Councillor Gruen recalled that there had been two recent meetings where nobody from Aire Valley Homes had attended, and he could not recall whether the meeting on 6 July was the first or the second of these meetings.

41. Councillor Gruen explained that as Chair of the Forum and more particularly as Chair of Aire Valley Homes, he had been embarrassed



by the lack of attendance by housing officers and had subsequently spoken to senior officers at Aire Valley Homes.

42. Councillor Gruen explained that his recollection was that whilst Mr Weaver was giving his neighbourhood warden's report, he strayed into housing issues and said "*I also have a few notes about something to say about housing*". Councillor Gruen could not recall the housing report being presented separately from the neighbourhood warden's report, as suggested in the minutes. Councillor Gruen explained that as Mr Weaver had been reading out the report, Councillor Grahame interrupted Mr Weaver to say that she thought it was inappropriate for a neighbourhood warden to give a report on housing as he was not part of the housing office. Councillor Gruen recalled that Mr Weaver tried to explain that he had been given the report to read and that Councillor Grahame said that she still did not think it was appropriate for him to give the report.

43. Councillor Gruen described Councillor Grahame's conduct as being challenging of Mr Weaver for an explanation as to why he was giving the report. Mr Weaver's explanation was that he had been given a note and asked to read it out. Councillor Gruen stated that his

[REDACTED]

Mr Weaver was not responsible for the types of housing issues that were likely to be discussed in the Forum. He explained that he had not voiced these to the Forum but had instead brought them up with senior management at Aire Valley Homes.

44. Councillor Gruen explained that he recognised that Mr Weaver had come to the Forum with the best of intentions to assist his colleagues and that he had been surprised and embarrassed by Councillor Grahame's interruption and challenge. Councillor Gruen explained that he felt that Mr Weaver had not fully appreciated that Councillor Grahame's concern was that although he could present the report, he would be unable to answer any questions which may have arisen. Councillor Gruen denied that Councillor Grahame had said that it was inappropriate for a "*mere*" warden to give the report, as they do not describe people in those terms.

45. Councillor Gruen explained that after Councillor Grahame's interruption, Mr Weaver had continued with his neighbourhood warden's report.

**Caroline Elsworth's evidence (CLT11)**

46. Caroline Elsworth explained that she was the tenancy management officer for North Whinmoor based in the Swarcliffe office. She explained that she had been due to attend the North Whinmoor Forum meeting on 6 July in the place of the manager but that she had had childcare problems and was not able to attend. She explained that she had sent her apologies via email to Martin Hackett on that day. She explained that she does not normally produce a report but notes down issues that she needs to raise at Forum meetings, such as environmental issues, anti-social behaviour, re-housing statistics and void properties. She explained that there was nothing urgent to discuss at this meeting and that she asked Mr Weaver to take the information up to the meeting and hand it to the Chair to read out and answer questions if necessary. She recalled that there had been officers present from Aire Valley Homes to discuss a regeneration project but that as it was such short notice, she would not have been able to get the information to them.

47. Mrs Elsworth explained that she was telephoned at home on the afternoon of the Forum by Karen Shaw to be told that Councillor Armitage had expressed her concerns about no-one attending the Forum meeting. Mrs Elsworth explained that after speaking to Karen Shaw, she spoke to the Chief Officer of Aire Valley Homes, Simon Costigan, who said that he would contact Councillor Gruen to explain the situation. It is not known whether this conversation took place and I have not pursued this further as part of my investigation.

**Martin Hackett's evidence (CLT12)**

48. Martin Hackett from the South East Area Management Team explained that part of his role was to arrange and support local forums, including the North Whinmoor Forum. He explained that although he did not have any formal role, he often attended the Forum meetings to report back any issues to Area Committee.

49. Mr Hackett recalled that at the beginning of the meeting Councillor Gruen welcomed everybody and explained that nobody was able to attend from Aire Valley Homes and that Mr Weaver would be reading

out a short report on their behalf. Mr Hackett recalled that Councillor Grahame was running late and missed this announcement.

50. Mr Hackett explained that the meeting progressed in an order different to that noted in the approved minutes as he recalled that Highways arrived late and therefore spoke near the end of the meeting rather than at the beginning. He noted that James Nundy followed the order in the agenda in writing up the minutes, rather than the order in which the reports were presented.

51. Mr Hackett's recollection was that Mr Weaver went all the way through his neighbourhood warden's report and at the end explained that he would be giving a short report on housing as Phil Diamond and Caroline Elsworth were not able to attend. Mr Hackett explained that Mr Weaver began to give the housing office report before Councillor Grahame interrupted to say "*Why are you giving this report? You're not the housing officer.*" Mr Hackett recalled that Mr Weaver attempted to explain that he was giving the report because no one could attend from housing, but that Councillor Grahame repeated "*You're not the housing officer, you should not be giving the report.*" Mr Hackett recalled Councillor Gruen telling Councillor Grahame that Mr Weaver had been asked to give the report because nobody could attend from housing.

52. Mr Hackett described Councillor Grahame's tone as rude but not aggressive. When asked, Mr Hackett could not recall Councillor Grahame saying that it was inappropriate for a "*mere*" neighbourhood warden to give a housing report. He explained that he would be likely to remember if the word "*mere*" had been used as he would have classed that as being more than rude. Mr Hackett recalled that Mr Weaver went quiet and sat down after the interruption and that people looked at their papers and avoided eye contact.

53. Mr Hackett's impression was that Mr Weaver was doing a favour by reading the report and that if Councillor Grahame had not been happy about this, she should have taken it up with the housing office and not with Mr Weaver.

#### James Nundy's evidence (CLT13)

54. James Nundy is the Administration Officer for South East Area Management. He attended the North Whinmoor Forum as the minute

taker. Mr Nundy's recollection of the meeting was that it was a normal meeting. He felt that it was unusual for a neighbourhood warden to give a housing report as generally Aire Valley Homes officers would have given the report. He could not recall any explanation as to why the neighbourhood warden was reading the report. Mr Nundy could not recall anybody voicing any concerns or Councillor Grahame interrupting. When specifically asked whether Councillor Grahame had said it was inappropriate for a neighbourhood warden to give a report, Mr Nundy could not recall.

**Greg Sharp's evidence (CLT14)**

55. Greg Sharp is one of the principal engineers in the traffic unit of Leeds City Council. He attended the North Whinmoor Forum with his colleague James Buckley as they were due to give a report on highway issues on Coal Road. Mr Sharp explained that they arrived slightly late and arrived during a debate about local CCTV. He explained that he was present for the neighbourhood warden's report but that as the issues did not affect him, he could not recall any details of the report. Mr Sharp could not recall Mr Weaver giving a report on behalf of Aire Valley Homes, or of him being interrupted by Councillor Grahame. Mr Sharp could not recall Councillor Grahame saying that it was inappropriate for a neighbourhood warden to give a report on behalf of the housing office. Mr Sharp explained that after he had given his report on Highways, he and Mr Buckley were invited to leave, which they did. In total, Mr Sharp estimated that he was there for 30–45 minutes of the meeting.

**Tony Stringwell's evidence (CLT15)**

56. Tony Stringwell is the recreation officer for Leeds City Council. He explained that he attended the North Whinmoor Forum as he was due to give a report on the Fieldhead Carr Pitches and the Skelton Woods Project. Mr Stringwell explained that the meeting was fairly normal apart from a heated discussion surrounding community safety. Mr Stringwell was only vaguely able to recall Mr Weaver reading out a report. He could not recall whether this was the neighbourhood warden's report or the housing office report. Mr Stringwell could not recall Mr Weaver being interrupted by Councillor Grahame, nor Councillor Grahame saying that it was inappropriate for a mere neighbourhood warden to give a housing report.

**Mindi Singh's evidence (CLT16)**

57. Mindi Singh is a self-employed businessman, a sub-post master based in North Whinmoor. He attended the North Whinmoor Forum meeting on 6 July in his capacity as a local businessman to put across the concerns of local businesses. Mr Singh explained that he attends 3 out of the 4 forum meetings held each year.

58. Mr Singh could not recall what apologies were given at the meeting. Mr Singh recalled that Councillor Gruen made a comment that there was nobody present from the housing office, and that he was disappointed about this. Mr Singh could not be sure when this comment was made but thought that it was when the housing report came up on the agenda. Mr Singh recalled that at this point Mr Weaver stood up and said that he had a report to give on behalf of the housing office. He recalled that Councillor Grahame said that as a neighbourhood warden, Mr Weaver could not give a report on behalf of the housing office as he would not be able to answer any questions. Mr Singh then recalled Councillor Gruen saying how disappointing it was that no housing officers had attended and that if they wanted to submit a written report, they should have done so to him as Chair and not to the neighbourhood warden. Mr Singh recalled Councillor Gruen asking Mr Weaver to proceed with just his report. Mr Singh could not recall for certain whether the housing office report was read out or not.

59. Mr Singh recalled that Mike Weaver appeared a bit put out by the incident. When asked whether Councillor Grahame said that it was inappropriate for a "*mere warden*" to give a housing report, Mr Singh recalled that Councillor Grahame had not used that exact phrase, and had not used the word "*mere*". He recalled that everyone at the meeting understood Councillor Grahame's comment to mean that it was not the job of a neighbourhood warden to give a report on behalf of the housing office as it was not his department and he would not be able to answer any questions.

#### **PC Bickerdyke and PCSO Thimm's evidence (CLT17)**

60. Enquiries were made about the recollections of PC Bickerdyke and PCSO Thimm. They confirmed that neither of them had received any complaints at the meeting or about the meeting and have no details in their pocket books other than recording that they attended. They also confirmed that they only attended at the start of the meeting and they neither saw nor heard anything controversial at the meeting.

**Conclusions as to events at the North Whinmoor Forum meeting on 6 July 2009 and Councillor Grahame's conduct at that meeting**

61. I consider that all of the evidence obtained from the witnesses, as well as Councillor Grahame and Mr Weaver have been honest and truthful. I consider that this case involves elements of perception and understanding of the meaning of what was being said and how that was portrayed. I consider that such perceptions can affect the recollections of witnesses as to what was said and how it was said. I also consider that there has been some passage of time since the meeting and the date on which they were interviewed, which is inevitable in such investigations, even though attempts were made to obtain evidence as quickly as possible following referral for investigation. I also note that several witnesses did not pay any particular attention to parts of the meeting which did not affect them and therefore their recollections were limited. I would have expected witnesses to have had some recollection of Councillor Grahame's comments had they been overtly rude or abusive as this is the type of behaviour that is unusual and unexpected during meetings and therefore the type of behaviour which would be remembered to some degree. The fact that some witnesses interviewed, who were officers of the Council and police representative, do not recall anything out of the ordinary or comments made by Councillor Grahame would indicate that Councillor Grahame's comments or tone and demeanour were not overtly rude or abusive towards Mr Weaver.

62. I have taken account of the evidence obtained and conclude on the balance of probabilities:

- a. At the meeting of the North Whinmoor Forum on 6 July 2009, Councillor Gruen, as Chair of the meeting, began the meeting and gave apologies on behalf of Councillor Armitage, Phil Diamond and Caroline Elsworth. Councillor Gruen expressed some concern as to the absence of a representative from the Housing Office at Aire Valley Homes at the meeting.
- b. The meeting progressed as per the handwritten notes of James Nundy, mostly in the order set out in the agenda but with the report from highways attending later in the meeting.
- c. Mr Weaver gave his neighbourhood wardens report as part of the Community Safety item.
- d. When the housing report came up on the agenda, Mr Weaver stood up and explained that he had a report to read out on

behalf of the housing office of Aire Valley Homes, as they were not able to attend.

- e. Mr Weaver read out both items on the email given to him by Mrs Elsworth: The MUGA and the mobile office in White Laithe.
- f. Councillor Grahame interrupted Mr Weaver towards the end of this report.
- g. Councillor Grahame questioned why Mr Weaver was giving the report and told Mr Weaver that it was not his place to give a report on behalf of the housing office.
- h. Mr Weaver tried to explain that he had just been asked to read out these two items to help out the housing office.
- i. Councillor Grahame reiterated that Mr Weaver should not be giving the report as he was not from the housing office.
- j. Councillor Grahame did not say that it was inappropriate for a "*mere warden*" to give a report on behalf of the housing office.
- k. Councillor Grahame's tone and demeanour was firm, although I do not conclude that she was abusive or rude.

**Allegation concerning the comments made by Councillor Grahame during a telephone call with Karen Shaw on 7 July 2009**

63. Mr Weaver alleges in his complaint form that he went to the Swarcliffe Housing Office and that Karen Shaw called him over and told him that Councillor Grahame telephoned her complaining that no one from the housing office had been at the forum meeting and that a warden, a Tory BNP person had given a report, meaning Mr Weaver. Mr Weaver alleges that this was an incorrect remark and said in a derogatory manner.

64. During interview, Mr Weaver explained that on 7 July 2009, he attended the Swarcliffe Housing Office just before lunchtime. He explained that as he was walking through the office he was motioned over to Karen Shaw and Caroline Elsworth's desk. He described them as both looking shocked and that Karen Shaw looked upset. He said that they explained that Councillor Grahame had been on the telephone complaining that nobody from the housing office had attended the forum meeting and that a "mere warden", and a "Conservative BNP person" had given a report on behalf of the housing office.

65. Mr Weaver explained that he replied "*She said what?*" and that Karen Shaw confirmed that Councillor Grahame said a "*Conservative BNP*"

person". Mr Weaver explained that he was still shocked from the night before and told Karen he was going to make a complaint and would she be happy to verify events.

66. When asked, Mr Weaver confirmed that he had no connections with the BNP. He explained that [REDACTED] 4 or 5 years previously. He explained that at the time he had been called into the office and told it was not advisable to get involved. He explained that he had told his boss that [REDACTED] [REDACTED] He explained that [REDACTED] [REDACTED] He explained that he had no political affiliations and was middle of the line. He explained that his job requires him to deal with people of all political persuasions.

67. Mr Weaver explained that he made a note immediately after this conversation. This note corresponds with what Mr Weaver explained in interview (CLT18). Mr Weaver explained that he presumed that Caroline Elsworth was told by Karen Shaw what had been said as they work opposite each other.

68. Mr Weaver explained that since this time, he has not spoken directly to Councillor Grahame although he was at an event at St Gregory's Community Centre where she was present and she had apparently said to the other warden "*what's he doing here?*"

#### **Councillor Grahame's evidence**

69. Councillor Grahame denies the allegation and does not accept that she referred to Mr Weaver as a Tory BNP person. Councillor Grahame was unable to clearly identify the telephone call which is alleged to have taken place, although was clear that she would not refer to Mr Weaver as a Tory BNP person. As there is dispute of fact as to what Councillor Grahame said during the telephone call, I set out below the evidence of Councillor Grahame, as well as Karen Shaw and Caroline Elsworth.

70. During interview, Councillor Grahame explained that she recalled that she telephoned the Housing Office, although she could not at first remember exactly when or to whom she spoke. She then confirmed that she called the Housing Office the next day following the North Whinmoor meeting on 6 July. She explained that the purpose of the telephone call was to discuss case work and in the same conversation



raised her concerns that nobody had attended from the housing office and that the Councillors had not been informed about the MUGA project prior to the meeting. Councillor Grahame was particularly concerned that a MUGA was being proposed for the area without the Councillors having any knowledge of it. Councillor Grahame explained that she had spoken to both Karen Shaw and Caroline Elsworth about these issues and she could not recall who she had spoken to on 7 July.

71. Councillor Grahame said that she would not use the words Tory BNP person. She said that everyone is entitled to their own political persuasion, but that the words alleged describe him as both. Councillor Grahame said that she understands that Mr Weaver is a conservative. Councillor Grahame said that she believed Mr Weaver [REDACTED] [REDACTED] She explained that she knew this as Mr Weaver lives very close to the local Labour MP, Colin Burgon. Councillor Grahame in her written response explained that Mr Weaver's [REDACTED] and that this is common knowledge. Councillor Grahame confirmed that she considers Mr Weaver to be a Tory, but not a BNP member.

72. [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED] Councillor Grahame expressed her surprise about Karen Shaw's recollection of the telephone call and what had been reported as allegedly being said by Councillor Grahame, and commented during interview that she had always got on well with Karen Shaw and had good banter with her.

#### Karen Shaw's evidence (CLT20)

73. Karen Shaw is one of the Tenancy Management Officers based in the Swarcliffe Housing Office. She explained that Councillor Grahame had telephoned at about 9.30am on 7 July to speak to Caroline Elsworth. Karen Shaw recalled that Caroline Elsworth had not been in the office at that time.

74. Karen Shaw recalled that Councillor Grahame explained that the ward members were unhappy that nobody had attended the forum meeting the night before from the Housing Office. Karen Shaw explained that she told Councillor Grahame that this was due to Caroline Elsworth's childcare arrangements. Karen Shaw recalled that she apologised to Councillor Grahame that people could not attend but that at the time it was out of her hands. Karen Shaw explained that Councillor Grahame informed her that Mr Weaver had been given the housing report to relay and that she did not think that that was right.
75. Karen Shaw recalled that Councillor Grahame said that the report should not have been delivered by a neighbourhood warden who was not a representative of the housing office, especially as he was a Tory BNP supporter. Karen Shaw recalled Councillor Grahame's tone as not angry, as she knew that Karen Shaw was not meant to be at the Forum meeting. Karen Shaw recalled that she did not really think anything of the conversation.
76. Karen Shaw recalled that after Caroline Elsworth returned to the office, she explained to her that Councillor Grahame had rung to express her displeasure that nobody had attended from the Housing Office and that the neighbourhood warden had read out a report. Karen Shaw recalls Caroline Elsworth explaining that there was very little in the housing report. Karen Shaw explained that she and Caroline Elsworth discussed the comments that Councillor Grahame had made about Mr Weaver and felt that Mr Weaver should be informed. Karen recalled that about 30 minutes after the telephone call, she and Caroline Elsworth went to Mr Weaver in the estate manager's office and explained the content of the telephone call.
77. Karen Shaw recalled that Mr Weaver had been quite annoyed by Councillor Grahame's comments and that he had explained that he had never been a member of the BNP and that it was out of order to be called that.
78. When asked why Karen Shaw had particularly remembered this conversation, she explained that she had been quite shocked by Councillor Grahame's comments because she had felt that a ward member should remain neutral in their opinions.

### **Caroline Elsworth's evidence**

79. Caroline Elsworth recalled that she had been out on the estate in the morning on 7 July and returned to the office at about 10am. She explained that she was told that Councillor Grahame had telephoned and she was not happy that nobody from the housing office had attended the meeting and that Mr Weaver had read out a report for Aire Valley Homes which was nothing to do with him.

80. Caroline Elsworth explained that Karen Shaw appeared upset and annoyed because of the way that Councillor Grahame had spoken to her. Caroline Elsworth explained that she told Karen Shaw that Mr Weaver had been doing the housing office a favour and that if he had not given the report, no-one would have been able to do so.

81. Caroline Elsworth explained that Mr Weaver had come into the office about an hour later and that Karen Shaw explained to him that Councillor Grahame had telephoned and that she was unhappy that nobody had attended from Aire Valley Homes and that the report had been given by a "*mere neighbourhood warden*". Caroline Elsworth recalled that Karen Shaw mentioned a further comment made by Councillor Grahame that Mr Weaver was a Tory BNP supporter.

82. Caroline Elsworth explained that Mr Weaver seemed upset and unhappy and that he had gone to his office after this.

### **Conclusions concerning the comments made by Councillor Grahame during a telephone call with Karen Shaw on 7 July 2009**

83. I have had some difficulty in resolving the disputes of fact concerning the telephone call. There are no independent witnesses to the telephone call. It is apparent that Councillor Grahame was unable to recall when a telephone conversation took place, with whom it took place and exactly what was said. In contrast, Karen Shaw was very clear in her evidence as to when the telephone call took place and what was said by Councillor Grahame. In balancing the evidence, I have taken account of the comments which were made by Karen Shaw to her colleague Caroline Elsworth and to Mr Weaver which were reported shortly after the telephone call taking place. I have also taken into account that, at the time of reporting the contents of the conversation to Caroline Elsworth and Mr Weaver, there do not appear to be any reasons why Karen Shaw would fabricate what was said by Councillor Grahame and I understand from both Karen Shaw's and

Councillor Grahame's evidence that they had a good relationship. Taking these matters into account, I therefore prefer the evidence of Karen Shaw on the balance of probabilities to that provided by Councillor Grahame and conclude that:

- a. Councillor Grahame telephoned the Housing office on 7 July 2009 at approximately 9.30am, and spoke to Karen Shaw;
- b. Councillor Grahame spoke about her concerns that no one from the Housing Office had attended the North Whinmoor Forum on 6 July 2009;
- c. Councillor Grahame said during the telephone conversation with Karen Shaw that the Housing Office report should not have been delivered by a neighbourhood warden who was not a representative of the housing office, especially as he was a Tory BNP supporter.

#### Comments made by Councillor Grahame in response to draft report

84. In response to my draft report Councillor Grahame provided me with further copy emails concerning [REDACTED] which are dated early December 2009 (CLT21). In Councillor Grahame's response she has highlighted various matters [REDACTED] [REDACTED] (CLT 22). On the one hand, Councillor Grahame may be suggesting that Karen Shaw fabricated the comments alleged to have been made by Councillor Grahame [REDACTED] [REDACTED]. On the other hand, she may be challenging the credibility of Karen Shaw's evidence.

85. I am not clear as to the intentions of Councillor Grahame in highlighting these matters, but did, as a result of them, make further enquiries of both Karen Shaw and Simon Costigan, who is Karen Shaw's line manager. Karen Shaw confirmed that she had, prior to the complaint, a good relationship with Councillor Grahame (CLT23).

86. Karen Shaw was of the view that Councillor Grahame was trying to suggest that she was untrustworthy and a liar and that by corroborating Mr Weaver's story, she was lying. Karen Shaw stated that she was only telling the truth, but that as a result, it was very difficult at work and that she would now never make a complaint as it has made life so difficult for her and upset her so much.

87. Simon Costigan explained that he was not aware of any formal reported complaints although said that there will always be issues

arising in which the expectations of the member cannot be fulfilled or requests delivered. Simon Costigan said that Councillor Grahame for example has requested Karen Shaw to deal with a matter which is not within her geographical area (CLT24).

88. Taking into account the evidence obtained, I do not consider that my conclusions as to the facts concerning the telephone conversation should alter. I also consider that the evidence obtained would suggest that there is no reason for Karen Shaw to have fabricated the alleged comments made by Councillor Grahame and it would be serious misconduct for an officer of an ALMO to do so. Whilst it is difficult for members to be subject to complaints, it is also difficult for officers to come forward and make complaints about councillors or give evidence.

89. I found Karen Shaw's evidence to be strong, and despite the [REDACTED] Karen Shaw maintains that she is telling the truth.

## Reasoning as to whether there is a breach of the Code.

90. The relevant paragraphs of the Code of Conduct which I have considered during my investigation are paragraphs 2(1), 3(1), 3(2)(d), 5 and 6(a).

91. Paragraphs 2(1) and 2(2) provide that, subject to sub-paragraph (3), the code of conduct **only** applies to the conduct of a member **acting in an official capacity** and not at any other time, which means whenever a member is:

- a. conducting the business of their authority (which includes the business of the office to which they are elected or appointed);  
or
- b. acting, claiming to act or giving the impression that they are acting as a representative of their authority.

92. I have therefore considered whether Councillor Grahame was acting in her official capacity as a Councillor at any time during the actions complained about. Standards For England's (SFE) (formerly called The Standards Board for England) Case Review No 7, in relation to the meaning of official capacity, advises as follows:

*"The Code itself does not provide any further guidance on official capacity. However, there are circumstances when it is clear that the Code operates. These include any meetings of the authority, its executive or any of its committees or sub-committees. Participating in such meetings plainly involves carrying out the business of the authority. When an elected member exercises powers delegated to them as a member of the authority's executive, or holds a surgery for residents of their ward, the member is clearly performing the business of the office to which they have been elected.*

*Members' face-to-face dealings with officers about the business of the authority will almost always mean they are conducting the business of their office under paragraph 2(1)(a) of the Code.*

*Similarly, members of police or fire authorities will be conducting the business of their office when they attend formal meetings with police or fire officers, or make formal visits to police or fire stations.*

*The scope of representing an authority is potentially very wide. The Standards Board for England believes that this will cover situations where a member is appointed or nominated by their authority to another body, such as a board of directors or trustees.*

*Members will need to distinguish between occasions where they are invited to a meeting or function as an individual, and those where they are invited because of their position as a member of the authority. In the latter situation, they will be acting as a representative of the authority. Borderline situations may arise in relation to political events, where it might not be clear whether a member's presence relates to their position within a political party or to their membership of the authority. Any investigation will need to establish who invited a member to be there, in what capacity that invitation was extended and for what purpose. The view of the person sending the invitation will be of primary importance but the member's view will also be relevant. It is possible to invite a member to attend an event but that does not necessarily mean that they are being asked to attend as a councillor. For example, Lord Snowdon attended every event he went to as a Lord. He was one so he had no choice. Probably, he was invited to them all as "Lord Snowdon". However, there were probably far fewer events where his status as a Lord was the reason for his invitation. With councillors the same situation can arise. The fact that an invitation is made to a person who is a councillor using that title does not necessarily mean that the invitation is extended to them in that capacity. Often it will. However, it will be important to understand the intentions of the person extending the invitation."*

93. Taking into account the guidance issued by the SFE, I consider that Councillor Grahame was acting in her official capacity at the North Whinmoor Forum meeting on 6 July 2009 as she attended the meeting as a ward member and is clearly referred to in the minutes of the meeting as a Councillor. Councillor Grahame is one of three ward members and part of their responsibilities as ward members is to attend these meetings when they are available to do so. In addition, during the telephone conversation with Karen Shaw, I consider that

Councillor Grahame was acting in her official capacity as she was referring to the business of the North Whinmoor Forum.

94. I have considered whether Councillor Grahame failed to comply with paragraphs 3(1), 3(2)(b), 3(2)(d), 5 and 6(a). I have taken account of the following meanings of each paragraph of the Code:

- a. Paragraph 3(1) of the code of conduct requires that others be treated with respect. Failing to treat others with respect might be defined as unfair, unreasonable or demeaning behaviour directed by one person against another. I consider that most reasonable members of the public would take into account the context in which particular language and behaviour has been used in assessing whether it was “disrespectful”. The context might include the place where an incident occurred, who observed the behaviour, the character and relationship of the people involved, and the behaviour of one or more of the parties that prompted an alleged act of disrespect.
- b. Paragraph 3(2)(b) provides that a member must not bully any person. SFE offer guidance as to the definition of bullying. It defines bullying as “*offensive, intimidating, malicious, insulting or humiliating behaviour... which may happen once or be part of a pattern of behaviour directed at a weaker person or a person over whom you have some actual or perceived influence*”. In addition bullying behaviour “*attempts to undermine an individual or group of individuals, is detrimental to their confidence and capability, and may adversely affect their health.*”
- c. SFE advise that members should not approach or pressure anyone who works for, or on behalf of, the authority to carry out their duties in a biased or partisan way; officers must be neutral and should not be coerced or persuaded to act in a way that would undermine their neutrality. Any attempt to do so could amount to compromising the impartiality of those officers contrary to paragraph 3(2)(d) of the Code. SFE also advise that although members “*can robustly question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written, members must not try and force them to act differently, change*



*their advice, or alter the content of that report, if doing so would prejudice their professional integrity.”*

- d. Paragraph 5 provides that members must not behave in such a way as to bring their office or authority into disrepute. Conduct which could reasonably be regarded as reducing public confidence in the member being able to fulfil their role, or adversely affecting the reputation of members generally in being able to fulfil their role would be considered to bring that member’s office into disrepute. Conduct which could reasonably be regarded as reducing public confidence in the authority being able to fulfil its functions and duties, will bring the authority into disrepute.
  
- e. Paragraph 6(a) provides that members must not use their position improperly to advantage or disadvantage themselves or others. It is necessary to establish that there is impropriety on the part of the member which has or could have lead to a disadvantage to others:  
*“The underlying principle is that members are elected or appointed to public office in order to serve the public interest...A member’s conduct would be improper if he or she were to use their public position in order to further the private interests, either of themselves or friends, or in order to settle old scores with enemies, to the detriment of the public interest. Any conduct that unfairly or unreasonably uses a member’s public position in order to promote private interests over the public interest will be ‘improper’.”*

**Comments made by Councillor Grahame at the North Whinmoor Forum on 6 July 2009**

95.I accept that Councillor Grahame was concerned that there was no one from the housing office of Aire Valley Homes to present the report about the MUGA to the Forum meeting. I also accept that Councillor Grahame considered that this was unacceptable, as did Councillor Gruen. I consider that Councillor Grahame’s comments made at the meeting were directed at the performance of Aire Valley Homes as there was no officer from the housing office present rather than being personal towards Mr Weaver’s abilities and capabilities. In reaching my view, I have taken into account that Mr Weaver was not an officer of Aire Valley Homes, and although works out of the Swarcliffe

housing office with officers of Aire Valley Homes, he is an officer of the Council and has no reporting responsibilities to Aire Valley Homes. Also, the housing office at Aire Valley Homes does not have any line management responsibilities towards Mr Weaver. I have also taken into account that Mr Weaver had no knowledge about the report he was asked to present and therefore would not have been able to assist the Forum meeting had any questions been asked. I also note that there was not a formal written report presented to the Forum in advance concerning the MUGA. I understand that the usual process is for officers of the housing office to make notes and give an oral report at the meeting. This would indicate to me that the only people who could proficiently present the housing office report would be those officers who work for Aire Valley Homes' housing office. I therefore consider that Councillor Grahame's comments were not directed towards Mr Weaver, but rather towards the inappropriateness of the housing office not providing an officer to attend and arranging for someone who was not an officer of Aire Valley Homes without knowledge of the activities of the housing office to present the report. I do not consider that the comments were a personal attack on Mr Weaver. As Mr Weaver was a neighbourhood warden, I accept Councillor Grahame's view that he would not be able to answer questions or assist the Forum, and that it was inappropriate for the housing officer of Aire Valley Homes to put him in that position. I accept that Councillor Grahame was firm in her comments and perhaps could have made it clear to Mr Weaver and the meeting that she was not questioning his abilities or capabilities, but that she had concerns that the housing office had put him in a difficult position. However, I accept that she had an honestly held belief that it was inappropriate for there not to be anyone from Aire Valley Homes present and she genuinely believed that Mr Weaver was not an appropriate substitute. Although Mr Weaver was embarrassed by Councillor Grahame's comments, I consider that this was because he assumed that Councillor Grahame was personally attacking him rather than criticising the housing office. I do not consider therefore that Councillor Grahame failed to treat Mr Weaver with respect at the meeting on 6 July 2009.

96. On the basis that I accept that Councillor Grahame's comments were directed towards Aire Valley Homes, and that she was not questioning the competence of Mr Weaver, I do not consider that her comments could be described as being offensive, intimidating, malicious

insulting or humiliating behaviour towards Mr Weaver. I reiterate the matters taken into account in paragraph 89 in reaching my view that Councillor Grahame's comments were not offensive, intimidating, malicious insulting or humiliating towards Mr Weaver and I therefore do not consider that her comments would amount to bullying.

97. I do not consider that Councillor Grahame's comments could be described as attempting to prejudice Mr Weaver's professional integrity, as her comments were highlighting the failings and problems with the housing office at Aire Valley Homes not being able to provide an officer at the meeting who knew about the matters in the report which was being provided and would be able to answer any questions. I also do not consider that Councillor Grahame attempted to persuade Mr Weaver from acting in a biased or partisan way or in such a way as to undermine his neutrality. I therefore do not consider that Councillor Grahame compromised the impartiality of Mr Weaver.

98. As I accept that Councillor Grahame's comments were directed towards Aire Valley Homes rather than Mr Weaver, and as a member she is entitled to criticise failings of an organisation who did not attend a meeting to present a report and asked a person who was not an officer of the housing office, had no knowledge of the MUGA and would not have been able to answer questions about the report being provided, I do not consider that Councillor Grahame brought her authority or office into disrepute.

99. I therefore consider that Councillor Grahame did not fail to comply with paragraphs 3(1), 3(2)(b), 3(2)(d) and 5 of the Code at the meeting on 6 July 2009.

**Comments made by Councillor Grahame during a telephone conversation with Karen Shaw on 7 July 2009**

100. I consider that Councillor Grahame's comments made about Mr Weaver to Karen Shaw during the telephone conversation were inappropriate and could be described as unfair, unreasonable or demeaning behaviour towards Mr Weaver. I consider that her comments were personal about Mr Weaver because although she expressed her concern that no one was present at the meeting from Aire Valley Homes, she went on to comment personally about the person who was asked to attend by referring to him as a "Tory BNP person". Instead of criticising Aire Valley Homes for not providing

someone from the housing office who knew about the matters being presented, which was her concern at the meeting, she expressed her personal concerns about the political affiliations of Mr Weaver. I also consider that her comments made during the telephone conversation to Karen Shaw questioned Mr Weaver's suitability as a representative of Aire Valley Homes due to his political affiliations rather than the fact that he was not an officer of Aire Valley Homes and therefore would not have sufficient knowledge to represent the organisation. I consider that such comments and their implications were unfair and unreasonable and demeaning towards Mr Weaver. I have also taken into account that such comments were made to Karen Shaw who is not Mr Weaver's manager and not an officer of the Council, and that there had been no behaviour demonstrated by Mr Weaver or Karen Shaw which would necessitate Councillor Grahame to comment about her view of Mr Weaver's political affiliations. I therefore consider that Councillor Grahame failed to treat Mr Weaver with respect during the telephone conversation with Karen Shaw.

101. I also consider that Councillor Grahame's comments could be described as "*offensive, intimidating, malicious, insulting or humiliating behaviour...directed at a weaker person or a person over whom [the member] has some actual or perceived influence*". As mentioned in paragraph 94, it was unnecessary for Councillor Grahame to make comments about Mr Weaver's political affiliations and to suggest that her view of any such political affiliations would question his suitability to represent the housing office. Councillor Grahame clearly was in a position of power over Mr Weaver as he is an employee of the Council. I consider that her comment about Mr Weaver's alleged political affiliations attempted to undermine Mr Weaver and was detrimental to his confidence and capability. I have also taken into account that Mr Weaver was upset by the comments made to Karen Shaw. I therefore consider that Councillor Grahame's comments about Mr Weaver made towards Karen Shaw were bullying.

102. I consider that Councillor Grahame also used her position improperly to confer a disadvantage on Mr Weaver as she made comments in her capacity as a member which could be influential to officers of Aire Valley Homes in such a way which may have affected his working relationship with those officers. In addition, her suggestion related to his capability due to his alleged political

affiliations which could also have affected the way in which he was viewed by those officers.

103. I also consider that unreasonable comments about Council officers to external organisations about the capability of such officers could reasonably be regarded as reducing public confidence in the authority being able to fulfil its functions. I therefore consider that Councillor Grahame's comments would bring her authority into disrepute.

104. I therefore consider that Councillor Grahame failed to comply with paragraphs 3(1), 3(2)(b), 5 and 6(a) of the Code during her telephone conversation with Karen Shaw on 7 July 2009.

## **Finding**

105. My finding under regulation 14(8)(a)(i) of The Standards Committee (England) Regulations 2008 is that there has been a failure to comply with Leeds City Council's code of conduct.
  
106. Under regulation 14(8)(c) and (d)(i), I am sending a copy of this report to Councillor Pauleen Grahame and referring my report to the Standards Committee of Leeds City Council.

**Claire Lefort, Solicitor**

14 December 2009

## Schedule of evidence

CLT1	Copy Decision Notice of the Assessment Sub-Committee of Leeds City Council
CLT2	Copy Transcript of Interview with Cllr Grahame
CLT3	Copy Transcript of Interview with Cllr Gruen
CLT4	Copy Transcript of Interview with Mike Weaver
CLT5	Copy emails sent by Cllr Grahame re White Laith Garth ginnel and Baildon place
CLT6	Approved minutes of North Whinmoor Forum – 6 July 2009
CLT7	James Nundy's handwritten minutes of North Whinmoor Forum – 6 July 2009
CLT8	Complaint form completed by Mike Weaver including email read out at North Whinmoor Forum – 6 July 2009
CLT9	Notes made by Mike Weaver at the North Whinmoor Forum – 6 July 2009
CLT10	Cllr Grahame's written response to complaint
CLT11	Copy Transcript of Interview with Caroline Elsworth
CLT12	Copy Transcript of Interview with Martin Hackett
CLT13	Copy Transcript of Interview with James Nundy
CLT14	Copy Transcript of Interview with Greg Sharp
CLT15	Copy Transcript of Interview with Tony Stringwell
CLT16	Copy Transcript of Interview with Mindi Singh

- CLT17 Copy emails from Mike Percival re recollections of PC Bickerdyke and PCSO Thimm
- CLT18 Copy note of Mr Weaver made on 7 July 2009
- CLT19 Copy emails sent by Cllr Grahame re [REDACTED]  
[REDACTED] [Redacted to protect confidentiality. This is a sample of the emails produced by Cllr Grahame. All of the emails can be made available to the Committee subject to redaction.]
- CLT20 Copy Transcript of Interview with Karen Shaw
- CLT21 Copy emails sent by Cllr Grahame with response to draft report [Redacted to protect confidentiality]
- CLT22 Cllr Grahame's response to draft report
- CLT23 Note of further conversation with Karen Shaw
- CLT24 Note of conversation with Simon Costigan





## **DECISION NOTICE**

### **In respect of an allegation of misconduct against Councillor Pauleen Grahame of Leeds City Council<sup>1</sup>**

On 14<sup>th</sup> August 2009, the Assessment Sub-Committee of the Standards Committee of this authority considered a complaint from Mr Michael Weaver concerning the alleged conduct of Councillor Pauleen Grahame, a Member of Leeds City Council.

#### **The Assessment Sub-Committee resolved to refer the complaint for investigation.**

##### **1.0 Summary of the Complaint**

A summary of Mr Weaver's complaint is set out below:

- 1.1 The complainant, Mr Michael Weaver, alleges that during a North Whinmoor Forum meeting on 6<sup>th</sup> July 2009, Councillor Grahame interrupted him when he was presenting a report on behalf of a colleague. Mr Weaver alleges that Councillor Grahame stated that she did not think a warden should be giving a report on behalf of the Housing Office, saying he was not qualified to do so. Mr Weaver outlines that he tried to explain that he had been involved in this particular project from the start.
- 1.2 Mr Weaver further alleges that on 7<sup>th</sup> July 2009 Councillor Grahame called the Swarcliffe Housing Office to complain that no one from the Housing Office had been at the forum meeting. It is alleged that during this telephone call Councillor Grahame also made a comment about Mr Weaver's political affiliations, which called into question his political neutrality. Mr Weaver alleges that this was an incorrect remark made in a derogatory manner.

##### **2.0 The Assessment Sub-Committee's decision in relation to the complaint**

- 2.1 In accordance with Section 57A(2) of the Local Government Act 2000, as amended, the Assessment Sub-Committee concluded that the allegations set out above should be referred to the Monitoring Officer for investigation.

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<sup>1</sup> Please take care when passing on any information that is in this notice or about this notice. Some details, such as names and addresses may be confidential or private in nature, or may be classed as personal information.

### **3.0 Potential breaches of the Code of Conduct identified**

3.1 The paragraphs of the Code of Conduct which may apply to the alleged conduct are identified below:

- **Paragraph 3(1)** - failing to treat others with respect
- **Paragraph 3(2)(b)** - bullying
- **Paragraph 3(2)(d)** - compromising the impartiality of those who work for, or on behalf of, the authority
- **Paragraph 5** - bringing their office or authority into disrepute
- **Paragraph 6(a)** - using their position as a Member improperly to confer or secure an advantage or disadvantage

### **4.0 Reasons for decision**

4.1 The Assessment Sub-Committee were satisfied that Councillor Grahame was an elected Member of Leeds City Council at the time of the alleged incidents and that the Code of Conduct was in force at the time.

4.2 The Assessment Sub-Committee considered whether, if the incidents occurred as alleged, Councillor Grahame may have potentially breached the Members' Code of Conduct through her alleged actions.

4.3 The Assessment Sub-Committee were satisfied that Councillor Grahame was acting in her official capacity as a Councillor during all the alleged incidents and therefore concluded that the Code of Conduct applied to her behaviour.

4.4 The Assessment Sub-Committee considered that the comments allegedly made by Councillor Grahame to Mr Weaver during the forum meeting were inappropriate and abrupt. The Assessment Sub-Committee considered that Councillors should not criticise officers in public meetings, and should instead raise any concerns about the officer privately. In particular the Assessment Sub-Committee concluded that Councillor Grahame may have treated Mr Weaver with disrespect by interrupting him during his presentation and suggesting he was not qualified to present the report. The Assessment Sub-Committee also considered that Councillor Grahame may have treated Mr Weaver with disrespect by allegedly calling the Housing Office the day after the forum meeting and making inaccurate comments about his political affiliations, as Standards for England advise that individuals must not be subject to unreasonable or excessive personal attack.

- 4.5 The Assessment Sub-Committee considered the Standards for England advice that bullying may be characterised as offensive, intimidating, malicious, insulting or humiliating behaviour. Such behaviour may happen once or be part of a pattern of behaviour directed at a weaker person or person over whom a Member has some actual or perceived influence. Bullying behaviour attempts to undermine an individual or a group of individuals, is detrimental to their confidence and capability, and may adversely affect their health. It is important for Members to raise issues about poor performance in the correct way and proper forum. However, if the Member's criticism is a personal attack or of an offensive nature, they are likely to cross the line of what is acceptable behaviour.
- 4.6 The Assessment Sub-Committee considered that by allegedly suggesting that Mr Weaver was not qualified to present the report in the public meeting, Councillor Grahame may have bullied Mr Weaver, as set out in the definition in paragraph 4.5 above. The Assessment Sub-Committee also considered that Councillor Grahame may have bullied Mr Weaver, as set out in paragraph 4.5 above, by allegedly telephoning the Housing Office the day after the forum meeting, as this incident constituted part of a pattern of behaviour by Councillor Grahame.
- 4.7 The Assessment Sub-Committee further considered that during both alleged incidents Councillor Grahame may have compromised or attempted to compromise the impartiality of Mr Weaver, by preventing him from presenting the Housing Officer's report, and by questioning his political affiliations with a colleague.
- 4.8 In relation to the alleged telephone call to the Housing Officer by Councillor Grahame, the Assessment Sub-Committee considered that there was a possibility that Councillor Grahame may have used or attempted to use her position improperly to confer a disadvantage on Mr Weaver. The Assessment Sub-Committee considered that by allegedly making inaccurate and unfounded comments about Mr Weaver's political affiliations to a colleague of his, Councillor Grahame may have undermined Mr Weaver's capabilities to someone who may have influence over his work and funding.
- 4.9 Finally, the Assessment Sub-Committee considered that in all her alleged actions Councillor Grahame may have brought her office into disrepute through her actions.
- 4.10 The Assessment Sub-Committee felt that it would be in the public interest and would serve a useful purpose if these allegations were investigated. The Assessment Sub-Committee also concluded that if the allegations were proven to be true, the alleged conduct may warrant a sanction. Therefore the Assessment Sub-Committee decided to refer the allegations to the Monitoring Officer for local investigation.

4.11 Please note that the purpose of the initial assessment decision is simply to decide whether any action should be taken on the complaint. Therefore the Assessment Sub-Committee has not considered whether the circumstances set out by Mr Weaver in his complaint are true. Rather, they have considered whether Councillor Grahame, if the complaint were proven, may have potentially breached the Members' Code of Conduct through her alleged actions.

**5.0 Who is notified**

5.1 This decision notice is sent to the person or persons making the allegation and the Member against whom the allegation was made.

**6.0 What happens now?**

6.1 **Investigation** – Please see the attached guide on the investigations process.

**7.0 Additional Help**

7.1 If you have difficulty reading this decision notice reasonable adjustments can be made to assist you, in line with the requirements of the Disability Discrimination Act 2000. If you need additional support, please let us know as soon as possible.

7.2 If English is not your first language, help can be provided.

7.3 You can contact us by:

Telephone: 0113 39 50035

Fax: 0113 39 51599

Email: [councillorconduct@leeds.gov.uk](mailto:councillorconduct@leeds.gov.uk)

Post: Chair of the Assessment Sub-Committee

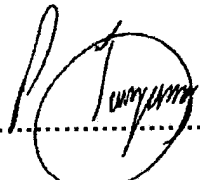
c/o Governance Services

4<sup>th</sup> Floor West

Civic Hall

Leeds

LS1 1UR

Signed: .....  .....

Date: 20<sup>th</sup> August 2009

**Chair of the Assessment Sub-Committee**

# Transcribed Record of Interview



Case number: 214679 12	Name of interviewee: Cllr Pauleen Grahame
Name of Investigator: Claire Lefort, Associate, Weightmans LLP	Role/status of interviewee: Subject Member
Date of interview: 23 October 2009	Time of interview: 2.30 - 3.30
Others present: Christina Pye, Non-practising barrister, Weightmans LLP	Venue: Telephone Interview
Name of interviewer: Claire Lefort, Associate, Weightmans LLP	

CLT	Switching on the recording. This is a telephone interview with Cllr Grahame on 23 October at 2.30. The interview is concerning an allegation that has been made about Cllr Grahame by a Mr Mike Weaver. My name is Claire Lefort and I am the investigating officer. I am also joined by Christina Pye who is assisting me with the investigation. For the purposes of the interview, Cllr Grahame, could you confirm that you are happy to be recorded?
Cllr Grahame	Yes I am happy.
CLT	Excellent, thank you. Before we start with the questions, and obviously I would stress to you that the interview is your opportunity to have a full say in response to the allegation that has been made about you, so if you have anything additional to say that I haven't asked you then please say it ...
Cllr Grahame	Ok
CLT	... but I do need to go through some preliminary information with you about the investigation process and then where it ends up and where it goes from there. Alright?
Cllr Grahame	Ok.
CLT	The investigation is carried out under the Local Government Act of 2000 and the Standards Committee (England) Regulations 2008. They provide that me as the investigator, I can obtain such information that will assist me with my investigation and that's by way of documentation and interviews with various individuals who may have appropriate evidence to provide. Once I have completed all of those enquiries, the purpose of the investigation is for me to find whether there has or has not been a breach of the code of conduct, and that will be what I will put together into a report which I will send in draft version to yourself and Mr Weaver, so you will both have the opportunity to comment upon the facts as I have established them, and also you will be able to comment upon whether you agree or disagree, or any other comments that you have in respect of my finding as to breach. Once I have got all of your comments I will then complete my report and I will send a copy of my final report to you. It won't go to Mr Weaver in final form, but it will go to the Standards Committee of Leeds City Council and it will be them to make the final decision as to whether you have or have not failed to comply with the code.
Cllr	Ok.

Grahame	
CLT	Alright. Now they can decide, if I think there has been no breach of the code, they can agree with that and then that will be the end of the process. Alternatively, if it's a breach report they may decide whether they want to hold a hearing themselves or whether they think that, if everything was proven, it would be very serious and therefore it would be sent to the Adjudication Panel for England which have stronger powers of sanction.
Cllr Grahame	Ok
CLT	Now the process itself and the investigation, I have mentioned this on quite a lot of documentation that I have had with you, and correspondence I have had, it's all subject to section 63 of the Local Government Act of 2000 which makes it confidential and it is actually an offence to disclose information during the course of the investigation. There are some exceptions to that, and obviously things that are already in the public domain, such as minutes of meetings etc, there wouldn't be any breach of the provision if they were disclosed. But the situation changes slightly once we get to the issuing of the draft report and the Standards Committee consider it. Because it is a committee of your authority they can decide to hold and consider my report and all evidence attached to it, in public. So, although we may be confidential now, it is possible that at a later date down the line when the Committee have it they could decide to put everything into the public domain. Your interview record would actually support my report, so you just need to be aware of that throughout the interview.
Cllr Grahame	That's fine.
CLT	Alright. Ok. Well I am more than happy, if you need a break at any time through the interview then please ask for it, and if you have any other questions for me then again please interrupt and I will do my best to answer them. And, unless there are any questions now, I will begin the interview.
Cllr Grahame	No, I would like to get it over with please.
CLT	Ok, that's fine. Could I ask some background information then about you first and your experience as a councillor. Perhaps you could tell me how long you have been a councillor?
Cllr Grahame	I was elected in 2002.
CLT	And that was just to Leeds City Council?
Cllr Grahame	Leeds City Council, yes. It was then the Whinmoor and Scholes Ward.
CLT	Ok, that's fine. And what positions do you currently hold at the council?
Cllr Grahame	At the council I am a Scrutiny Board chair and I also, I have been a Scrutiny Board chair for seven years, on seven different boards, I chair the Crossgates Forum which is equivalent to the North Whinmoor Forum, which we are referring to, I also sit on the Corporate and Governance Board which I do have an understanding of standards because we have a report to that, and I am a governor on four schools and I am on the Area Committee, I am on lots of boards and I have chaired the Scrutiny Board for seven years.
CLT	Ok. That's great. And you held those positions at the time of the meeting on, I think it was 7 July?
Cllr Grahame	Yes at this moment in time I am the chair of the Central and Corporate Scrutiny Board.
CLT	Ok, that's fine. So how long have you, or perhaps I can start by asking what the North Whinmoor Forum is and what your role then is on it?

Cllr Grahame	Right, the North Whinmoor Forum, in our ward we have three forums: North Whinmoor Forum which covers the Whinmoor area, Swarcliffe Forum, Swarcliffe and Crossgates. The ward is broken into three - I chair the Crossgates. It is where members of the Residents' Associations and other partners, shall we say, would come. It is held quarterly. We have the Housing Manager, the EMO, that's the Estate Management Officer of the area, the police come, the Neighbourhood Warden, the three ward members, whoever, whatever political persuasion they are, and members from the, two members from the Residents Group normally, or interested residents in the area, and we give a report back as to what work has been done in the area, the police give reports on crime statistics and the residents who come to represent their area, they speak about any issues they have and the Neighbourhood Warden will give his report, the Housing Manager would give their report. It is just to give an update really of what is happening in that part of the ward, and working together.
CLT	Ok. And just to clarify, the ward that you are talking about that these three forums cover is what?
Cllr Grahame	It's called Crossgates and Whinmoor.
CLT	Ok. And who are the three ward members?
Cllr Grahame	There's myself, there's Cllr Peter Gruen and Cllr Suzi Armitage.
CLT	Ok, that's great. And is it the case that, where you can and you are available, you all three of you would attend all three forums?
Cllr Grahame	Nine times out of ten all three attend the forums.
CLT	Ok, that's great. Excellent. Thank you. I wonder if you could perhaps describe to me whether you have had any training and what training that has amounted to on the code of conduct?
Cllr Grahame	On the code of conduct? It was when I was first elected. Obviously you are aware of the code of conduct but I haven't had any recent training on it. As I say it comes up regularly at different meetings.
CLT	Ok. And do you consider yourself to be familiar with the code?
Cllr Grahame	I would say so, yes.
CLT	Ok, that's great. In relation, obviously the allegation has been made by Mr Weaver, I wonder if you could describe to me the contact that you have with Mr Weaver?
Cllr Grahame	Mr Weaver? I would see him at the Whinmoor Forum which he attends in his role as Neighbourhood Warden, and we have another residents, in that area that he covers, which is Whinmoor, at the, oh crikey, I have to think of the name of it now. We have another - Hebden Green, he goes there. And if I, case works regards I wouldn't have anything in that area but if I had though, and it was to do with tipping or anything that would come under the Neighbourhood Warden's remit, then I would contact him in that area. But it is very little actually.
CLT	Ok. Alright. And perhaps you could describe your relationship that you have with him when you have worked with him?
Cllr Grahame	When I have worked with him? Well, Mike Weaver he came, I think it was 2003 when we were then Whinmoor and Scholes before the boundary changes, and the only relationship I had with him was when he would appear at coffee mornings, which I think he is very good at that type of thing, coffee mornings and walkabouts. I cannot say that I have got on with him because, which I find in this complaint, at one time he did try to intimidate me by appearing at the meetings, and this is no detriment whatever but Mike Weaver is over 6 ft

	<p>tall and there was a case, well a lot of cases where, if I did have reason to contact him regarding problems in the area with youths, antisocial behaviour, especially during the daytime, [REDACTED] as other ward members and the MP, as regarding what exactly [REDACTED] which Cllr Gruen has asked for reports back over the years as to, you know like a normal, what shall we say, [REDACTED] and when the boundary changes, when we lost Scholes, which Scholes was an area that I used to go to and I used to see him there, when the boundary changes changed and my area, shall we say, Crossgates he does not cover that area, Swarcliffe, he does not cover that area, just the Whinmoor area and anything that I have regarding anything to do with which would be a Neighbourhood Warden's remit I would speak to the department itself, Parks and Countryside. I would say that I would avoid really having to deal with him.</p>
CLT	<p>Ok. You mentioned about he tried to intimidate you. Can you just elaborate on that a little bit further?</p>
Cllr Grahame	<p>Well when I, we have a, we call them the Whinmoor Warriors, they have a coffee morning, and I have always supported them and he would always be there at the coffee mornings. And, yes I can understand where you are coming in and saying hello but not where you are specifically there. The same as at Scholes, the Manor House, he would always be there. Wherever it seemed to be that I went when I was first elected, he seemed to be there. And I just, I found that uncomfortable, and as I say, and I also as regarding why I do not report things to him is because [REDACTED] and I think where this issue may have arose from, and I have put that in my email, and I have emailed to Mick Johnson in charge of City Services Cleaning, where I have said at the meetings that I find it strange that it is the same areas that are being reported over and over and it's always, "oh it's being dealt with". I have then reported myself and these areas have been dealt with because I can find no catalogue, shall we say, of the areas being reported where we are talking about, we have what we call the spotted path, and I have actually met with Mike Weaver out there where there's fly tipping, and a general case of it needs litter picking and I think, I have raised this issue and said I cannot understand why, in this area, nothing seems to be done because others you can phone up and they'll bend over backwards to come and clear rubbish, clean ginnels and I have two instances now where I have reported and these areas have been cleared and there is a gentleman, [REDACTED], an elderly gentleman who attends the forums who kept raising the issues and at the July meeting he was sat next to me and he raised this issue of the ginnel at the back of where he lives. I took the details, I reported it. That ginnel had been cleaned and the light dealt with. When I arrived at the North Whinmoor meeting, the last one, which was September 9, when I went into the hall, the school hall, Mike Weaver was sat next to [REDACTED] and they were discussing this, I could tell, so I had my papers and the email and I said to [REDACTED] oh have they been to the ginnel, and he looked at me. So I said to him have they been to the ginnel and cleared it? So he said some of it, speaking to Mike Weaver and he looked, and I said they've cleared it haven't they? So he just said to me was it you? So I said yes it was and I have the email here that says it's an adopted ginnel, it's been cleared and it's on the list for them to be done regularly and he came and thanked me, and this is something I could not understand and I think I kept repeating, I can't understand why nothing's done up here. So there's two instances where I have looked into and work has been done. So, if possible, I go above him because I know then myself, because I like to know if I have reported something I don't report it and leave it to that person to deal with, I want to see it through myself, and then I can say yes that has been done.</p>
CLT	<p>Ok.</p>
Cllr	<p>I might have gone off track a bit there but...</p>



Grahame	
CLT	That's fine. Thank you for that. We were going to look at the meeting, the North Whinmoor Forum meeting. It was 6 July wasn't it?
Cllr Grahame	It was 6 July, yes.
CLT	Yes I think I said the seventh, but I meant the sixth. Could I just ask, I think you have mentioned that you usually attend these meetings. Can you tell me how the meeting began and take me through it.
Cllr Grahame	The meeting? Well Cllr Gruen chairs the meeting, so we were sat, and this meeting I had [REDACTED] next to me. We have, there were more officers than what there were actually residents and so introductions and it was then apologies. Well the chair realised that Phil Diamond, the chair of Aire Valley Homes, wasn't there, Caroline Elsworth, who is the EMO, the Estate Management Officer, she was then the deputy to, not deputy but second to the Housing Manager, wasn't there. There was nobody from the Housing Office. So there was nobody from the Housing Office, I have to think because there's that many meetings going on. There was nobody from the Housing Office and then Mike Weaver announced that he had, at some point, that he had a report for the Housing Manager. The chair wasn't very happy with that and I just said quite simply well it's not the Neighbourhood Warden's place to give a report for the Housing Manager because at the end of the day, if there are any questions put, how can he answer them, and also at any other meeting that would not be accepted for a Neighbourhood Warden to more or less put themselves in the role, or being asked to put themselves in the role of the Housing Manager. And that was agreed. We went through then, I'm trying to find the minutes, they went through, which I find strange that Mike Weaver in his report says that I stopped him from giving his report. He actually gave his Neighbourhood Warden's report. It's minuted, which I did pass to you.
CLT	Yes.
Cllr Grahame	And that's [REDACTED] at the side, so [REDACTED] got a little bit, I would say he's in his early 80's, regarding the area. He brought up again the ginnel at the back of him and that got a little bit excited about that, and I said once again I cannot understand, nothing's been done and I will look into this for you which I did, and it was dealt with by the department and as I say when I went to the next meeting and I asked him had it been done and he says to me was it you, and I said yes. And I gave him the email which shows that it is adopted by Leeds City Council which means it is their responsibility because him and his wife were there and they were both saying that they didn't know who was responsible, nobody would take responsibility for this ginnel.
CLT	Ok. So, just so that I am clear, were you there at the beginning of the meeting?
Cllr Grahame	Was I there at the beginning of the meeting?
CLT	Yes.
Cllr Grahame	Yes, because I came in and I sat next to - when you say the beginning of the meeting, everybody was sat down when I came in. Yes, cos we gave introductions.
CLT	Right ok. You say that it was Cllr Gruen who referred to apologies that had been received from ...
Cllr Grahame	At the beginning you do welcome, introductions and apologies, and we start then welcome and then it was regarding there was nobody there from the Housing Office and he was expecting the chair, sorry the manager, Phil Diamond, and then it was mentioned regarding, I think somebody said he was on holiday, but he was expected to be at that meeting and then Mike Weaver at some point said he had the report.
CLT	Right. So who was it that gave forward the apologies to the meeting, was it Cllr Gruen?
Cllr	It's people - officers give - the ones who have come to take the minutes they say, they

Grahame	would say have we received any apologies.
CLT	Ok.
Cllr Grahame	And there was no apologies received from the Housing Office because we were expecting Phil Diamond to be there and then it was Mike Weaver at some point said he had the report.
CLT	Right, ok. Was there any comment by Cllr Gruen about indicating that he knew that there wouldn't be anyone there from the Housing Office?
Cllr Grahame	Well as far as I knew he didn't know, he was expecting him to be there.
CLT	Right, he was expecting Mr Diamond to be there?
Cllr Grahame	He was expecting Mr Diamond to be there.
CLT	Ok. Alright, that's fine. Now when, it was at this point, while the apologies were being given and it was highlighted, or it was obvious that there wasn't anyone from the Housing Office, that's at the point that Mr Weaver said I am going to present the report on behalf of the Housing Office? Is that correct?
Cllr Grahame	He may have said he had a report, because we'd had minutes before we got to that. I remember him saying he had a report from the Housing Office and it was said because, and I just simply said that, nothing else as regarding that and which was agreed, it wasn't acceptable because the Housing Officer, somebody should have been there from the Housing Office.
CLT	Right, ok. It's really - I'm just trying to find out the sequence of events through the meeting and wondering whether Mr Weaver said it at the beginning of the meeting that he was going to put forward the report of the Housing Office or whether that was something that he tagged on to the end of his own Neighbourhood Warden's report.
Cllr Grahame	No, it would be before, because he was the one who said he had the report because he was the one who said that Phil Diamond wasn't coming, the Housing Manager.
CLT	Ok. So it was Mr Weaver who said Phil Diamond's not coming and I am putting forward the ...
Cllr Grahame	No he didn't say it like that at all. I'm just saying that, I am not repeating word for word what he said, if that's what you are asking me to do, I am just saying that at some point he said that Phil Diamond wasn't coming, wasn't going to be there, and he had been asked to give the report.
CLT	Ok. And it was at that point that you then made your comment?
Cllr Grahame	Well at that point, I wouldn't like to say it was then because we had, I may have said well how can, it's not the Neighbourhood Warden's place to give the, to Cllr Gruen, to give the Housing Manager's report, which was agreed.
CLT	Right, ok. And can you describe the tone that you used when you made that comment?
Cllr Grahame	The tone that I used?
CLT	Yes.
Cllr Grahame	Well I suppose I would be surprised, but I wasn't at any point saying to Mike Weaver you're not giving that report because you're the Neighbourhood Warden or anything like that, it was just simply because, how would he be able to answer any questions?
CLT	Did you actually put that on the end of your comments, that ...
Cllr Grahame	I had said he wouldn't be able to answer any questions.
CLT	Right. Ok.
Cllr	I can't repeat word for word now because we are how long ago.

Grahame	
CLT	No, that's right.
Cllr Grahame	But I did make the point that he wouldn't be able to answer any questions and it wasn't the Neighbourhood Warden's place, this is not in any disrespect to him, but a Neighbourhood Warden should not be expected to give the Housing Manager's report.
CLT	Right, ok. We have spoken to Mr Weaver, and his recollection was that you had said that it was inappropriate for a mere Neighbourhood Warden to present a report on behalf of the Housing Office.
Cllr Grahame	No I am afraid, because "mere" is an expression I never use, I would never use that expression.
CLT	Ok. Would you say that anything in your comments that you made were, or could be considered to be, derogatory in any way to Mr Weaver?
Cllr Grahame	No, because my whole point was he wouldn't be able to answer any questions and when something is minuted, so if it was minuted and when we came to the September meeting, then the minutes would be produced and it would be there, so the thing is, at the end of the day, well I, obviously it's backfired on me but I'm saying you cannot expect a Neighbourhood Warden, this is what I'm trying to get over to you, as a chair I would not expect a Neighbourhood Warden to be put in the position to give a report for a Housing Manager.
CLT	Right. Ok. And that was the reason why you said what you said at that meeting?
Cllr Grahame	Regarding that, well yes, and that's all I was saying.
CLT	Yes, ok. And you said that you can't remember expressly what you said, obviously it's some time ...
Cllr Grahame	I certainly know that I didn't say a mere Neighbourhood Warden because no matter what I know from experience I have got enough respect for people not to say something like that and I wouldn't expect anybody else to either.
CLT	Yes, and you said that your comments were agreed. Who agreed those comments?
Cllr Grahame	No, when I say the meeting agreed, right, I am not saying, and I am not going to be saying. I am saying the meeting agreed and this was a meeting where everybody was talking all at once and the main thing was the Housing Manager had not given apologies and the chair was expecting him to be there and then we had got the Neighbourhood Warden announcing he is not coming and then he said he had got his report.
CLT	Right, yes. But what I am trying to understand is when you say the meeting agreed, what do you mean by that? Did everyone nod, or was there some other way that they demonstrated to you that they had agreed?
Cllr Grahame	Well they didn't demonstrate to me because everybody was all, there were a lot of people there, aren't there, so it was [inaudible] he gave, I can't remember now what he gave. It was that it shouldn't be, so it definitely was the chair, that it shouldn't be.
CLT	Right, that he shouldn't be presenting the report?
Cllr Grahame	It's not the Neighbourhood Warden's place to present Housing Manager's report.
CLT	Right, ok. Do you recall Mr Weaver's reaction to what you had said?
Cllr Grahame	His reaction? Mr Weaver just sat there.
CLT	Ok. Did you notice anything on his facial expression or body language, anything like that?
Cllr Grahame	I didn't because I had no reason to really, no.
CLT	Ok. And you say that you didn't interrupt him at any point?

Cllr Grahame	Interrupt him when?
CLT	When he was providing his report on the Neighbourhood Warden ...
Cllr Grahame	Interrupt him when he was - no I didn't, I would have no reason to unless I was asking him a question.
CLT	Ok. And just to clarify did he actually present anything to the meeting on behalf of the office, Housing Office?
Cllr Grahame	He gave, he read from his papers.
CLT	Right, but that was about the report from the Housing Office?
Cllr Grahame	Because he was reading, he mentioned about Fieldhead Carr, what was happening there because the chair was going to give that in his report, so he wasn't happy with that, and it was just he read his report.
CLT	Right, but he had an item which was the Neighbourhood Warden's report which he, that's his report isn't it?
Cllr Grahame	That's his report, the Neighbourhood Warden, yes.
CLT	What I was wondering was whether he actually presented anything on behalf of the Housing Office as well?
Cllr Grahame	Now on that point I can't - when you say two separate, I am trying to find, actually, the minutes from that - are you asking me whether he gave the Housing Manager's Report?
CLT	Yes.
Cllr Grahame	And then the Neighbourhood, he gave, what I recall what he gave. He read out what was happening in the area, so whether he was giving the Housing Manager's report and his together, but he read out what was happening in the area.
CLT	Ok. Alright. So you don't remember him saying this is the, this is my Neighbourhood Warden's report and this is now the Housing Office report?
Cllr Grahame	No I don't.
CLT	Ok. Alright. Thank you. Sorry to ask so many questions, it is just that I need to ...
Cllr Grahame	No, I understand, no, there's no problem with that. But also I am sure that you appreciate that going back all that time and it's a meeting where people are talking at the side of you and round you, it's not one where there's just one person speaking as it should be.
CLT	Yes, ok. And just in relation, you may already have addressed this, but did you notice the reaction of other people in the room to what you had said about the Neighbourhood Warden shouldn't be presenting the report?
Cllr Grahame	No I didn't, no, because actually I was more concerned about the Housing Manager not being there and not giving apologies. That there was nobody there from the Housing Office.
CLT	Ok. Alright. Did you discuss what had happened at that meeting with anyone afterwards?
Cllr Grahame	Afterwards?
CLT	Yes.
Cllr Grahame	No.
CLT	Ok. And did you take any of your own notes at that meeting?
Cllr Grahame	Did I take any of my own notes? No I didn't.
CLT	Ok. Alright. Perhaps you could just sum up for me then your main concern and the issues

	about that meeting with regard to Mr Weaver and the Housing Office.
Cllr Grahame	My main concern was there was nobody there from the Housing Office once again, and that the Neighbourhood Warden, that the meeting would be expected, shall we say the Neighbourhood Warden and the meeting would be expected to accept the report from the Housing Manager that wasn't there and that the Neighbourhood Warden would be expected to give that. And the only person I was speaking to then was [REDACTED] at the side of me and at the end of the meeting it was just everybody went.
CLT	Ok. Alright. By, obviously the specific allegation is about disrespect and, would you describe the comments that you made at that meeting as being disrespectful to Mr Weaver?
Cllr Grahame	No I wouldn't.
CLT	Ok. And do you feel that the way in which you conducted yourself at that meeting, particularly in the comments that you made, would bring your office or Authority into disrepute?
Cllr Grahame	Well no because I was putting to that at the end of the day that somebody was being expected to give a report and maybe they didn't see it in the way that I am putting it, because how could he answer any questions regarding that report, and then it's in the minutes, at the next one, he gave his report, once again I said I am concerned regarding the issues, it's the same issues that are coming up over and over again, I have got [REDACTED] at the side of me and I have got the emails when I have reported that and I have got the emails back when it's being dealt with.
CLT	Yes, ok. Is there anything else that you feel that we need to know about that happened at that meeting that would be relevant for this investigation?
Cllr Grahame	No, just I think once again we have got a case of where somebody has not liked what's happened and they have been reported, but no.
CLT	Ok.
Cllr Grahame	Because the meeting went on, his report's there in black and white in the minutes, it's unfortunate that [REDACTED] was sat at the side of me and his wife with the [REDACTED] which I have looked into and been dealt with, and as I say, and also remember at the September meeting the minutes of July 6 were accepted and were not questioned in any shape or form by Mr Weaver who was sat with [REDACTED] then.
CLT	Ok. Well thank you for that. I am going to move onto the second part of the allegation which relates to a telephone call which is said to have taken place on 7 July. Did you have a telephone call on that day with an officer from Aire Valley Homes?
Cllr Grahame	On that day, the only, this one I have been thinking about and, let me just go into my, what I questioned was whether it was that date or not was regarding the MUGA which Mr Weaver has put in his papers and I have put that there is no councillors, ward members mentioned on that, but we had no idea regarding this MUGA.
CLT	Right.
Cllr Grahame	And that conversation is something that, and I do remember saying, but actually who to, I am thinking that I am not happy that the Neighbourhood Warden is telling a meeting and myself what is happening in the ward that we are representing.
CLT	Right.
Cllr Grahame	That was my concern there because we had no idea whatsoever and it shows on that paperwork that we have not been involved and we knew nothing about it, this MUGA.
CLT	Ok, so it was expressing two things, was it? Just so that I can be clear, about the fact that nothing had been mentioned before about the MUGA and that also you were not happy that nobody from the Housing Office was at the meeting?

Cllr Grahame	Yes.
CLT	Right, so it was those two points that were being raised?
Cllr Grahame	Those were the points, and that's simply what that was about.
CLT	Ok. And can you remember exactly what you said about the Neighbourhood Warden?
Cllr Grahame	No I cannot, no. And as I say because, and I have a good memory, but as regarding the main issue was that we had no idea whatsoever regarding this MUGA and that there was nobody from the Housing Office at the meeting.
CLT	Ok.
Cllr Grahame	Because you have got to remember you have got people from the public who are coming there and they've concerns regarding letting issues and the area, how it's being looked after, so if nobody from the Housing Office is there to answer the questions who can answer them?
CLT	Right, ok. And do you remember who you spoke to?
Cllr Grahame	I can't recall that I was speaking to, I thought I had had a conversation with Caroline Elsworth because she is the EMO for that area, but I mean I've had that many conversations, but I was, I must say, as regarding that that I am surprised that as regarding Karen Shaw, because we have had conversations over the years and some people you have more friendly conversations with, when I am saying that there are some officers you just speak to specifically on what you are dealing with, so I was surprised at that. I am looking at my emails now to see if I've done any emailing regarding from that date, that was the ninth. So it's regarding, but I am not going to say anything in that detrimental in that way, I am not going to put myself in that position like I am being interviewed now.
CLT	Right, ok. When you said that you were surprised at Karen Shaw, what was your surprise about? That her recollection of the telephone interview?
Cllr Grahame	Well yes, for what I am supposed to have said and how it's described in the first complaint.
CLT	Ok. So just to clarify you said that you thought that you were speaking with Caroline Elsworth?
Cllr Grahame	I didn't say I thought, I said I have had a conversation with Caroline Elsworth regarding the MUGA because I got some information back regarding that, but I am sure that was the previous meeting when it came up, and it came up again.
CLT	Ok. Do you remember speaking with Karen Shaw about your concerns with somebody from the Housing Office not being present at the meeting?
Cllr Grahame	I did have a conversation regarding that and the update, and also regarding the MUGA.
CLT	Right, ok. And do you remember, the specific point that has been made is that you referred to the person who gave the report as a Tory BNP person
Cllr Grahame	No, no I would not use that - as I put in my response, everybody is entitled to their own political persuasion, but that is describing him as both which is, I understand, he is only one of them.
CLT	Right, ok. Do you have any, would there be any reason for you to have commented on Mr Weaver's political views either way?
Cllr Grahame	Not at that point, no. The only comment I would remember saying which is a concern when a Neighbourhood Warden is telling you, and this is not him, we have two Neighbourhood Wardens, they were at a meeting reporting on something like that taking being, say, put forward in your ward and you know nothing about it.

CLT	Right, ok.
Cllr Grahame	We are all supposed to be working together and we are elected to represent the ward and be involved in these things and normally be the first, so that was the concern there.
CLT	Right, ok. Alright.
Cllr Grahame	And I must say that after that meeting the information that came forward regarding those issues that were suddenly, were not even thought of before, as regarding getting funding that wasn't available, so it's supposed to be working together, that's my point.
CLT	Ok. And can you remember your tone when you spoke to Karen Shaw?
Cllr Grahame	The same as I always speak to her. We have a joke. But unfortunately with Karen Shaw, which I think, well, as I put in my thing I'm not going to compromise her, we do have now where that Housing Office as regarding [REDACTED]
CLT	Right, ok. Alright. Ok, have you, are you aware of any protocols that are in place for raising a complaint with Aire Valley Homes?
Cllr Grahame	Well I complained to the chair.
CLT	Ok, alright. Did you speak to the chair about this issue then, about the housing office not having put somebody forward?
Cllr Grahame	Pardon?
CLT	Did you speak to the chair about your concerns with ..
Cllr Grahame	The chair of Aire Valley Homes is Cllr Peter Gruen ...
CLT	Right
Cllr Grahame	Who was the chair of the North Whinmoor Forum
CLT	Yes. Ok. I think I am just specifically asking why did you raise your concerns with Karen Shaw and not with Cllr Gruen?
Cllr Grahame	I did raise concerns with Cllr Gruen after the meeting and because obviously I phoned the office it may have been for some other case work and this came up in conversation.
CLT	Right, ok. Because when I asked you the question earlier about did you speak to anyone about your concerns about the meeting after the meeting you said that you didn't and then ...
Cllr Grahame	Oh sorry, well, after the meetings we always go for a drink afterwards, you know social afterwards, so obviously, and he was absolutely fuming outside so actually he may have raised it with me because our other colleague wasn't at the meeting.
CLT	Ok, and what did you express to Cllr Gruen?
Cllr Grahame	What did I express? I was amazed that he didn't know that, well that the Housing Manager wasn't attending the meeting.
CLT	Ok and was there any suggestion about what to do about this matter?
Cllr Grahame	Suggestion what to do?
CLT	Yes, would there be any action to take, would it just be left?
Cllr Grahame	Well it would just be left, no well it would be up to him, he's the chair as to whatever he wished to do regarding, because it was embarrassing, but that would be up to him as the chair.
CLT	Ok.
Cllr Grahame	And it is normal protocol that you would give apologies.

CLT	Ok, so when you rang Karen Shaw and said that you had concerns that nobody was attending the Housing Office, was that meant to be, sorry no one from the Housing Office had attended that meeting, was that meant to be a complaint to them?
Cllr Grahame	No, and actually now you saying that, I think there was concerns, not in any shape or form was it put in a complaint, it was in conversation.
CLT	Alright, ok. I wonder if you could just describe to me the relationship between Aire Valley Homes and Leeds City Council?
Cllr Grahame	Aire Valley Homes and Leeds City Council? In what way?
CLT	Well what are their roles? I understand that Aire Valley Homes is an arms length management organisation but what sort of responsibilities does Aire Valley Homes have to Leeds City Council and vice versa?
Cllr Grahame	They have 100% responsibility to Leeds City Council because they are still, it's just they are in arms reach, they are running should we say the area as Aire Valley Homes and the budget, shall we say, and also the running, the day to day running of the Housing Office in the area.
CLT	Ok, and what would be a Neighbourhood Warden's role in relation to Aire Valley Homes?
Cllr Grahame	Well they are employed by Aire Valley Homes, well not employed, they come under Aire Valley Homes and the Leeds City Council, it's the same, it's to where the funding comes from and at the moment we do have an issue with where the council, not the Aire Valley Homes, are cutting down on the posts of Neighbourhood Wardens so there will be some cuts which, no matter what Neighbourhood Wardens may think, ward members would not have any say in as to who stays where and who goes where.
CLT	Right, is a Neighbourhood Warden's post, is that a Leeds City Council post or an Aire Valley Homes post?
Cllr Grahame	I think it's both, because Aire Valley Homes is the area committee, there's so many different areas, where the funding comes from, where it goes to and how it's been accessed. See at the moment there are a lot of things going on as regarding (a) the wardens, if they are going to be cut in half, there are 22 in the city are going to be cut. We have the Housing Office where now [REDACTED] so all of a sudden we are getting all of this and then, well, I think, I don't really know but I find it strange all this is happening now, but as regarding, all I made was comments, which I have done before and never had to think about what I was saying regarding conversations with Karen Shaw that anything was going to be taken the wrong way.
CLT	Ok, alright. Was there anything during your conversation with Karen Shaw then that could have been misinterpreted in any way?
Cllr Grahame	Well I phoned about case work and it would have been mentioned about, because that's not her area, she wouldn't attend those because she's Swarcliffe, so and about nobody attending there, and I won't make that any worse as regarding the conversation, I don't mean on my point, and as regarding the MUGA.
CLT	Ok, alright. Is there anything else that you want, or you can remember, that you feel is important about this whole case?
Cllr Grahame	Well the more now when I have speaking to yourself and going through it, I think that it's just somebody trying to make something out of, well, nothing really at the end of the day and as regarding for Mike Weaver, for what he's trying to imply, as regarding I'd say his political persuasion that's something that's well-known and as regarding the MP we were all absolutely amazed when he came to work with us and I think as regarding the Housing Office and now, they do have a new Housing Manager now, but well I am really disappointed shall we say that somebody who I have would say worked with over these



	years and have [REDACTED] [REDACTED] and I have never pursued it, and yet now I am in this position. But I most certainly did not say regarding Mike Weaver's political persuasion as regarding that, it is something that is well known, and I think it's just looking to make trouble.
CLT	Right, ok.
Cllr Grahame	And how can a person say that they weren't allowed to give the report when it's there in the minutes and they never challenged the minutes at the next meeting.
CLT	Ok. You mentioned something about an MP. I don't know whether I misheard you there. But could you just explain what you meant by that?
Cllr Grahame	Well when regarding Mike Weaver where he lives, he lives very near to our present MP, Colin Burgone, and Mike Weaver [REDACTED]
CLT	Right. So that was all that you were commenting on?
Cllr Grahame	I am commenting on that yes, because as regards, and he goes back to when Mike Weaver was first employed as a Neighbourhood Warden, and [REDACTED] Allerton Bywater is about 25 minutes away from Swarcliffe and Whinmoor, so those were issues going back which, if needs be, I am sure that we can name them. I think it's clear that here we have got a personality thing and also it's trying to make trouble.
CLT	Ok. Well that's the end of my questions, and thank you for your patience with my questions. Is there anything else that you want to say about this matter before I end the interview?
Cllr Grahame	No, only that I think, well, it's obvious that people who you think that you're talking to in a friendly manner when you have listened to them suddenly obviously circumstances change for them but it's human nature I suppose. I must say I am surprised with it all but as regarding what I have said from that meeting and it's what I would stand by took place and at the end of the day it was, it would not be accepted for a Neighbourhood Warden to give a report in his own interest for a Housing Manager.
CLT	Ok. Well I don't have any further questions for you so I'll finish the interview there. We are looking at coming up to 3.30. Do you want to receive the interview transcript by way of email?
Cllr Grahame	No I'm okay with that
CLT	So you would be happy with that, yes?
Cllr Grahame	Is that something that you need to do?
CLT	I need to send it to you, yes, so that you can have a look through and make sure you are happy with it so we would send it to you but would you be happy to have that in email form?
Cllr Grahame	Yes that's fine.
CLT	Ok, that's great. Well thank you very much. If there is anything else that we might need from you then we might come back to you. But if not then we will proceed on with the investigation. We should finish fairly soon because I think we have carried out most interviews now. As I say, we will send you a draft report as well.
Cllr Grahame	Ok, I have got all of the emails here regarding the case that I'm referring to and the [REDACTED]
CLT	Ok, are you able to forward those on to us?
Cllr	Yes I can do, yes.

Grahame	
CLT	That would be helpful as well.
Cllr Grahame	Okay then.
CLT	Ok, thank you very much for your time.
Cllr Grahame	Thank you, bye.

**STATEMENT OF TRUTH**

I confirm that the above note of the interview held on 23 October is accurate and fair.

**Signature** .....

**Date** .....

# Transcribed Record of Interview



Case number: 214679 12	Name of interviewee: Cllr Peter Gruen
Name of Investigator: Claire Lefort, Associate, Weightmans LLP	Role/status of interviewee: Witness
Date of interview: 12 October 2009	Time of interview: 15:27-16.11
Others present: Christina Pye, Non-practising barrister, Weightmans LLP	Venue: By telephone
Name of interviewer: Claire Lefort	

CLT	This is a telephone interview with Councillor Gruen. I am Claire Lefort and for the record, Cllr Gruen you have agreed to be interviewed. Is that correct?
PG	I have
CLT	Ok and you are happy with the recording of that interview
PG	Yes I am
CLT	I am joined by Christina Pye and the time that I have in front of me is 3.27 so that will be our start time. I just need to go over some background or some preliminary information with you so that you understand the process and what will happen throughout the investigation itself. The complaint has been made about Cllr Grahame and her behaviour at a forum, North Whinmoor Forum on 6 July 2009 towards an individual. The Standards Committee have considered that and felt that it should be investigated which is my role. The investigation is carried out under the Local Government Act 2000 and 2008 Regulations which are the Standard Committee, England Regulations. They set out my powers of investigation. They also make a provision that the investigation itself is confidential for the time being and that is, as you can understand, to protect the integrity of the evidence that I collect and also to ensure that I have peoples' individual recollections without being influenced in any way by anyone else's. The confidentiality lasts throughout the whole of the investigation and after until I issue my final report which will be sent to the Standards Committee and it will be the Standards Committee who then decide whether they should consider that report in public or private. It may well be that they decide that they consider my report in public in which case the record of the interview that we have today would then form part of the report and fall into the public domain at a later date. So you just need to be aware of that process. As I say there will be my report that will say whether I think there has or has not been a breach of the code by Cllr Grahame. That will be sent to the committee and it will be their ultimate decision as to whether they agree with me or not. The process itself, I will issue a draft report but I won't issue that draft report to you, that will only go to the complainant and Cllr Grahame, so after the interview today you will be provided with a copy of the transcript so that you can make sure that you are happy with it, and then you probably won't be contacted any more in terms of the report and the investigation process itself. Alright?
PG	Unless I am called to a public meeting ..
CLT	As a witness - yes that's right ...
PG	Would that public meeting, if it were to be public, simply be based on the records that you

	have submitted or could I be called at that stage?
CLT	You could be called. If I had a decision that there was a breach of the code, for example if that breach, the committee decided to hold a hearing about it because they can decide to hold their own hearing, it will be a case of the committee identifying whether there are any facts that are in dispute and if there are then it may be that we then get witnesses to attend and you may be asked to attend the hearing at that stage and, again ...
PG	I understand
CLT	Again it would simply be for you to give your recollection of what happened to enable the committee to make their decision. Alright?
PG	Ok, no problem.
CLT	If you need to stop at any time then please let me know and if you have any questions throughout the interview then again please stop and let me know. Ok?
PG	Ok.
CLT	Ok well then I will start with some background questions for you now about you personally and if I could start with how long you have been a councillor at Leeds City Council?
PG	Since 1983
CLT	Ok and what sort of positions have you held throughout that time?
PG	I have been the chief whip of the Labour group for the last seven years, when Labour was the administration I was lead member for education, I am currently the shadow cabinet member for neighbourhoods and housing and I have held a number of cabinet responsibilities and shadow cabinet responsibilities in that time.
CLT	And you are currently the Chair of the North Whinmoor Forum is that correct?
PG	I am. The North Whinmoor Forum which is part of the area committee structure. So for my ward we have the North Whinmoor, the Swarcliffe and the Crossgates forums. I chair the North Whinmoor one and my colleague, Cllr Grahame chairs the Crossgates one and they report into the area management committee.
CLT	Ok. Sorry which one did Cllr Grahame chair I didn't hear that?
PG	Crossgates
CLT	Crossgates, ok
PG	My ward is Crossgates and Whinmoor
CLT	Ok that's fine. And how long have you been chairing that forum?
PG	Only for the sake of time, it was a long time
CLT	Right
PG	Probably more than 10 years
CLT	Ok alright. And how long have you been working alongside Cllr Grahame on that forum?
PG	I think Cllr Grahame was elected in around, I am sketchy, I think 2001 something like that.
CLT	Ok
PG	I think, but please don't hold me to that year as the nearest year, and she obviously is a ward colleague of mine and I have been working - she wasn't a councillor before so when she became a councillor it was for the ward and she and I have then worked with our third colleague, Cllr Armitage.
CLT	Ok.
PG	Are you still with me?
CLT	Yes I'm still here, sorry I am just making notes as we go along as well so ...
PG	That's fine
CLT	Ok if I could take you to the meeting of the North Whinmoor Forum on 6 July perhaps you could take me through your recollection of what happened there and how the beginning of the meeting progressed
PG	Well I have in front of me the notes of the meeting. Usually the meeting starts by welcomes

	<p>introductions and apologies. We then go to the minutes of the previous meeting for accuracy and then any matters arising and that's really action points from the last meeting, give an update of what has happened on those actions and then there is an item which is called the open floor and the open floor really is a community 10 minute slot where anybody can come and if you want have a deputation or a delegation on a specific community issue which the forum can then listen to and debate and we have had those, sometimes they're about antisocial behaviour and wanting to give prominence to what people consider to be inaction say by the police or by the local housing office or whatever or it could be about housing repairs or it could be about car parking on the estates, and car parking has been an issue which was raised in the open floor in that way. And then we come onto the agenda proper which really is a number of items which are topical, interesting and community related. So they could be about a general or planning issues or traffic transportation issues. This one as you can see was highways issues and a distributor road called Coal Road. Sometimes they have had environmental issues, refuse collection or whatever, but standard items are usually the community safety, reports from the police and they usually give crime statistics, the neighbourhood warden that's a specially appointed post, might be unique to Leeds City Council but we have a series of neighbourhood wardens based locally within the wards to really give effect to our policy of a cleaner, greener, safer environment. So they are the focal point for those kind of activities, then sometimes we have a report from the local school, Fieldhead Carr Primary School, or in this case as you can see we talked about leisure activities with reintroducing some new sports pitches which have had to have a lot of work done to them about reseeding because they have been falling into disuse because of drainage problems. There's a lot of work going on about the Fieldhead Carr Community centre and you can see they were planning for an open day at the time. And then usually there's a housing debate where the housing manager reports but on this occasion a number of officers from Aire Valley Homes headquarters came to talk about a number of interesting local issues.</p>
CLT	Ok. Could you just tell me perhaps a little bit about Aire Valley Homes and its connection to Leeds City Council and then maybe the forum.
PG	Ok. The first thing I should tell you is that I am the chair of Aire Valley Homes. Aire Valley Homes is an arms length company, it's called an ALMO, so arms length management organisation, there are three of those in Leeds and Aire Valley Homes looks after the south and south east of the city and Crossgates, part of Crossgates and all of Whinmoor and Swarcliffe are in the area of Aire Valley Homes and the Swarcliffe housing office covers all of Swarcliffe and all of North Whinmoor so the local housing manager is usually a key person at the forum.
CLT	Ok. And who is that local housing officer?
PG	Well we have gone through some restructuring, and at the time a temporary housing manager, Phil Diamond, who gave his apologies, he was the housing manager at that stage.
CLT	And you say he gave his apologies to the meeting, is that correct?
PG	Well I, under the item we can see that both he and his assistant, Caroline Elsworth, as well as my colleague, Cllr Armitage, gave apologies. A number of Aire Valley Homes officers were present but they were as I described from headquarters of Aire Valley Homes and they were talking specifically about a regeneration scheme and not about the kind of usual housing and environment issues which the forum would be interested in.
CLT	Ok. And the neighbourhood warden who is Mr Weaver, he is directly employed by Leeds City Council, am I right in thinking that?
PG	He is. I think he comes under the neighbourhoods and housing structure which is not the same as the ALMO or the housing office, the housing office comes under Aire Valley Homes.
CLT	Yes, ok. That's fine. Now there was, as I understand it, there was some, a report that was

	given by Mr Weaver which he was asked to provide. Is that your recollection?
PG	I missed the last part of your question.
CLT	Sorry. There was a report that was given by Mike Weaver, the neighbourhood warden, but in an area where perhaps it was to be somebody from Aire Valley Homes who ordinarily would have given it, is that right?
PG	I can't spot that in the minutes, however I wholly recollect what happened, yes.
CLT	Could you tell me about that then?
PG	Ok. There was no-one there from the Aire Valley Homes Housing Office. I think, there were two meetings when nobody came from the Aire Valley Homes team. I can't recollect whether this was the first or the second meeting, but clearly as chair of the forum and even more as chair of Aire Valley Homes I was pretty embarrassed by what I consider to be [REDACTED] that the dates of the forum are in the diary 12 months ahead and it is part of a businesslike organisation to attend important local community forums. And I don't think I was given any, or if any very, very little, I mean perhaps an hour or so notice, of no one coming. So I was unhappy about that, but that was just me, not Cllr Grahame, I as chair was unhappy. When Mike Weaver started talking about housing issues he said well I have been given a note because nobody can be here tonight and I have been asked to talk about these issues from housing. And I think Cllr Grahame interrupted and said well I don't think that's appropriate, why are you giving this report and he said well because I have been asked to give the report. I think she then said something like well I still don't think it's appropriate because you are not a member of the housing office and so why would you be giving the report. And I think he was taken aback that he thought he was only doing his best in terms of giving a report that somebody had asked him to provide. However, I mean I agree with Cllr Grahame and I subsequently talked to senior officers in Aire Valley Homes and they agree that it was wholly inappropriate for the housing office to expect a neighbourhood warden who is not part of their office, not even part of their structure, to field a report, and even more importantly any questions on their behalf. You know, I consider it to be a [REDACTED] attempt by the housing office to mend and make do. So I don't accept either that we would have got a proper account of what the housing office has been doing the last 3 or 4 months and what the key issues were. I think Mike was embarrassed but that, in a way, I would reconcile that he had been put into a position by colleagues at the housing office that they should not have put him into and that a colleague on the forum quite rightly challenged with what authority he was speaking about that issue.
CLT	Ok. Before you say that before the meeting you had been given an hour or so notice that ...
PG	Well I qualify that, Claire, by saying Mr Diamond had been absent from two recent meetings and I can't recall whether this was the one I got some apology from him or not. If I was being put to the test I would say I didn't know that there wouldn't be anybody there until I walked through the door and I got told. And I think there has been a more recent meeting where again the housing office failed to make arrangements to be represented and I have to say, this is not just as chair of the forum but much more as chair of the Aire Valley Homes organisation, I took a very dim view and I talked to the senior management team member who was responsible for the housing part of Air Valley Homes and expressed my irritation and frustration that I should be embarrassed like that when my own organisation can't, out of all the people who work there, can't organise themselves to send one representative or a written report into the forum which they have know for months when it would be.
CLT	Ok. Was there, again I think perhaps your answer that you have just given would be the same for this one, but were you aware of Mr Weaver intending to speak on behalf of Aire Valley Homes?
PG	No I wasn't. Nobody warned me or pre-warned me or asked me would it be ok if he gave the report, and if I had been asked I would have said no it wasn't ok.

CLT	Right, ok. So it was at the point that the item came round for discussion and did you invite anyone to speak at that point?
PG	Well do you know, he may, I think, under his own report as the neighbourhood warden earlier in the agenda, he will have strayed into the housing report, and I think he added "and I have also got a few notes about something to say about housing". So I don't think we ever got down as far as the housing agenda item but again, please, that is my recollection without any sort of written notes available to pinpoint that exactly. I recollect clearly the issue and the discussion and the intervention and the following discussion. I don't recollect where on the agenda that took place.
CLT	Ok. Alright. That's fine. Now you say that you had concerns about the fact that there was nobody from the housing office to be present and that Mr Weaver had been asked to do so, to present the item rather. Is that correct?
PG	Yes it is. And I became aware of that only at the point of time when Mr Weaver started discussing housing issues.
CLT	Was there anyone else at the forum who had some concerns other than Cllr Grahame?
PG	I can't recall. As I say, I don't have the notes, or the handwritten notes, of the meeting. It is certainly true that Cllr Grahame was the first person to comment and say that she thought it was inappropriate.
CLT	And from your recollection, had Mr Weaver already presented his item and his comments about this particular matter that you would have ordinarily expected somebody from the housing office to have done?
PG	My recollection is that he used his item, which is under community safety, neighbourhood warden, Mike Weaver, I think he took that particular area of the meeting to talk also about housing.
CLT	Ok
PG	I don't think he waited until the housing item came up and say oh by the way I have been asked to speak on housing.
CLT	Ok. Alright. That's fine. In terms of the exact words that Cllr Grahame used, could you just go over those again for me as to what she said.
PG	You are really testing my memory and I have to say at the outset that I could not possibly recall word for word what she said. I can recall the sense of what she said which was that she thought it was inappropriate for him as neighbourhood warden to give a report on the housing office when he wasn't part of the housing office.
CLT	Ok. And, again, from your recollection, what tone and demeanour did Cllr Grahame have when she made those comments?
PG	I think she was challenging why he was giving the report and she, I think, wanted an explanation and Mike's explanation, again from recollection, was well I have been given a note, I've been asked to do it. My interpretation of that is that he should not have been asked to do it and it was remiss of my colleagues in the housing office to put him in that position because he has no direct knowledge of and therefore cannot be held accountable to the forum for those items. The housing office thought well we'll quote - get away - unquote with not being there by giving someone else three or four lines to report that was very discourteous of them and unthoughtful and put him in a position where he ought not to be and that was my discussion after the event with the senior people in housing who agreed. It was wholly inappropriate for him to be put into that spotlight.
CLT	What you have just said there, was that clear, did that clearly come through from Cllr Grahame's comments towards Mr Weaver?
PG	Sorry - I didn't hear you clearly
CLT	What you have just said about Mr Weaver should not have been put in that position by the

	housing office ...
PG	No, as I said that was my interpretation. She, I think, asked him why he was giving the report in the first place, you know, why are you giving this report, you are the neighbourhood warden, you are not a housing manager.
CLT	Yes
PG	Again, please, I am paraphrasing, these may not have been her exact words.
CLT	That's fine. Would you say that there was a suggestion that he was a mere neighbourhood warden and therefore it was totally inappropriate for him to be presenting ...
PG	I think his interpretation may have been that but I am certain that was not the intention because we don't describe people in those terms. I think a neighbourhood warden does a very responsible job and the fact that they are community based and perhaps not of the same seniority as the senior people in the housing office is not material, it is simply that his locus is wholly different from the housing office. He is not responsible for anything to do with rent, anything to do with repairs, anything to do with housing allocation, you know, there are many other things that he is not responsible for and if he has any knowledge it would be simply what he overheard from snatches of conversations in the office. It was not something that is to do with his remit.
CLT	Yes, ok. Can you recall Mr Weaver's reaction to Cllr Grahame?
PG	He was surprised and I think he didn't understand why that question was raised. I think he thought he was doing somebody a favour by giving the report and why was he then being challenged when all he was doing was doing somebody a favour which is why I have said repeatedly I thought it was incorrect and selfish of those people to put him in that position.
CLT	Did you make those statements at the meeting?
PG	I don't think I expressed them as fully as I am doing now because frankly I wanted to keep those items for discussion outside of a public forum. If I was going to be critical of my colleagues in Aire Valley Homes I would do so not in a public place, but in the public place I made it clear that I was very disappointed that nobody was there from Aire Valley Homes and I apologised to the forum on their behalf which I think is what any reasonable chair would do. You know we only meet four times a year and this is people in the community who are volunteers, who are giving up their time and their input and I thought they had been treated shabbily by the housing office because I think it was the second time that nobody turned up. But I wouldn't tear a strip off somebody of the housing office (a) in their absence and (b) in public, but I make my views, you know I have said this three or four times now, I made my views very clear to the senior management who accepted the failings and said they would put them right.
CLT	Yes, and that was after the meeting?
PG	That was after the meeting. I think at the meeting Mike continued then on the neighbourhood warden issues so there was a challenge, Mike didn't, I think, fully understand why he was being challenged he thought he was being the good guy and it was clear that we just ought to move on and leave that matter without any further embarrassment.
CLT	Ok. Right. Would you say that Mr Weaver was interrupted whilst he was talking about this housing item by Cllr Grahame.
PG	Yes, yes he was interrupted, but only when it became clear that he was talking about an area, ie the housing issues, which he should not be reporting on so I think at that stage Cllr Grahame asked him why he was reporting on something outside of his responsibilities. And as I said I can understand that because the thought was going through my mind but perhaps as chair I was prepared to give him a little bit more leeway but it is I think perfectly proper for someone to say well hang on a second, why are you talking about this. I wouldn't expect the youth service to talk about the police whether they issued an ASBO or not. I would be



	expecting the police to talk about crime statistics once they had put them on the table for debate but anybody would then comment about them. But I expect the right people to at least raise the right issues initially. But you know I am being very fair minded, I hope you agree. I think Mike came in with the best of intentions, he was put in a position where he thought he was helping out people who were not there, I don't think he appreciated the other angle of this which is well if I give a report actually I might be asked questions on it, and then I can't answer the questions so actually I am not really helping because I wouldn't be satisfied with just three or four statements and that's it, usually the housing report is discussed in some detail.
CLT	Yes. Ok. Did you notice how other people reacted to this at the meeting?
PG	I am trying to recollect. I don't think there was any further debate on it. I think the issue resolved itself and there was some degree of discomfort by Mike which I think I have explained, and then he reverted to his proper remit and the neighbourhood warden issues.
CLT	Right, ok.
PG	But you know this is all four or five months ago. And I have attended a huge number of meetings since then.
CLT	Yes, I appreciate that. Mr Weaver, does he attend the forum meetings on a regular basis?
PG	Mr Weaver comes to usually all the North Whinmoor Forum meetings. He also sits on the Fieldhead Carr Community Centre management committee and I would say, and I would be mesmerised if he didn't agree with this, I would say he and I have a very cordial and positive working relationships. And, you know, we talk about any number of issues as clearly as chair in between meetings I keep a close monitoring role of what happens in the North Whinmoor area. Just as my colleagues do on the two forums I mentioned at the beginning of this interview that they are responsible for. So I see Mike quite a bit, you know, if I go to a local school he may or may not be there sometimes, I certainly see him at these management meetings and he usually comes to every forum meeting.
CLT	Ok. And are you aware of Cllr Grahame's relationship with Mr Weaver, how effective that is?
PG	I think that's for her to comment on rather than me.
CLT	That's fine. After the meeting itself did Mr Weaver or anyone else speak to you about what had happened, this housing report?
PG	Not to my recollection.
CLT	Ok. Was there any indication to you that perhaps there was some concern by Mr Weaver about what had been said?
PG	Apart from the reaction at the meeting, and as I say he was clearly surprised at the intervention, I have not been aware of the fact that there has been a complaint made until it was made.
CLT	Ok. That's fine.
PG	I certainly didn't anticipate the complaint being made and Mike didn't discuss it with me about whether he should or shouldn't or my view of it, that never happened.
CLT	Did you speak with Cllr Grahame about the issue after the meeting?
PG	If I did then it would be as part of a private conversation.
CLT	Right. When you say private conversation what do you mean by that in terms of my investigation?
PG	Well you are investigating what happened at the meeting and I have given you a very very full account of what happened at the meeting and what my recollection of my involvement is. I am also as you know the chief whip of the Labour group and if I have private conversations with colleagues then that is what they are.
CLT	Right. Ok. Alright, that's fine. I think I was just wondering whether there was any specific discussion about Mr Weaver and his attendance at that meeting to provide an update.

PG	Well Mr Weaver attends like there's a guy called Nathan Vaughan who is the neighbourhood warden for Swarcliffe. And Nathan attends every Swarcliffe meeting and covers the issues within Swarcliffe. So I expect him to attend those meetings and to be there. So Mike's attendance is absolutely normal, par for the course, nothing unusual whatsoever.
CLT	Ok. Again I was also wondering whether there was any discussion about Mr Weaver providing this update that should have been given by the housing office when you spoke with Cllr Grahame after the meeting.
PG	Well what I have said to you is that I have spoken to the senior management team in Aire Valley Homes about it because I think that's where the issue resides and I don't want to go over it again. That is where the issue resides, he should not have been asked to do it, we all agree he shouldn't have been asked and hopefully it will not happen again in the future.
CLT	Right ok. Are there any other matters that you wanted to explain about what happened at that meeting from your recollection?
PG	I think it was a pretty normal meeting. I don't think any debates subsequent to that particular incident were stifled or affected I think there was a pretty full discussion on all the issues, I like to as chair open things out for debate and involve people and hear their points of view and I think it was a perfectly businesslike meeting but clearly there was that incident, I do recall it, I think other people will recall it perhaps with different levels of significance. Clearly now it transpires for Mike it was very significant and that's why you are there.
CLT	Ok. Well that's all of my questions that I had for you. Unless there was anything else that you wanted to tell me then I will finish the interview.
PG	I think the only thing I do want to tell you is that in a way I am acting with a number of different hats and clearly I am concerned that Aire Valley Homes gives the best account of itself, we are there for the benefit of the tenants, we are responsible both to the city council but primarily also to tenants as individuals and local tenants and residents' groups and I strive that we give the best service we can and so there are times, it's lovely to be in a position where you can praise people and be happy at how things have gone and we are a two star organisation, we have done very well. However I do think that the Swarcliffe housing office has been below par in not attending a number of these meetings and that's a separate issue, but if you come across my fingerprints in terms of wanting the housing office, of calling people to account then that is perfectly proper in my view, that is what I am the chair for. Along with the senior management team to ensure that we give a responsive service.
CLT	Alright. Well thank you very much ...
PG	Does that make sense?
CLT	Yes it does, thank you. Just to doublecheck you said about your various hats, so you have got the position of chair of Aire Valley Homes, chair of the North Whinmoor Forum and then also being chief whip of the political party
PG	Indeed
CLT	Yes, ok. Alright that's helpful. Right well I don't have any further questions for you. And if that's the end of the comments that you can recollect ...
PG	The only thing that I would like in terms of reassurance from our discussion is that you are satisfied that I have given you a proper account of the questions you have asked me
CLT	Yes, that's fine. I mean I obviously can only go on your recollection as you provide to me so, you have addressed all of my questions that I wanted to ask you. I will say at this stage that if, we have got other people to interview and if obviously there is anything else that springs to mind then we may come back to you for a second interview. As long as you are happy with that.
PG	That's absolutely fine. I understand you will verify different comments and see where that leads.

CLT	That's right, yes, absolutely. Well thank you very much for your time. I will finish it here. Is it best to send the interview record to your email, just wondering about our postal situation at the moment in the next couple of days.
PG	Well it is, I mean I have a PA who works for me as chief whip so nobody else will access an email. If you tell me it is coming I will make sure that I access it myself and deal with it rather than anybody else.
CLT	Ok that's fine, excellent. Well thank you very much for your time and we will have the interview record with you shortly.
PG	Ok thanks very much
CLT	Thank you. Bye

**STATEMENT OF TRUTH**

I confirm that the above note of the interview held on 12 October 2009 is accurate and fair.

Signature .....

*Paul Simon*

Date .....

*05/11/09.*

# Transcribed Record of Interview

**Weightmans**

Case number: 214679 12	Name of interviewee: Mike Weaver
Name of Investigator: Claire Lefort, Associate, Weightmans LLP	Role/status of interviewee: Complainant
Date of interview: 29 September 2009	Time of interview: 3.00
Others present: Christina Pye, Non-practising barrister, Weightmans LLP	Venue:
Name of interviewer: Claire Lefort	

CLT	I am now recording on both and as I just said to you ...
MW	You're down in London aren't you?
CLT	Yes we are, yes we're speaking from our London office. There's myself, Claire Lefort. I've actually been asked to carry out the investigation by
MW	Okay
CLT	And also Christina is with me as well, so we will obviously be taking notes as we're going along
MW	Yeah, I'm just a bit, just a bit wary because things have started to develop now, certain officers [REDACTED]
CLT	Right
MW	One of the witnesses [REDACTED] so
CLT	Right
MW	We're all a bit on edge about this
CLT	Yeah, of course, of course, I mean I try to put you as ease, at ease as much as possible
MW	Yeah
CLT	Because obviously the whole point of my investigation is really to find out exactly what happened and that's, that's the reason for interviewing yourself and other witnesses, I'm not here really to, to pass judgment on what anyone did apart from Councillor Grahame.
MW	Well that's actually, I mean I've made the complaint now, I mean I've stuck by what I've said,

	I'm just speaking the truth. Now one of the witnesses, Karen Shaw, [REDACTED] [REDACTED]
CLT	Right, okay, okay yes. We have, I did actually contact Karen Shaw today, to try because you mentioned that you wanted me to speak to her so hopefully if she wants to give me a call then that's fine as well.
MW	Okay
CLT	Before we get into the questions, because I have got some questions for you, I need to go through some information that you need to know about the investigation and the investigation process. A lot of it was set out in the e-mail that Christina sent on to you today.
MW	Yes
CLT	But it's just important to highlight a couple of things from that, one of which is the fact that obviously my investigation when it's complete, the investigation report will be sent to you in draft form and that will enable you to look through the findings and my evidence that I've collected ...
MW	Okay
CLT	And my findings of fact and it's really for you to check that I've got everything accurate and I haven't missed anything. You won't be sent a copy of the final report, that will only be sent to the Standards Committee and the Councillor concerned, Councillor Grahame ...
MW	Right
CLT	But there, depending upon my findings, there may be a hearing and there may be that hearing will be held in public at which point, obviously the report will become public at that stage.
MW	Okay, right
CLT	For the purposes of this interview and the investigation as it goes along, it is confidential, we referred in the letter to Section 63 of the Local Government Act 2000 but it does mean that it is confidential,
MW	Right yes,
CLT	And it means that during the course of this interview, anything you hear you shouldn't discuss with anyone else and that's really to protect the integrity of the investigation.
MW	Yes, yes,
CLT	As I say at the end of the investigation it may be that because all the matters are sent to the Standards Committee, everything then becomes publicly available and obviously at that point it might be that your interview record from today will then fall into the public domain but

	that's at a very later stage
MW	Yep
CLT	Alright?
MW	I've no problem, I'm just speaking the truth of what happened
CLT	Excellent, okay that's fine. Could I just start with some information about you and your role, you're the neighbourhood warden, is that correct?
MW	Yep.
CLT	Could you just tell me what that role involves?
MW	I work for Community Safety at Leeds City Council and I'm the neighbourhood warden for North Whinmoor and the village called Scholes which is next to Whinmoor and I work days, I do evenings as well and we deal with everything including housing problems, road repairs, lighting, anti-social behaviour, we work with the old people and going to the schools, we work with the schools, we work with all different agencies.
CLT	Okay
MW	In fact we're the eyes and ears of the community.
CLT	Right, okay and how is your department structured and where do you report to in that structure?
MW	I report to Area, Area Committee. Area Manager Committee, that's at <del>Garsford</del> <b>GARFORTH</b>
CLT	Right okay and what's that Area Committee, what does that do?
MW	Well it's kind of community services, it's the Leeds, North North East.
CLT	Right, okay. So who, who would you directly, who is your line manager?
MW	A lady called Samantha Lowe
CLT	Sorry
MW	Above her is Martin Hackett
CLT	Right, okay. And what would be your role in relation to any dealings that you might have with Councillors generally?
MW	We do get referrals and the jobs referred to from the Council, obviously if a resident has a problem they either contact the Councillor and then the Councillor sometimes contacts us and we can point them in the right direction or take it further, we can act on that, get things done.

CLT	Okay and what's, what's your role in relation to any dealings that you have with Councillor Grahame?
MW	Not very much really, I deal mostly with Councillor Armitage
CLT	Okay
MW	Yep
CLT	Okay that's fine. So in terms of the amount of contact that you have with Councillor Grahame, could you just describe that?
MW	Well I see her at forum meetings and I usually, community meetings
CLT	Okay
MW	If she does get a problem relating to North Whinmoor, she'll probably ring me and ask me to, but very rarely she rings me and asks me if I can sort it out.
CLT	Okay, and how does your role relate to, you referred to Karen Shaw already, how do you work alongside with Karen Shaw.
MW	Well Karen Shaw is the Tenancy Management Officer along with Caroline Ellsworth
CLT	Right
MW	And I work closely with them because their Tenancy Management Office on the estate, if they get problems we can help them out especially with anti-social behaviour.
CLT	Okay and are you effectively in the same team altogether?
MW	No, no, no they are part of Aire Valley homes
CLT	Okay
MW	And I come under Area Management
CLT	Right, okay
MW	But we're all based at Swarcliffe Housing Office. They're in a different office to me.
CLT	Okay. That's fine. Okay now just in terms of your previous relationship with Councillor Grahame, how have you got on with her in the past?
MW	Not very well.
CLT	Right.

MW	I was asked to come and work on Whinmoor because Councillor Grahame [REDACTED] [REDACTED]
CLT	Right, okay
MW	So I was asked by my manager to move areas. I was quite happy working in the area where I was working before and they asked me to come and work in this area which I did.
CLT	Okay, that's fine.
MW	And I've never met Councillor Grahame before in my life and I met her one day at the [REDACTED] Community Centre. <i>QAPS COFFEE MORNING</i> <i>FIELDHEAD</i>
CLT	Yep
MW	And I got a very frosty reaction from her. She didn't know me from Adam, I'd never met her before and the lady who I was working with she said to me "Oh this is Michael, the new Neighbourhood Warden" and all Councillor Grahame says "Yes, I've heard all about you" and that was all she said.
CLT	Right, okay.
MW	And I could say it's just been quite a, well I'd talk to her but it's just a very frosty reception.
CLT	Okay, alright. That's helpful background information. Moving to the meeting on 6 July, how did you come to attend that meeting?
MW	I always attend it because it's a forum, North Whinmoor Forum meeting and it's attended by Leeds City Council, officers from various departments, there's always 2 or 3 Ward Councillors there and also members of the public.
CLT	Right
MW	But I'm on the agenda because I give a report on the neighbourhood wards on the activities that I do within the couple of months or the 3 months between the meetings, so I was on the agenda to speak anyway, cos I always give a report.
CLT	Okay that's fine. So had you seen Councillor Grahame at previous forum meetings?
MW	Yes, yes.
CLT	Okay and she was aware of your role?
MW	Oh yes, yes, yes.
CLT	Okay. That's fine. Now the particular project, it was the MUGA project, is that, that's correct isn't it.
MW	The MUGA yes,



CLT	Yeah
MW	Well it was a project, a piece of spare land on a busy road and to stop the kids playing football in the back and annoying residents, I put a project forward for a couple of football posts and a fence to stop the children from running onto the road and from there it went to area committee and then it got taken out of my hands and the next thing we knew, it was going to be an exorbitant amount but that was on the agenda as a housing issue which as I've stated, the manager was on holiday and the team or the tenancy management officer, Caroline Ellsworth she had childminding issues and as I was attending it she said would I mind reading the reports out on her behalf.
CLT	Right, okay
MW	So I said certainly, I didn't think there was anything wrong with that.
CLT	Okay and do you know whether Caroline Ellsworth had told anyone else that she was asking for that to happen?
MW	I don't know, I don't know with the manager being away, I don't know whether she okayed it with higher up, I just don't know, I didn't really think there'd be an issue about it because I just read the basically report, you know
CLT	Yeah, okay. And who was her manager?
MW	It was a temporary manager, a Mr Phil Diamond.
CLT	Right, okay. So it was he who couldn't attend because he was on holiday.
MW	He was on leave and Caroline had 3 small children and she had childminding issues, she couldn't get anybody to mind the children
CLT	Okay
MW	So rather than say, they gave their apologies at the beginning of the meeting, they sent their apologies in and the apologies were read out at the beginning of the meeting, they just asked me to read this small report out and especially on this issue that was on the agenda because I've been involved in the project from the start.
CLT	Right, and were you still involved with the project at the time of the report being sent out?
MW	No because it had been taken out of our hands and it had gone forward for area management, for a capital bid so they put in and somebody in their wisdom had decided to put a MUGA which is a, like a multi use games area
CLT	Yeah
MW	And the costs had shot up to about £80,000 I believe

CLT	Right
MW	But that was taken out of my hands
CLT	Okay, alright. Had you kept a review on what was happening?
MW	Well no because we put it through to area management, <del>Phil</del> <sup>Jeff</sup> Clarke and a guy called Mark Wheelwright who deals with the bidding and the funding, it was taken out of our hands.
CLT	Okay, alright. So there was a suggestion about, well perhaps I should let you continue with what actually happened, cos I know you've set it out in your allegation but it would be helpful if you could describe what happened, the point that you ....
MW	Well I gave my report as a neighbourhood warden and then it went on to the next agenda and then the housing office report, Aire Valley Homes came up and I stood up and I said, as you know there's nobody here from Valley Homes or the housing office because of holidays and childminding issues but I have been asked to give this briefest report out on their behalf.
CLT	Okay
MW	Which I started to read and then I read a couple of minutes and Councillor Grahame just interrupted me saying that she felt a neighbourhood warden was not qualified to give a report on behalf of the housing office.
CLT	Right okay
MW	And I tried to explain to her that I have been involved on this one particular project that we were talking about on Sherburn Road North but Councillor Grahame repeated that a mere warden should not be giving a report on behalf of the housing office.
CLT	Okay
MW	So rather than get into an argument with her in a public meeting, I just sat down.
CLT	Okay. Did you not finish your report?
MW	No
CLT	You didn't, okay. And you say, you say you read a couple of minutes so how far, did you manage to deliver all of the report to the committee or the forum rather?
MW	No, as I say I stopped rather than carry on and antagonise the situation for, rather than get into a slanging match in a public meeting, I'm a bit more professional than that.
CLT	Okay, and how can you, I know it's an odd question, but how can you be sure on your recollection of exactly what she said at that meeting?
MW	Because I was very clear about what she said. <i>SOMETHING LIKE THIS STICKS IN YOUR MIND</i>

CLT	Okay and did you make a note of it after ...
MW	I did when the meeting finished, yes and I did just jot a couple of things down, some bullet points on my notes.
CLT	Okay. Do you still have those notes?
MW	I will have, yes, yes
CLT	Would it be possible for you to send them on to me as that would be quite helpful to have?
MW	I will do, yes, yes,
CLT	That would be helpful
MW	I mean I've got scribbles all over the, I just, I'll send you it all down.
CLT	Yeah that would be helpful. Now when Councillor Grahame was saying the things that she said, what was her tone?
MW	Oh very, how can I put it, she looks down her nose at you and pulls a face, she does that anyway, when other people, when officers are speaking. <b>BUT COUNCIL OFFICERS THE PUBLIC AND EVEN THE POLICE</b>
CLT	Right
MW	It seems like she's pulling faces and looking down her nose at people.
CLT	Okay and was there any suggestion about you being unable to answer any questions about the report?
MW	No because not on that particular issue, because there was something about the modification of the, some houses up on the Red Hall but I just read out what was on the list and this issue came up about the play area on Sherburn Road North. <b>THERE WAS 3 PEOPLE FROM ICEPMONT TO SPEAK ABOUT THE RED HALLS</b>
CLT	Okay, and when she was saying she didn't think it was appropriate for the neighbourhood warden to read it out ...
MW	Yep
CLT	Did she give any explanation as to why she thought that wasn't appropriate?
MW	No, no, she just said, what I said that she thought a mere warden should not be, was not qualified to give a report on behalf of the housing office.
CLT	That's fine. Now the minutes of the meeting which we've seen, we have a copy of, they don't refer to the comments that Councillor Grahame made, would you expect that?
MW	Ah, I would do, yes really. It depends on who took the minutes; I can't remember who took

	the minutes.
CLT	Right, okay. I was going, that was going to be my next question actually.
MW	Yeah but I mean everybody, everybody was shocked, I could see that everybody was looking down at their papers. I think people felt embarrassed for me.
CLT	Okay. How many members of the public were there?
MW	Let's see about 4 or 5, you don't get many members of the public attending. <del>THE</del> <b>WHIMMOOR FORUM</b>
CLT	Right, okay and can you remember how many officers were present?
MW	There were about 3 people from the <del>APP</del> <b>KELPMOAT</b> and people that are doing the modifications because they spoke later on and Councillor Gruen, Councillor Grahame, myself I can't remember really unless I look at my <del>book</del> <b>NOTES</b> who attended
CLT	Okay, that's fine
MW	I mean I attend that many meetings
CLT	Yeah, and you can't remember who was taking the minutes at that meeting?
MW	It would either be, I don't know if it was James, a chap called James, I can't remember.
CLT	Right okay, I'll just, James Nundy?
MW	James Nundy yes
CLT	Okay, on the, I'm looking at the minutes now and it says James Nundy in brackets SE AMT, comma, Minutes, does that sound
MW	Yeah, that would probably be James, yes
CLT	Okay that's fine. Now the, I understand that the minutes of that meeting were considered at the most recent forum meeting on 21 September
MW	Right
CLT	Were you present at that meeting?
MW	I was, yes, yes
CLT	Did you make any comments about the minutes at that meeting in relation to this item that
MW	No because I thought I'd better not do with it being investigated.
CLT	Right okay, that's fine, that's fine. Now you've mentioned briefly the reaction of other members to Councillor Grahame's interruption

MW	Yep
CLT	You said that everybody was shocked, do you remember any other responses that you saw?
MW	No, one of the, one of the residents spoke to me afterwards, [REDACTED] and he just said what was the matter with her, meaning Pauleen Grahame.
CLT	Right, okay and [REDACTED], he was a member of the public was he at that meeting?
MW	Yes
CLT	Okay, alright. Now did, was there any suggestion that other members were concerned about you presenting the report?
MW	No, no
CLT	Okay. Was there any apparent concern about the absence of any of the officers whose report it was?
MW	I don't know because we attend that many meetings and obviously you get apologies from different people for one reason or another so I don't think other, other Council officers would think it anything out of the ordinary if somebody didn't attend a meeting.
CLT	Okay
MW	Especially when apologies were given and the reasons why.
CLT	Yeah, okay and how did you feel about Councillor Grahame's interruption?
MW	I was very, very annoyed and I felt, actually I felt a little bit belittled you know.
CLT	Okay
MW	I felt a bit embarrassed actually for somebody to say that in a public meeting
CLT	Yeah, okay. Sorry I'm just looking through my questions cos we've dealt with quite a few of them now you say that when Councillor Grahame had interrupted, you didn't reply, is that correct is it?
MW	Yes, well I tried to say that I've been involved in it but I thought I wouldn't antagonise it anymore so I just shut up.
CLT	Okay and were there any questions asked of you at that meeting about this particular issue
MW	No, no, no Councillor Grahame cut it dead so this was the end of the conversation.
CLT	Okay, alright, okay.

MW	I mean I think people were a little bit wary of Councillor Grahame.
CLT	Right, okay and why do you say that?
MW	Because of her attitude and how she treats people, in the past. <b>I KNOW THERE HAVE BEEN OTHER COMPLAINTS MADE ABOUT CLT GRAHAME</b>
CLT	Okay that's fine, that's helpful. After that meeting, did you speak to anyone else about what had happened?
MW	No just [REDACTED] because I know him, he's one of my, one of my elderly residents and I have sorted a few problems out for him and he actually came over to me afterwards and as I said he said what was wrong with her. <b>MEANING CLT GRAHAME</b>
CLT	Right, okay and did you, did you speak to any of your line managers about what had happened about what you should do?
MW	Yes I did, yes the next morning I told my line manager that I was going to make an official complaint.
CLT	Right, okay that's fine. Was there any advice about how you should make that complaint and where you should make it?
MW	Yes well, well Sam Lowe gave me the address where Leeds City Council where I got the forms from.
CLT	Okay that's fine. Was there, was there any suggestion about taking any other route other than the obviously the Standards Committee route?
MW	No because I was, as I said I just wanted to make an official complaint.
CLT	Right okay, that's fine. Right now turning to, is that everything, I think that's all of the questions that I had for the meeting and what happened at that meeting. Is there anything else that you, I haven't covered that you would like to say about that?
MW	I don't think so, no, no.
CLT	Okay, so we go to the next day when you hear about a telephone call. Can you take me through how you were aware of what was said?
MW	I went into the housing office which I'm based at Swarcliffe Housing Office on Tuesday 7 July, approximately just before lunchtime, I can't remember the exact time and as I was walking through the office, I walked past Caroline and Karen's desk. They both looked shocked and they like motioned me over and they talked quietly they said they just had Councillor Grahame on the phone claiming that it is absolutely hell about nobody from the housing office being there last night.
CLT	Right.
MW	And then she, they said that she told me that, I could see Karen was upset and, she told me

	that Councillor Grahame had been on the telephone complaining that no-body from the housing office had attended and that a mere warden and a Conservative BNP person at that had given a report on behalf of the housing office.
CLT	Right
MW	I said she said what? And she said yeah that's what she said.
CLT	Okay
MW	I did say to <del>Caroline</del> <sup>KAREN</sup> I said well, I said I'm just absolutely, you know cos I was still a bit shocked from the night before, her attitude, Councillor Grahame, I was going to make a complaint about it and would she be willing you know to verify what she's told me and she said yes.
CLT	She would right okay
MW	Yep
CLT	Okay when you said, it was a Conservative BNP person,
MW	Yep
CLT	What did you think about that reference?
MW	Well it's hard to say, I mean I was shocked cos as you know there may have been a <del>councillor</del> <sup>OFFICERS</sup> <del>that</del> , have lost their jobs for being connected with the BNP you know to be called, she shouldn't have been questioning my political views or my religious views, I mean that's personal that's for yourselves you know she should not have said things like that. I find it very degrading you know for someone to say that <del>to me</del> <sup>ABOUT</sup> <del>me</del> . <b>TO ANOTHER PERSON HOW MANY OTHER PEOPLE HAS SHE SAID THIS TO?</b>
CLT	Yeah. Was that how you, your reaction to the comments that had been made, was that your reaction was it?
MW	Yes
CLT	Okay. Was there any reason for Councillor Grahame to have assumed that you were Conservative BNP person that she quoted?
MW	I don't know Councillor Grahame is an enigma to herself, I don't know how she works.
CLT	Right, okay
MW	Does that make any sense to you, I mean I just don't know how she works, I don't know, I don't know what possessed her to say that, I've no idea.
CLT	Okay and I mean I assume you don't have any connections with the BNP?
MW	No I don't <del>know</del> . <b>NO</b>

CLT	Or the Conservatives?
MW	I don't give a monkey about any political, you know, group whatsoever. I just, you know I'm just middle of the line. I've got no affiliations to nobody whatsoever ...
CLT	Okay
MW	So they're all, unfortunately they're all paranoid about you know each other. All political parties you know, I've no affiliations to any, any at all.
CLT	Okay. We've had, there's obviously a similar introductory letter was sent to Councillor Grahame as it was to you
MW	Yes
CLT	Councillor Grahame mentioned that her understanding was that [REDACTED] is that correct?
MW	NO [REDACTED]
CLT	Okay
MW	Right and then I was called into the office and I was told by my boss not to get involved and I said look I said [REDACTED]
CLT	Yeah
MW	But as I say, they're just paranoid. [REDACTED] nothing to do with me whatsoever. <b>HE DOES NOT LIVE WITH ME</b>
CLT	Okay, that's fine. It's obviously because that's one of the issues that has been raised, obviously I just want to, to put it to you so we're clear on on everything.
MW	Alright, you see I'm probably Conservative because the other area which I work in which is Scholes comes under a different area, it's North North East which comes under the Harewood Ward which are 3 Conservative Councillors, but I've got to deal with them because it's my job. I've got to speak to people so whether that's where she's got that from I've just no idea. <b>I TALK AND DEAL WITH THE LIB/DEM - GRABAS + INDEPENDENTS</b>
CLT	Right okay, alright. Now the conversation that you had with Karen Shaw and Caroline was there as well, did you make a note of that conversation that you had?
MW	Just what they did, just what they basically told me and as I say, I said, she said what, I just couldn't believe it, you know, some day, somebody in public office would come out with a statement like that
CLT	Yeah and do you know how Caroline Ellsworth was aware of that conversation, was it from overhearing it as well



MW	Must have been from Karen, yes
CLT	Right, that's okay
MW	Because they work opposite each other, you see <b>AND CAROLINE HAD ALSO HAD AN EAR RING OFF CER GRAHAME</b>
CLT	Right, okay, alright. Was there anyone else in that office at the time when you went it?
MW	Yeah there were 4 or 5 other people, men and women work in the office, now whether they were aware of what they heard, what they said I don't know but I <del>don't</del> know. <b>IT GOT ROUND THE OFFICE</b>
CLT	Okay. Okay. And you said, you mentioned that you did make a note of what was said to you in that office.
MW	Yes
CLT	Do you, do you still have a copy of that note?
MW	I shall, yes I do yes.
CLT	You do. It would be helpful if we, if you could also send that down to us as well
MW	Right
CLT	We'll provide you with the address so that you know where you're sending everything.
MW	Right
CLT	Now there was one other question that I had for you and I think it has just slipped my mind for a second. Just covering everything that you've mentioned there, has that, has that covered everything that you, you can remember from the conversation that you had with Karen Shaw?
MW	Yes, they've said that they, both myself and Caroline were fed up with Councillor Grahame's attitude
CLT	Right
MW	And they were going to go see their manager, I believe they had a meeting with Simon Costigan and then they had another meeting with Simon Costigan yesterday I believe and more or less said that Councillor Gruen had got involved because he is Chair of Aire Valley Homes and that they do realise that <b>[REDACTED]</b> <b>[REDACTED]</b> <b>[REDACTED]</b>
CLT	Right okay and this is all very recent is it?
MW	That was yesterday, yeah.

CLT	Right, okay, alright and that, that's all connected
MW	So Karen now is, is, is, is she's deciding whether she wants to speak to you or not.
CLT	Yes, yes I understand that, I understand that. Just in terms, did you speak to Councillor Grahame directly after these incidents had happened to explain how
MW	I've told them, I've spoken to Councillor Gruen, sorry Grahame did you say?
CLT	Yeah, Grahame, yeah but
MW	No, no. <b>I HAVE SPOKE TO COUNCILLOR GRUEN - BUT NOT ABOUT THIS ISSUE</b>
CLT	Okay and you were about to say that spoke to Councillor
MW	No, no wait a minute we did, I've seen her a couple, last week we did, Tuesday we did, St Gregory's Community Centre, we did an older persons week in various locations throughout the ward and it was down at St Gregory's and we had about 120 OAPs there, we provide lunch for them and we put a pantomime on and I would get them off on the bus and sit them down and I was there along with the other warden and apparently Councillor Grahame came in and said what's he doing here, referring to me.
CLT	Right, okay, okay and what was your reaction to that?
MW	She didn't say that to me, she said it to, to my colleague.
CLT	Okay alright, and you were about to say that you'd spoken to Councillor Gruen.
MW	Only because on other issues <b>I AM ON THE COMMITTEE OF FIELDHEAD COMMUNITY CENTRE SO IS COUNCILLOR GRUEN</b>
CLT	Okay
MW	We've not mentioned about the forum meeting and Councillor Grahame's remarks
CLT	Okay and have you, have you ever approached Councillor Grahame since these incidents to say, how they affected you or how they made you feel?
MW	No
CLT	Okay, that's fine, okay. I think that's all of my questions that I had for you. Is there anything else that you feel is, is relevant that you, you need to tell me?
MW	Not really, no but it is affecting me, it is playing on my mind now all the time.
CLT	Yeah, of course. We will speed things along as quickly as we can and obviously it's been helpful to talk to you as soon as we can as well and we will hope to have it finalised fairly shortly.
MW	Okay

CLT	Alright, thank you very much. I don't have any other questions for you so I will finish it there and I will send out a copy of the transcript. Once it's typed up we'll send it out to you. Is it best to send it to you by e-mail?
MW	Yeah you can send it by e-mail, yeah I'll get it faster and if I send you a copy of my notes down is it, I've got one of these the original letters here
CLT	Right
MW	Weightmans LLP, Second Floor, 6 New Street Square, New Fetter Lane, London
CLT	That, that's the address, yes
MW	Right
CLT	If you could put
MW	Should I mark it for the attention of you
CLT	If you mark it for my attention, yes, that will get to me
MW	Alright then
CLT	It would be useful if we could have those notes because obviously they're contemporaneous to the time that the incidents happened.
MW	Yeah
CLT	Alright
MW	Alright then
CLT	Thank you very much for your time and I do apologise for delaying the start of it
MW	Alright then
CLT	Okay, thank you
MW	No problem, okay thank you bye-bye
CLT	Bye-bye

**STATEMENT OF TRUTH**

I confirm that the above note of the interview held on 29 September 2009 is accurate and fair.

Signature ..... *M) Newes* .....

Date ..... *16/10/09* .....

**Christina Pye**

---

**From:** Pauleen.Grahame@leeds.gov.uk  
**Sent:** 12 November 2009 13:51  
**To:** Christina Pye  
**Subject:** Fw: white laith garth

Dear Christina,

This email refers to the ginnel which [REDACTED] referred to at the very bottom my email refers to how long he has been complaining.

Cllr Pauleen Grahame  
Secretary to the Labour Group  
Chair of Central and Corporate Scrutiny Committee  
telephone 0113 [REDACTED]

----- Forwarded by Pauleen Grahame/MEM/LCC on 12/11/2009 13:47 -----

**Pauleen Grahame/MEM/LCC**

**To** Mick Johnson/CSD/LCC

**cc**

22/09/2009 09:19

**Subject** Re: Fw: white laith garth [Link](#)

Thank you Mick

Cllr Pauleen Grahame  
Secretary to the Labour Group  
Chair of Central and Corporate Scrutiny Committee  
telephone 0113 [REDACTED]

**Mick Johnson/CSD/LCC**

**To** Pauleen Grahame/MEM/LCC@Leeds\_City\_Council

**cc** Kwok Ping Cheung/CSD/LCC@Leeds\_City\_Council, Pauleen Grahame/MEM/LCC@Leeds\_City\_Council

22/09/2009 07:42

**Subject** Re: Fw: white laith garth [Link](#)

Dear Councillor Grahame,

Sorry just picked this up this morning. I have added this to the area litter pickers run to do as and when he can, he is currently on long term sick!!.

Regards

11/12/2009

Mick Johnson  
Streetscene Services  
Environments and Neighbourhoods  
Leeds City Council

Pauleen Grahame/MEM/LCC

21/09/2009 15:36

To Pauleen Grahame/MEM/LCC  
cc Kwok Ping Cheung/CSD/LCC@Leeds\_City\_Council, Mick  
Johnson/CSD/LCC@Leeds\_City\_Council  
Subject Re: Fw: white laith garth [Link](#)

I do not recall receiving a response to this email I would be grateful if you could confirm either way for the forum meeting i will attend this evening

Best wishes

Cllr Pauleen Grahame  
Secretary to the Labour Group  
Chair of Central and Corporate Scrutiny Committee  
telephone 0113 [REDACTED]

Pauleen Grahame/MEM/LCC

02/09/2009 09:47

To Kwok Ping Cheung/CSD/LCC  
cc Mick Johnson/CSD/LCC@Leeds\_City\_Council  
Subject Re: Fw: white laith garth [Link](#)

thank you ,

Is this ginnel on a regular cleaning programme.

best wishes  
Cllr Pauleen Grahame  
Secretary to the Labour Group  
Chair of Central and Corporate Scrutiny Committee  
telephone 0113 [REDACTED]

Kwok Ping Cheung/CSD/LCC

26/08/2009 08:52

To Mick Johnson/CSD/LCC@Leeds\_City\_Council  
cc Pauleen Grahame/MEM/LCC@Leeds\_City\_Council  
Subject Re: Fw: white laith garth [Link](#)

11/12/2009

Hi Mick  
Our Bush team have cleared the ginnel at the back of White Laith Garth.

Thanks

K P Cheung  
Streetscene Services  
Environments and Neighbourhoods  
Leeds City Council

Mick Johnson/CSD/LCC

24/08/2009 13:17

To Kwok Ping Cheung/CSD/LCC@Leeds\_City\_Council  
cc Pauleen Grahame/MEM/LCC@Leeds\_City\_Council  
Subject Fw: white laith garth

KP,

Please can you arrange for the ginnel team to visit this ginnel and clear. Please can you notify Cllr Grahame when done.

Councillor Grahame,

I will ask the area litter picker to keep any eye on the ginnel once the ginnel team have bottomed it.

Regards

Mick Johnson  
Streetscene Services  
Environments and Neighbourhoods  
Leeds City Council

----- Forwarded by Mick Johnson/CSD/LCC on 24/08/2009 13:14 -----

Jonathan Dyson/CSD/LCC

24/08/2009 11:56

To Mick Johnson/CSD/LCC@Leeds\_City\_Council  
cc  
Subject Re: Fw: white laith garth [Link](#)

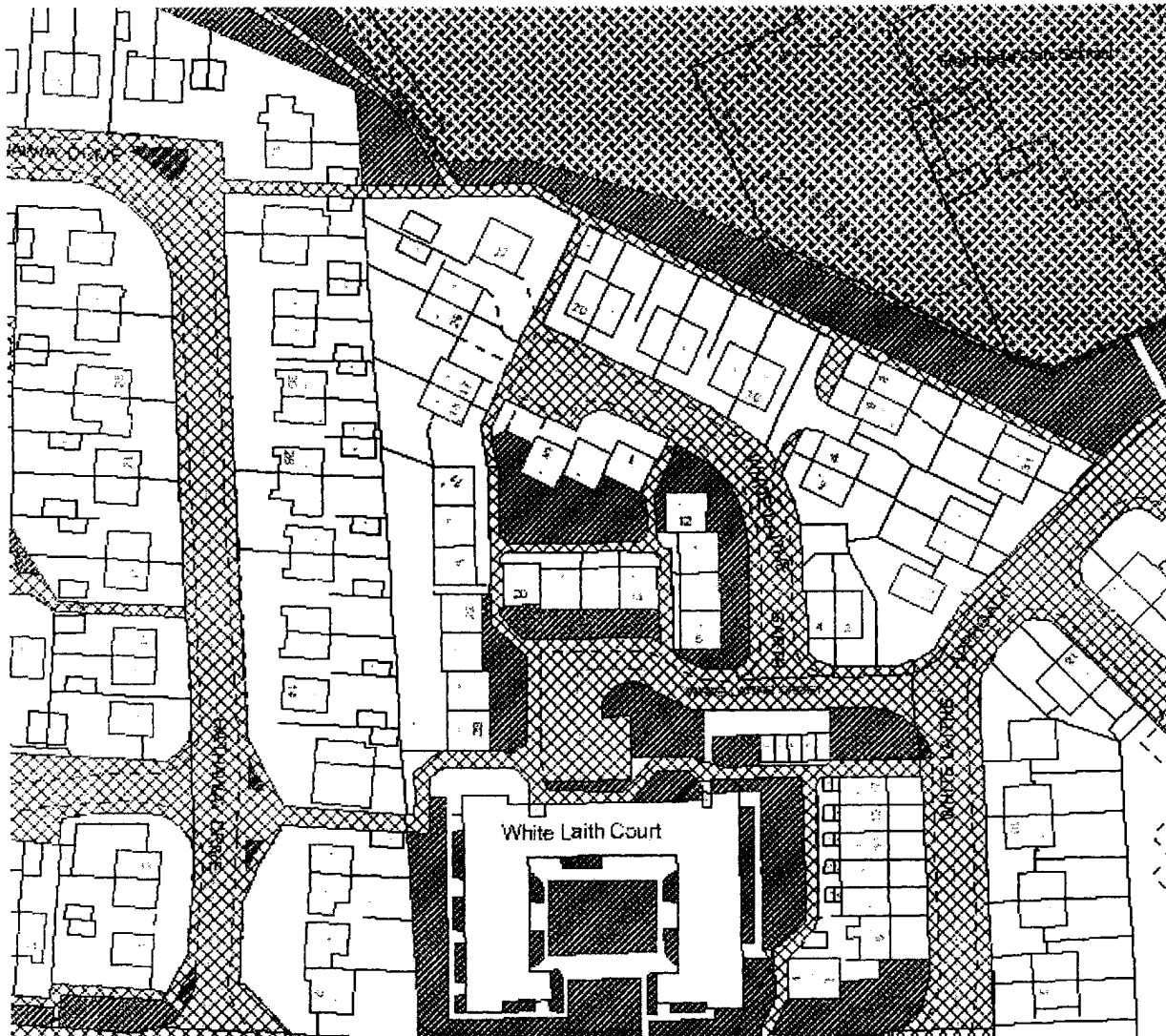
Mick,

11/12/2009

The ginnel to the rear of the properties does seem to be adopted. The grass verge next to it is the responsibility of Aire Valley Homes though.

Hope this helps

Jon



Kind Regards

Jonathan Dyson  
Contract Monitoring - Grounds Maintenance

Tel +44 (0) [REDACTED]  
Fax +44 (0) [REDACTED]  
Environmental Services  
Environment and Neighbourhoods  
Henshaw Depot  
Focus Way  
Yeadon, Leeds  
LS19 7BY

11/12/2009



<http://www.leeds.gov.uk>

**Mick Johnson/CSD/LCC**

24/08/2009 11:39

To Jonathan Dyson/CSD/LCC@Leeds\_City\_Council

cc

Subject Fw: white laith garth

Hi Jonathan,

Can you check the ownership of this one for me please.

Regards

Mick Johnson  
Streetscene Services  
Environments and Neighbourhoods  
Leeds City Council

----- Forwarded by Mick Johnson/CSD/LCC on 24/08/2009 11:36 -----

**Pauleen Grahame/MEM/LCC**

24/08/2009 10:54

To Mick Johnson/CSD/LCC@Leeds\_City\_Council

cc

Subject white laith garth

Dear Mick ,

Is north whinmoor your area , can you help me at the whinmoor forum every meeting White Laith Garth is discussed regarding a ginnel at the back of the properties which is never cleaned is this on a round and have you received any complaints or requests for the ginnel to be cleaned over the past 2 years I would appreciate any information.

Best wishes.  
Cllr Pauleen Grahame  
Secretary to the Labour Group  
Chair of Central and Corporate Scrutiny Committee  
telephone 0113 [REDACTED]

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11/12/2009

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**Christina Pye**

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**From:** Pauleen.Grahame@leeds.gov.uk  
**Sent:** 12 November 2009 14:34  
**To:** Christina Pye  
**Subject:** Fw: [REDACTED]

Cllr Pauleen Grahame  
Secretary to the Labour Group  
Chair of Central and Corporate Scrutiny Committee  
telephone 0113 [REDACTED]

----- Forwarded by Pauleen Grahame/MEM/LCC on 12/11/2009 14:33 -----

**Pauleen Grahame/MEM/LCC**

29/10/2009 16:08

**To** Mike Weaver/HASE/LCC, Audrey Cairns/CSD/LCC  
**cc** Peter Gruen/MEM/LCC@Leeds\_City\_Council, Suzi  
Armitage/MEM/LCC@Leeds\_City\_Council  
**Subject** Re: Fw: [REDACTED] [Link](#)

Dear All,

The Ginnell was cleaned and cut back after I reported it after the July Whinmoor forum.

Best wishes

Cllr Pauleen Grahame  
Secretary to the Labour Group  
Chair of Central and Corporate Scrutiny Committee  
telephone 0113 [REDACTED]

**Mike Weaver/HASE/LCC**

29/10/2009 14:17

**To** Suzi Armitage/MEM/LCC@Leeds\_City\_Council  
**cc** Peter Gruen/MEM/LCC@Leeds\_City\_Council, Pauleen  
Grahame/MEM/LCC@Leeds\_City\_Council  
**Subject** Fw: [REDACTED]

Mike Weaver  
Neighbourhood Warden  
Whinmoor/Scholes  
[REDACTED]  
[REDACTED]

----- Forwarded by Mike Weaver/HASE/LCC on 29/10/2009 14:07 -----

**Audrey Cairns/CSD/LCC**

**To** Mike Weaver/HASE/LCC@Leeds\_City\_Council  
**cc**

11/12/2009

28/10/2009 17:57

Subject [REDACTED]

Morning,

Did a site visit today and the footpath to the front of the property (into the ginnel) was not obstructing the footpath. The side of the property onto the footpath looks as though its had a recent cut back- I take it thats the part you meant?

Regards

Audrey Cairns  
Technical Officer  
Environmental Action Team (South)  
Tel:0113 [REDACTED]  
Fax:0113 [REDACTED]

Good afternoon Councillors.

After another referal to Highways and Enforcement to have the ginnel cleaned and the connifer trees cut,this is the response from the officer dealing with it.As this ginnel regulary comes up at the Whinmoor Forum,and [REDACTED] constantly complain about it.

Regards Mike.

---

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**Christina Pye**

**From:** Pauleen.Grahame@leeds.gov.uk  
**Sent:** 12 November 2009 14:12  
**To:** Christina Pye  
**Subject:** Fw: path weed clearing lighting overgrown trees

Another area from the forum

Cllr Pauleen Grahame  
Secretary to the Labour Group  
Chair of Central and Corporate Scrutiny Committee  
telephone 0113 3950895

----- Forwarded by Pauleen Grahame/MEM/LCC on 12/11/2009 14:11 -----

**Pauleen Grahame/MEM/LCC**

**To** [redacted]

**cc**

02/09/2009 10:25

**Subject** Re: path weed clearing lighting overgrown trees [Link](#)

Dear [redacted]

I will ask for these issues to be looked into I will let you know when I have a response.

best wishes

Cllr Pauleen Grahame  
Secretary to the Labour Group  
Chair of Central and Corporate Scrutiny Committee  
telephone 0113 [redacted]

[redacted]

**To** <pauleen.grahame@leeds.gov.uk>

**cc**

31/08/2009 11:45

**Subject** path weed clearing lighting overgrown trees

Dear P Graham,

I live at [redacted] [redacted] [redacted] [redacted] A path runs the garden side of [redacted] [redacted] and also a strip of land on this path between the path and the garden of [redacted] which runs length of path its ever included in weed spraying its always missed every year. Street lamp no 10 on this path has become overgrown from trees in garden of [redacted], who have allowed their trees to grow over 30 foot tall, so we get much reduced day light and no light from this street lamp. I have recently had some hard wood garden furniture stolen and my neighbour has had some garden furniture stolen as well been reported to police. There is an air of dereliction about this path for reasons stated. I am concerned about security, due to overgrown weeds and trees and poor street lighting.

Any help you could give on this matter would be most welcome.

thank you

11/12/2009

[REDACTED]

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**Christina Pye**

---

**From:** Pauleen.Grahame@leeds.gov.uk  
**Sent:** 12 November 2009 14:29  
**To:** Christina Pye  
**Subject:** Fw: complaints North Whinmoor Forum

Cllr Pauleen Grahame  
Secretary to the Labour Group  
Chair of Central and Corporate Scrutiny Committee  
telephone 0113 [REDACTED]

----- Forwarded by Pauleen Grahame/MEM/LCC on 12/11/2009 14:28 -----

**Pauleen Grahame/MEM/LCC**

To Caroline Elsworth/AVHL/LCC, Peter Gruen/MEM/LCC, Kevin  
Vaughan/AVHL/LCC

12/10/2009 11:52

cc Mike Weaver/HASE/LCC@Leeds\_City\_Council  
Subject complaints North Whinmoor Forum

Dear Caroline,

For your information the complaint re. The Foot Path Back of Baildon Place has been dealt with to the satisfaction of the residents I have sent a letter to all the path is on the cycle for regular cleaning now. also the complaint from [REDACTED] the ginnel White Laith has been dealt with he also has information regarding this .

best wishes

Cllr Pauleen Grahame  
Secretary to the Labour Group  
Chair of Central and Corporate Scrutiny Committee  
telephone 0113 [REDACTED]

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**Present:**

Cllr Peter Gruen (Chair), Cllr Pauleen Grahame, Martin Hackett (South East Area Management), Mike Weaver (Neighbourhood Warden), Tony Stringwell (LCC Parks & Countryside), Derek Lawrence (LCC – Youth Service), PC Claire Bickerdyke (West Yorkshire Police), PCSO Thimm (WYP), Dennis Faulkner (Skelton Woods Environment Group), Heather Jackson (SWEG), [REDACTED] (residents), randy Blackburn (Whinmoor Residents Association), Steven Whitaker (Aire Valley Homes Leeds), Angela Gannon (AVHL), Jane Greenwood (AVHL), Mechelle Myers (WHRA), Mindi Singh (local shop keeper), Greg Sharp (LCC – City Services), John Clark (AVHL), Dave Wisnia (Fieldhead Carr Primary School), James Nundy (SE AMT, minutes)

**Apologies:**

Cllr Suzi Armitage, Caroline Ellsworth (AVHL), Phil Diamond (AVHL)

		Action
<b>1.0</b>	<b>Welcome / introductions / apologies</b>	
1.1	Cllr Gruen welcomed everybody to the meeting, introductions were made and the above apologies noted.	
<b>2.0</b>	<b>Minutes from 30 March 2009</b>	
2.1	Agreed as accurate.	
<b>3.0</b>	<b>Matters arising from those minutes</b>	
3.1	(3.5) <b>Chippies Pond fishermen</b> – Deeta to follow up	D T-H
3.2	(3.8) <b>Whinmoor Shops / METRO issues</b> – Sean Hewitt from LCC Highways design is awaiting capital funding for supplementary measures including new kerbing and tidying of the rumble strip. Highways traffic Enforcement Officers to speak to delivery drivers using the turning circle only meant for buses. Education of bus drivers to park in exactly the right spot.	
<b>4.0</b>	<b>10 minute open floor</b>	
4.1	No issues.	
<b>5.0</b>	<b>Highways issues on Coal Road – Greg Sharp</b>	
5.1	Speeding is an issue on Coal road, through the Sherburn Road chicane and past the schools. Whinmoor gardens has become a rat run and concern is growing at the bad bend.	GS
5.2	Before the traffic calming was introduced, there were 13 accidents, but the rate has since dropped by 33% (1 accident).	
5.3	It was noted that the speed humps are not working. <ul style="list-style-type: none"> <li>• Greg Sharp to investigate further and report back to the forum.</li> </ul>	
5.4	Potential for more signs to warn about the mini-roundabout on Coal Road.	



5.5	<p>There were traffic count surveys completed in 2005 and 2008. The results show a 15% decrease in peak traffic flow.</p> <ul style="list-style-type: none"> <li>• Greg Sharp to investigate further and report back to the forum.</li> </ul> <p>There is no identified budget to work on parking schemes. Verge parking will only be tolerated when wall to wall resurfacing is taking place.</p>	GS	
<b>6.0 Community Safety</b>			
6.01	<p><b>Police</b></p> <p>Crime statistics were tabled and discussed. Burglaries are down, but on the increase again.</p>	MH	
6.02	<p>There is a PACT meeting tonight. Recent priorities raised at the meetings include White Laithe shops.</p>		
6.03	<p>Issues outside White Laithe shops. The Dispersal Order is for over 18s, but the young people congregating at this location are under 18, so the Dispersal Order doesn't affect them.</p>		
6.04	<p>Issues of vandalism of BT phone boxes at Fieldhead Shops – Mike Weaver has checked with LCC Street Cleansing and it is the responsibility of BT to sweep up and remove the broken glass from their boxes.</p>		
6.05	<p>MH reported that Leedswatch had informed of new regulations in relation to CCTV after advice from Legal. This could have major implications on schemes funded by the Area Committee. A discussion took place on this. MH agreed to speak to Bev Yearwood and legal to clarify the position. As an interim measure he would request a covert camera be installed.</p>		
6.06	<p>The ongoing activities at the shops were deplored by Cllr Gruen. Under the new policing Pledge action is required to address the situation.</p>		
6.07	<p><b>Neighbourhood Warden</b> – Mike Weaver (tel : [REDACTED]) Flytipping on Spotted Path and in Skelton woods is still an issue.</p>		
6.08	<p>Operation Champion to come in near future.</p>		
6.09	<p>Problems with motorbikes in Skelton woods</p>		
6.10	<p>Issues with young people coming from Seacroft into the area</p>		
6.11	<p>Been working with Fieldhead Community Centre Management Committee and there will be an open day on Saturday 8 August. West Yorkshire Probationers have been used to help paint the interior.</p>		
6.12	<p>The Quest Project has won the Leeds leg of the competition. The entrants are now to go to London for the next stage.</p>		
6.13	<p>White Laithe Garth ginnel – issues with young people congregating on the A-frame. Cllr Grahame to make enquiries into getting the ginnel cleaned.</p>		Cllr Grahame
6.14	<p>A discussion took place about the future of the Wardens Service. Mike and Nathan were thanked for all of their good work in the ward. Cllr Gruen told the forum how supportive the councillors are of the wardens and they'll fight to keep two wardens in the area.</p>		

<b>7.0</b>	<b>Leisure – Tony Stringwell</b>	
7.1	<b>Fieldhead Carr Pitches</b> The pitches should be ready for September. Jane Cash (Parks and Countryside) will come back with an update on the floodlight installation timescale – Tony to chase up and copy the councillors in. The funding has been secured via the Outer East Area Committee.	TS
7.2	<b>Skelton Woods Pitches</b> A handout plan was tabled detailing the scheme to remove the excess water from the pitches. The scheme, using 'polystorm cell soakaways' will pull water to the edges of the pitches and then down into the current drainage system. Tenders are out at the moment.	
7.3	Tony to check with forestry and look into getting an A-frame for the entrance onto Skelton Woods pitches, and keep the councillors updated.	TS
<b>8.0</b>	<b>Fieldhead Community Centre</b>	
8.1	Sam Lowe to contact Cllr Gruen about advertising for the open day.	SL
8.2	Health and Safety issues have been looked into by Alan Broughton: Trophy cabinet needs to be moved, or have a protective film on the glass. No changes were required to the shelf in the caretakers office.	
8.3	Sam Lowe to look into a lettings notice board advertising room hire within the Centre grounds, eg external notice board.	SL
8.4	The summer holiday youth work programme has started and an additional four week programme for a hard to reach group has been established.	
<b>9.0</b>	<b>Housing Issues / Aire valley Homes Leeds / Regeneration schemes</b>	
9.1	Costs for the MUGA on Sherburn Road have risen from £70K to £100K. It is on hold at the moment due to the funding issues.	
9.2	AVH have provided a drop in service in a mobile office at White Laithe Court on Wednesdays.	
9.3	The Keepmoat development is on site with the last phase on the 5Ms – due for completion in December 09. There will be tenant satisfaction surveys upon completion.	
9.4	Out of hours emergency numbers for Keepmoat were requested by the councillors.	
9.5	All of the owners not in the scheme have been offered unused roof tiles for free (recycling)	
9.6	<b>Environmental projects</b> The local AVH Area Panel has an annual fund of £80,000 to support environmental schemes.	

10.0	<b>AOB / Next meeting</b>	
10.1	Glendale (the LCC grass cutting contractor) were criticised for cutting the grass at too great a speed and not litter picking effectively before starting the cut.	
10.2	Car parking in Naburn Fold was highlighted as an issue, but the forum heard how a parking scheme would cost in the region of £30,000 and the money is not available. Caroline Ellsworth was asked to update the Chair outside the meeting.	CE
10.3	Dave Wisnia (Head teacher at Fieldhead Carr Primary) is retiring from teaching. He was thanked by Cllr Gruen and best wishes were given by the forum. Nick Edensor, the new headteacher would attend future meetings of the forum.	
10.4	Next meeting: 21 September 2009	

6 July 09

- ① Apols : Cllr Amitage  
Caroline Edsworth  
Phil Diamond

Intros from Cllr Green + welcomes

② Agreed

③ 3.5. leave with Aerts / YService

3.8 Sean Henitt - awaiting <sup>cap</sup> funding

- highways design
- - new kerbing
  - rubble strip tidied
  - enforcement (highway) delivery drivers using turning circle
  - education of drivers parking in correct place

④ Police. <sup>whitelaithe</sup> issues outside shops  
Dispersal order for over 18's but kids congregating there are under 18.

Who is legally responsible for sweeping up broken glass from BT phoneboxes? Mike to investigate.  
(one outside Post office)

Burgs ↓ but starting to increase again  
PAET meeting 2rite  
Priorities = shops (whitelaithe)

Law has changed re CCTV. New regs, restricting use of CCTV  
Discussion.

MIL to speak to <sup>(Police / headwatch / Com Safe)</sup> re a covert  
camera <sub>ben</sub>

Ongoing activities reported. Under new Police Pledge - action required

### Mike's report

Flytipping of Spotted Path, skelton woods  
of champ

m'sikes in skelton woods

Vernon's P. 200

Searcht youths in the area

Fierdhead C. Centre user group. Open day Sat 1 Aug

Probation decorated inside

Quest Project - ~~was~~ won Leeds leg - row down to  
London (Fierdhead Carr PS)

White Lath Jinnel - issues of congregation on the 1<sup>st</sup> floor  
(w.c. garth) - Cllr Graham to <sup>note</sup> enquire into  
cleansing of jinnel.

Discussion re wardens service.

Mike & Nathan thanked for all good work.

Cllr Gaver told how supportive Cllrs are of  
warden and they'll fight to keep 2 wardens for the  
area.

Glencales dissed for cutting too fast & not  
litter picking yet.

- (7)
- Pitches should be ready in Sept
  - Jane Cash to come back re floodlights
  - Tony to chase up a copy of cllrs in
  - Money is available via ALC cap pot.

### ● Skelton Woods

- proposal tabled
- pull water to edges of pitches and down into correct  
soak away system. 'Polystorm cell soakaway'
- Tenders out @ no

Tony to check with Forestry and look into A-frame @  
onto skelton woods pitches  
Cllrs to be kept in 1000.

### (8) Fieldhead Terr CC.

Sam to phone cllr Green re advertising of open day  
Health & Safety: (Alan Broughton)

trophy cab - move it or put protective film on glass  
shelf - caretakers room - not an issue

Sam to look up some sort of letting notice for room  
hire for outside building

Youth work summer prog started

Additional 4 week prog has had to read group established

⑩ ADJ - Jane Wisnea retirement from teaching  
Thanked by car Green + left wished from the forum.

⑤ Coal Rd  
Sherburn Rd chicane } speeding  
road outside school  
Whinmoor Gardens - rat run @ bad bend

before 13 accidents rate + 33%  
now

Bumps not working

Potential for more signs to warn about mini round  
(Coal Rd)

2005 - 8 peak traffic flow down 15%.

Coal Rd → Sherburn Rd  
speed counters to go from 1 <sup>then</sup> into other. (Not grey)

No identified budget re parking schemes.

Verge parking - only when wall to wall resurfacing

⑨ MUGA. Costs risen ~~for~~ from £70 - £100k  
on hold @ no due to funding issues  
(Sherburn Rd North)

Mobile office @ Whitebait Court of Weds - drop in

- Keepmoat Dev

On site with last phase of 5 M's

20 residents signed up

36-42 Redhall drive from 9am - mobile office on  
Thursdays

↳ To be completed (off site by Dec)

Tenant satisfaction survey upon completion

- Emergency number required by client  
(out of hours keepmoat)

All owners not in the scheme have been offered  
unused ~~area~~ roof tiles for free

- Envision Project

£80k grant available - apply (Area Panel)

(15)

ASPB

carparking in Nasion field

To make a parking ~~in~~ in the square would cost  
in region of £30k





## COMPLAINT FORM – Councillors' Code of Conduct

You can use this form to complain about Councillors and co-opted members<sup>5</sup> of Leeds City Council, or any of the Parish and Town Councils in the Leeds area. However, please note that the Standards Committee can only consider complaints about the behaviour of individual Councillors or members, not about the Council as a whole or the people employed by it.

If you wish to make a complaint about the Council as a whole, or one of its services, please contact 'Compliments and Complaints' on 0113 222 44 05.

You should refer to the guidance leaflet "How to complain about the behaviour of a Councillor" for more information about the complaints process, the decisions the Assessment Sub-Committee can reach, and the criteria they will use to make these decisions.

### Your details

1. Please provide us with your name and contact details

<b>Title:</b>	NEUBOURHOOD WARDEN
<b>First name:</b>	MICHAEL
<b>Last name:</b>	WEAVER
<b>Address:</b>	[REDACTED] [REDACTED] [REDACTED]
<b>Daytime telephone:</b>	[REDACTED]
<b>Evening telephone:</b>	AS ABOVE
<b>Mobile telephone:</b>	[REDACTED]
<b>Email address:</b>	[REDACTED]

Your address and contact details will not usually be released unless necessary or to deal with your complaint.

<sup>5</sup> A co-opted member is a voting member of an authority or one of its committees, who was appointed to their position rather than elected.

**How to complain about the behaviour of a Councillor**



However, we will tell the following people that you have made this complaint:

- the member(s) you are complaining about
- the monitoring officer of the authority
- the parish or town clerk (if your complaint relates to a parish or town council member)

We will tell them your name and give them a summary of your complaint. We will give them full details of your complaint where necessary or appropriate to be able to deal with it. If you have serious concerns about your name and a summary, or details of your complaint being released, please complete section 6 of this form.

**2. Please tell us which complainant type best describes you:**

- Member of the public
- An elected or co-opted member of an authority
- An independent member of the standards committee
- Member of Parliament
- Local authority monitoring officer
- Other council officer or authority employee
- Other (please specify: \_\_\_\_\_ )

**Making your complaint**

**3. Please provide us with the name of the member(s) you believe have breached the Code of Conduct and the name of their authority:**

Title	First name	Last name	Council or authority name
CLERK	PAULINE	GRAHAM	LEEDS CITY COUNCIL

## How to complain about the behaviour of a Councillor



4. Please indicate which sections of the Code of Conduct you believe that the member(s) have breached:

- Failing to treat people with respect
- Conducting themselves in a manner which could reasonably be regarded as bringing his or her office or authority into disrepute
- Using their position as a member improperly to confer on or secure for him or her self or any other person, an advantage or disadvantage
- Doing something which may seriously prejudice their authority's ability to comply with any of its statutory duty under the equality law
- Bullying any person
- Intimidating or attempting to intimidate someone who is or is likely to be a complainant or witness in relation to an investigation
- Doing anything which compromises or which is likely to compromise the impartiality of those who work for, or on behalf of, the authority
- Disclosing information given to them in confidence by anyone, or information acquired which he or she believes is of a confidential nature, except where:
  - o They have the consent of a person authorised to give it; or
  - o For professional advice, providing the advisor agrees to maintain the confidentiality; or
  - o Where disclosure is reasonable and in the public interest, and this disclosure is made in good faith and in accordance with the Council's reasonable requirements<sup>6</sup>.
- Preventing another person from gaining access to information to which that person is entitled to by law
- When using the authority's resources, or authorising their use by others:
  - o Not acting in accordance with the authority's requirements; or
  - o Allowing such resources to be used for political purposes; or
  - o Not having regard to the Local Authority Code of Publicity.
- When taking decisions:
  - o Failing to have regard to advice provided by the Chief Finance Officer and the Monitoring Officer<sup>7</sup>; and
  - o Failing to give reasons for those decisions in accordance with any statutory requirements or additional requirements imposed by the Council.
- Failing to register their financial or other interests within 28 days of their election or appointment

<sup>6</sup> Set out in the "Access to Information Procedure Rules", in Part 4 of the Council's Constitution.

<sup>7</sup> This part of the Code is not mandatory for Parish and Town Councils.

### How to complain about the behaviour of a Councillor

- Failing to update their register of interests within 28 days of a change to their circumstances
- Failing to register any gifts or hospitality (and the source), that they have received in their role as a Member worth over £25
- Failing to declare a personal interest at a meeting
- Failing to declare a prejudicial interest at a meeting (an interest so significant that it is likely to affect their judgement)
- Taking part in the discussion or making a decision where they have a prejudicial interest
- Improperly influencing a decision about a matter that they have a prejudicial interest in

5. Please explain in this section (or on separate sheets) **what the member has done** that you believe breaches the Code of Conduct. If you are complaining about more than one member you should clearly explain what each individual person has done that you believe breaches the Code of Conduct.

It is important that you provide all the information you wish to have taken into account by the assessment sub-committee when it decides whether to take any action on your complaint. For example:

- You should be specific, wherever possible, about exactly what you are alleging the member said or did. For instance, instead of writing that the member insulted you, you should state what it was they said.
- You should provide the dates of the alleged incidents wherever possible. If you cannot provide exact dates it is important to give a general timeframe.
- You should confirm whether there are any witnesses to the alleged conduct and provide their names and contact details if possible.
- You should provide any relevant background information.

Please provide us with the details of your complaint. Continue on a separate sheet if there is not enough space on this form.

ON THE EVENING OF MONDAY 6<sup>th</sup> JULY AT THE NORTH WILMORER FORUM MEETING I WAS ASKED TO READ OUT A REPORT ON THE SHERBURN NORTH ROAD MURKIN/FOOTBALL POST PROJECT ON BEHALF OF T.M.O. CAROLINE ELSWORTH. CAROLINE COULD NOT ATTEND THE MEETING AND THE MANAGER WAS ON HOLIDAY, AS I WAS HALF WAY THROUGH THE REPORT Cllr CERAMÉ INTERRUPTED ME SAYING SHE DID NOT THINK A WARDEN SHOULD BE GIVEN A REPORT ON BEHALF OF THE HOUSING OFFICE, SAYING I WAS NOT QUALIFIED TO DO SO. ON THIS PARTICULAR PROJECT I HAVE BEEN INVOLVED FROM THE START. ON TUESDAY LUNCHTIME 12

WILMORER WENT TO EXPLORE THE AREA

AS I CAME INTO SWARCLIFFE HOUSING OFFICE WHERE I AM BASED, T.M.O. KAREN SHAW CALLED ME OVER I COULD SEE SHE WAS SHOCKED AND TOLD ME THE CLR CERHAMME HAD BEEN ON THE TELEPHONE COMPLAINING THAT NO ONE FROM THE HOUSING OFFICE HAD BEEN AT THE FORUM MEETING. AND THAT A WARDEN A TORY-BMP PERSON HAD GIVEN A REPORT MEANING ME, SEVERAL OTHER PEOPLE WERE IN THE OFFICE AND COULD NOT BELIEVE A COUNCILLOR WOULD COME OUT WITH A STATEMENT LIKE THAT. THIS INCORRECT REMARK WAS SAID IN A DEROGATORY MANNER, HOW MANY OTHER PEOPLE HAS THIS COUNCILLOR SAID THIS TO?

I AM PROUD TO BE A NEIGHBOURHOOD WARDEN AND GIVEN MANY REPORTS AT VARIOUS MEETINGS, AND ALWAYS DO MY BEST FOR THE PEOPLE OF WILKINMOOR WHERE I HAVE WORKED FOR THE PAST FOUR YEARS.

T.M.O KAREN SHAW HAS SAID SHE WILL BE A WITNESS AND VERIFY WHAT CLR CERHAMME SAID.

MJ Warner

### 7. Equality monitoring questions

We need to make sure that we provide a fair service to everyone, please put a tick in the boxes that apply to you.

Gender:  Male  Female

Are you a disabled person?  Yes  No

#### Ethnic Origin:

##### White

- British
- Irish
- Other

##### Black/Black British

- Caribbean
- African
- Other

##### Chinese or other ethnic

- Chinese
- Other

##### Asian/Asian British

- Indian
- Pakistani
- Bangladeshi
- Kashmiri
- Other

##### Mixed

- White & Black Caribbean
- White & Black African
- White & Asian
- Other

**How to complain about the behaviour of a Councillor**



**Please return your completed form to:**

Fax: 0113 39 51599

Email: [councillorconduct@leeds.gov.uk](mailto:councillorconduct@leeds.gov.uk)

Post: The Monitoring Officer  
c/o The Corporate Governance Team  
1<sup>st</sup> Floor West  
Civic Hall  
Leeds  
LS1 1UR

Signed: *M) Newar*

Date: *10<sup>th</sup> July 2009*



Mark  
Wheelwright/AVHL/LCC  
24/03/2009 16:39

To : Bob Bradley/LLD/LCC@Leeds\_City\_Council  
cc : John F Ward/LLD/LCC@Leeds\_City\_Council, Phil  
Diamond/AVHL/LCC@Leeds\_City\_Council, Caroline  
Elsworth/AVHL/LCC@Leeds\_City\_Council, Jeff  
bcc  
Subject MUGA

Bob

MUGA - Sherburn Rd - North - Proposed

Can you put me in touch with the person who prepared plans and cos estimates for the MUGA ....

John dropped off hard copies for me which are great ... it would be useful to have a copy of the plan from the originator in electronic form to be able to pass around local members for consideration

[REDACTED]

Regards

**Mark Wheelwright**  
**Environmental Project Manager**

Tel: (0113) [REDACTED] Fax: (0113) [REDACTED] Mobile : [REDACTED]

Email: [REDACTED]  
Web: [www.avhleeds.org.uk](http://www.avhleeds.org.uk)  
Blog: [www.avhblog.com](http://www.avhblog.com)  
Flickr: [www.flickr.com/photos/avhl/sets](http://www.flickr.com/photos/avhl/sets)

Aire Valley Homes Leeds, Navigation House, 8 George Mann Road, Leeds, LS10 1DJ - [Click For Map + Directions](#)

Mick,

1) Please report on my behalf - costs £70 100k  
Major problems with funding, this has  
been put on hold as far as I am  
aware for the moment.

2) Aire Valley bus / mobile office!  
Wednesday for local residents to pop in

- THIS IS WHAT I READ OUT



CLT9



Outer East Leeds Area Committee

North Whinmoor Forum

Fieldhead Carr Primary School  
Monday 6 July 2009  
6pm

Agenda

1.0 Welcome / introductions / apologies - Phil + CAROLINE  
HOL CARA HUMPHRIES

2.0 Minutes of the meeting held on 30 March 2009

3.0 Matters arising from those minutes

4.0 10 minute open floor  
This time has been set aside for any questions/issues that members of the forum would like to raise. It could include a deputation attending to put forward specific issues they would like to have recorded as a public record

5.0 Highways Issues on Coal Road

6.0 Community Safety  
- Neighbourhood Policing and crime statistics for ward  
- Policing Pledge  
- Neighbourhood Warden's report - Mike Weaver

7.0 Leisure  
- Fieldhead Carr pitches - NEW DRAINS  
- Update on Skelton Woods pitches - Tony Stringwell

8.0 Fieldhead Carr Community Centre  
- Update on progress with Community Centre Committee.  
- Health and Safety check - Alan Broughton  
- Youth work programme - Deeta Tren-Humphries

9.0 Housing Issues/Aire Valley Homes/Regeneration schemes  
- Keepmoat development - Angela Gannon/Steve Whitaker  
- Housing Managers report - Phil Diamond  
- Environmental budget - Phil Diamond

for CAROLINE



CLA GRAHAMME interrupted me  
SAID I AM NOT QUALIFIED TO GIVE A  
REPORT FOR HOUSING  
A MORE WARDEN

10.0 Date of Next Meeting  
21 September 2009

S MS FIN BY DECEMBER = STEVE + ANGELA  
OLD TILLS CARRON ROAD

MEAS  
7.4

SITHBURN RD OLD BUS TERMINUS UNDER CARRON ROAD

480,000 Budget for Area Finance

**Claire Lefort**

---

**From:** Pauleen.Grahame@leeds.gov.uk  
**Sent:** 24 September 2009 16:16  
**To:** Claire Lefort  
**Subject:** your ref GCR CLT 214679 12

Your Ref GCR CLT 214679 12

Dear Claire,

I am responding with comments regarding the complaint made by Mike Weaver Neighbour Hood Warden I think that the best way will be to itemise .

1) North Whinmoor Forum held 6th July 2009.

To the annoyance of the chair Cllr Peter Gruen it was announced that there would be no attendance by the Housing Manager or EMO no previous apologies were sent. Mike Weaver announced that he had the report from the housing manager to present. I did show concern as did others I was not in a position to prevent him from giving the report my point was that Mike Weaver would not be able to answer questions and he should not have been put in this position. One of the issues around neighbour hood wardens is what is expected of them it is clearly not to represent the housing manager. He did read the report. I have chaired many boards as Scrutiny Chair and Forums I also sit on many other boards as a member If a manager cannot attend it is not acceptable to ask a person in an entirely different post to present a report especially when questions would be asked.

The minutes of the 6/7/09 were presented and accepted at the Forum Meeting held on the 21/9/09 this week.

Mike Weaver attended he made no comments when I referred to receiving information regarding the Mugga or any inaccuracies.

2) Neighbourhood Wardens Report .

This was presented as you will see in the minutes of the meeting (Agenda item 6 Community Safety 6.07) which I have emailed to you.

3) The Muga on behalf of Caroline Elsworth,

Agenda Item 9.0 - 9.1 I questioned this as I had no knowledge of this scheme nor did my colleague the Chair as we have a big issue in another part of our ward with a Mugga which has been installed I was amazed when this was mentioned. As you can see from the email submitted by Mike Weaver from Mark Wheelwright there are no Ward Councillors in the address box.

4) Telephone Call Karen Shaw

I have worked with Karen since I was elected 2002 I would say that I have a business relationship also a sociable type of banter there is a term for this but I cannot think , I do not wish to compromise Karen. I am surprised at Mike Weavers comments about derogatory .

Mike Weaver.

When Mike Weaver was appointed Neighbourhood Warden [REDACTED]  
[REDACTED]. It became common knowledge that he supported the Conservatives which is his prerogative as [REDACTED] again his prerogative ,I will point out that our MP lives close by. Elmet is a Labour Constituency all 4 wards are Labour his [REDACTED] candidate in the constituency.

I am very wary of Mike Weaver obviously from my political side I am an elected Labour Councillor [REDACTED] officers are aware of this, I was not happy at one local election he was inside the polling station I could go into many more instances. I felt at one time that he was trying to intimidate me I was actually asked if he was when he first came so there is history between us As you can see I did not prevent Mike weaver from presenting any report I was actually trying to help him.

As to the Tory BNP Person I would not say that as he is the Tory [REDACTED]

If I have passed any comment it would have been a casual one as it is common knowledge.

I will also add though I wish that I did not have to there are a [REDACTED]  
[REDACTED]  
[REDACTED]

You may contact Cllr Peter Gruen Chair of the Almo and Whinmoor Forum his contact no the Civic Hall Leeds [REDACTED] mobile [REDACTED]

also

Mindi Singh

Forum member local business man [REDACTED]

Address [REDACTED]

As to availability I will not be available on the dates you have suggested as I will be at the Labour Party Conference I will be available Monday the 5th onwards apart from where I have prior commitments.

Yours sincerely

**Cllr Pauleen Grahame**  
**Secretary to the Labour Group**  
**Chair of Central and Corporate Scrutiny Committee**  
**telephone 0113 [REDACTED]**

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# Transcribed Record of Interview Weightmans

Case number: 214679 12	Name of interviewee: Caroline Elsworth
Name of Investigator: <b>Claire Lefort, Associate, Weightmans LLP</b>	Role/status of interviewee: Witness
Date of interview: 20 October 2009	Time of interview: 2.06 - 2.29 pm
Others present:	Venue: Telephone Interview
Name of interviewer: <b>Christina Pye ("CPY"), Non-practising Barrister, Weightmans</b>	

CPY	Yeah, both of the recorders are now on
CE	Right
CPY	And just to confirm this is an interview with myself, Christina Pye and you are Caroline Elsworth from Aire Valley Homes
CE	Yeah
CPY	And you have agreed to be recorded in this interview
CE	Yes
CPY	Now basically what I want to do is I need to give you some just background preliminary information about the investigation and then I have got a few questions for you, but I'm hoping that they're not going to take too long.
CE	Right
CPY	So if I just give you some preliminary information first of all. As I think I've explained in previous e-mails, a complaint has been made about Councillor Grahame and her behaviour at a forum in the North Whinmoor Forum on 6 July and in a telephone call on 7 July and the Standards Committee has considered this allegation and thought that it should be investigated and that is being conducted by my colleague, Claire Lefort. Now the investigation is carried out under the Local Government Act 2000 and 2008 Regulations which are the Standards Committee (England) Regulations and they set out the powers of investigation. Now at this stage in the investigation all the information obtained is confidential and that's to help maintain the integrity of the investigation. However at a later date, once a final report has been issued and sent to the Standards Committee then they may decide to hold a hearing in public and at that point, all the information including the record of this interview can be made public. So what will happen after this interview is I will send you a transcript and ask you to check that through and after that we will produce a draft

	report which will be sent to Councillor Grahame and the Complainant and they will comment on that and then we will produce a final report which will be sent to Leeds City Council Standards Committee. Your role will effectively be over after this interview and after you have checked the interview transcript unless a hearing is held and you are asked to attend. Does that all make sense?
CE	Yep
CPY	Okay, yeah, right. So I've just got a few questions for you. First of all, if you do need, sorry if you do need a break at any point or have any other questions, please just let me know.
CE	Okay
CPY	Can you tell me about Aire Valley Homes itself? Sort of what sort of an organisation is it?
CE	It's a housing organisation, it's an Arms Length Management Company
CPY	And who manages it, is it Leeds City Council?
CE	It's, it's owned by Leeds City Council.
CPY	And how much input do Leeds City Council have in the running of it?
CE	I've got no idea really, I don't know.
CPY	That's okay. And does Aire Valley Homes control the housing for the whole of Leeds?
CE	No just for a specific area.
CPY	And what area is that roughly?
CE	It's south east of Leeds.
CPY	And how many other arms length organisations are there?
CE	Two others
CPY	Okay and do you know the names of those?
CE	West North West
CPY	Yeah
CE	And East North East
CPY	Right, okay. And do you and how is Aire Valley Homes structured as in do you all look after the entire area or is it split up at all?
CE	Yeah it's split into different areas and then each individual office have tenancy management

	officers that manage individual areas again.
CPY	Right. And does each, is each office, sorry does each area have it's own office?
CE	It does.
CPY	And which office are you in?
CE	Swarcliffe.
CPY	And what area does Swarcliffe cover?
CE	It covers Swarcliffe and Whinmoor and Holton
CPY	And are you personally responsible for that entire area?
CE	I'm responsible for Whinmoor and Holton
CPY	Right. That's, that's really helpful just so that I can picture how it all works out.
CE	Yes
CPY	And you say you're the, is it the team, sorry the tenancy management officer?
CE	That's right, yeah
CPY	And how many tenancy management officers are there in your office?
CE	There is 6.
CPY	Right and do they all cover, is it two per area or ...
CE	There's 6 and there's 3 that are responsible for income management and 3 that are management for, that are responsible for tenancy management
CPY	Right. And who are the other 2 tenancy management officers?
CE	Three
CPY	Sorry, 3 others?
CE	No five will be work there, five
CPY	Oh right
CE	There be six of us altogether
CPY	Right

CE	Well, you see we've all got the same title so do you mean the income management side or the tenancy management side?
CPY	The tenancy management side.
CE	Right the other two are Karen Shaw
CPY	Yep
CE	And Nick Swithenbank
CPY	And just to confirm which area does Karen Shaw deal with?
CE	Karen does Swarcliffe and Nick also does Swarcliffe but it's divided into two
CPY	Right, okay, that's really helpful. And how long have you been in the job?
CE	In this particular role 18 years
CPY	Right
CE	But for the organisation 28 years.
CPY	Okay and just how, what sort of contact do you have with the Neighbourhood Wardens?
CE	Usually daily contact
CPY	And is that face to face or on the telephone, e-mail?
CE	It's both, it's face to face and then on the telephone as well
CPY	Right. And is that in your office or is that out in the community?
CE	It's both
CPY	And how much contact do you have with Mike Weaver?
CE	Usually contact each day
CPY	Okay and what sort of relationship do you have with him?
CE	A very good working relationship
CPY	Okay and how much contact do you have with Councillors?
CE	Quite a, well I say we're probably in touch with them every few days
CPY	Right, and what sort of things are they contacting you about?



CE	Mainly tenancy issues and re-housing issues.
CPY	Right. And do you know which of the Ward Councillors for your area?
CE	Yeah there's 5 for our area.
CPY	Do you know their names?
CE	Yep it's Suzi Armitage
CPY	Yeah
CE	Pauleen Grahame
CPY	Yeah
CE	Peter Gruen
CPY	Yeah
CE	And mine for Holton are William Hyde and Michael Lyons
CPY	Right and you mentioned Councillor Grahame there, how much contact do you personally have with her?
CE	Probably on a weekly basis, maybe once a week
CPY	Right
CE	Usually hear from her
CPY	Okay and how would you describe your relationship with her
CE	Fine
CPY	Okay. I just want to go on to the North Whinmoor Forum meeting on 6 July. Do you usually attend that one?
CE	Well I have been attending it. Deputising for the manager
CPY	Right
CE	It's the managers that should be attending that meeting but unfortunately we haven't had a permanent manager for a couple of years
CPY	Right
CE	So I've been attending it for quite some time yeah

CPY	Right and what sort of things would you normally discuss at that meeting.
CE	Environmental issues, update of basic tenancy matters, anti-social behaviour, re-housing statistics, void properties, things like that.
CPY	Okay. And are you normally asked many questions about that?
CE	Well it's a set agenda so it's housing issues that, you know what come up at the time
CPY	Right and I understand you didn't attend the meeting on 6 July is that right?
CE	That's right yeah I didn't
CPY	Why didn't you attend?
CE	Because [REDACTED]
CPY	Right
CE	So it was, I always used to do the meetings [REDACTED]
CPY	Yeah and, and did you send any apologies?
CE	I did yes
CPY	And can you remember when you sent those apologies?
CE	It will have been that, that day because I was due to attend, [REDACTED] I sent my apologies that, that day.
CPY	And can you remember who you sent your apologies to?
CE	To the, I think it was to Martin Hackett who was the, who Chaired the meeting of the outer area committee, I think it was
CPY	Okay, that's great and was that by e-mail or
CE	I think it was e-mail
CPY	Do you happen to still have that e-mail?
CE	No
CPY	No, okay, that's fine. Do you happen to remember who else from Aire Valley Homes went to

	that meeting?
CE	Yep, there was John Clark the, he's our new Chief Officer
CPY	Right
CE	Chief Executive
CPY	Right
CE	Angela Gannon from the Regeneration Team, Steve Whitaker from the Regeneration Team and Jane Greenwood from the Regeneration Team
CPY	Okay and would, let me rephrase that one. Obviously you were meant to give a report at that meeting, would any of those people have been able to give the report?
CE	They probably would have been able to, yes but with it being sort of in the afternoon when all the details, you know when I knew that I wouldn't be able to attend and it was short notice, I wouldn't have been able to get that information to them
CPY	Right
CE	Because it was just what I prepare myself, you know to take up there physically
CPY	Yeah that's fine. And I understand that you asked Mike Weaver to read out a couple of things, is that correct?
CE	I didn't actually ask him to read it out, I just asked him to take the information up there
CPY	Right. And what information was that?
CE	It was just general, there was something about car parking I think there was some parking issues and what else would there have been, I think there was something about demolishing garages or something
CPY	Right
CE	I can't really remember exactly what was, what was, there was nothing major important just you know, it was just, there was nothing that was particularly of any major interest or you know as I say that's why it was, there were no real panic about, you know not attending as such, there were no urgent issues to discuss.
CPY	Okay and what did you expect him to do, you say you asked him to take it up there, what were you expecting him to do with it?
CE	Well either just to, you know I'd sent my apologies so to either just mention that I'd forwarded some information either give it to the Chair of the meeting or you know if necessary just answer questions, answer on my behalf, if they asked anything about it, the information was there, I mean it was all very basic anyway.

CPY	Yeah, okay. Did you hear anything, were you told anything about the meeting after it had happened at all?
CE	Only from, only the next day when Karen had the telephone conversation with Pauleen Grahame, the Councillor.
CPY	So nothing before the telephone conversation?
CE	Yeah, Karen had phoned me at home that night to say that, that the Councillors apparently wouldn't be happy or something I wasn't attending but I said well there's nothing I could do so that was it really.
CPY	And do you know how Karen came to know that?
CE	I think she'd spoken to one of the Councillors
CPY	Right and that was the night before?
CE	That was
CPY	The night of the meeting before
CE	Well, yeah, yeah because I finish at, I finish, I usually do the school, at that time I was doing school hours, I was finished like at 3.00
CPY	Right
CE	And it was after I had left the office
CPY	Okay, that's helpful. And, going to the telephone call on 7 July now, when was the first that you were aware of that phone call.
CE	When I came back into the office, I'd been out on the estate.
CPY	Right and what sort of time was that, can you remember?
CE	It would have been maybe about 10, 11ish something like that, about 10ish.
CPY	Right. And what were you told when you came back into the office?
CE	That Councillor Grahame wasn't happy about the meeting and that there was nobody from the Housing Office that attended
CPY	Yes
CE	And that Mike Weaver had read out a report that was Aire Valley Homes and that really was nothing to do with him
CPY	Right and how did Karen seem after that phone call?

CE	How did she, she was, well she was not annoyed, but she was quite, upset and yeah I'd say probably a bit annoyed actually yeah.
CPY	And do you know what it was specifically that made her upset and annoyed?
CE	Because of the way that the Councillor had spoken to her and her attitude.
CPY	Right and so what did you say to Karen when she told you this?
CE	Well I just, I just said sort of well basically you know I, I can't help the fact that I couldn't attend because of childcare reasons and, and the report that was, I asked Mick to deliver Mike Weaver to deliver, he was doing Aire Valley Homes a favour really
CPY	Yeah
CE	It was either that he took the information or there would be no information up there at all so you know we were both quite upset for Mike really at the fact that he'd done us a favour and, and you know the things that had been said really were unkind.
CPY	And I understand that you spoke to Mike Weaver that day as well. Can you remember when he came into the office, what sort of time it was?
CE	I think it was a bit after, after me and Karen had spoken about, about half an hour an hour or so
CPY	Yep and what did you say to him or did Karen say something or did you say something?
CE	I think it was Karen that mentioned the telephone conversation
CPY	Right and what did she say?
CE	What did Karen say?
CPY	Yes, to Mike
CE	She said that she'd had a conversation with Councillor Grahame and that Councillor Grahame was very unhappy at the fact that nobody had attended from Aire Valley Homes and that the report from Aire Valley Homes was given to an estate, a mere estate warden I think it was, something like that
CPY	Right
CE	And, and then there was a comment that she said to Karen about, I can't remember exactly what it was but something like a Tory BNP supporter or something, something similar to that
CPY	Right and was, had Karen mentioned that comment to you beforehand?
CE	She had, yeah just when we discussed that Councillor Grahame was unhappy at the fact that

	nobody had attended, she, she just mentioned what she'd said.
CPY	Right and how did Mike Weaver take that?
CE	He was upset at that
CPY	Right and did he say anything at all?
CE	Pardon?
CPY	Did he say anything at all about that?
CE	Well, I can't really remember what he said, he was really unhappy about it and he went off into his office.
CPY	Right. Did you take any notes at all on that day about this conversation?
CE	I don't know, I don't know whether he did or not
CPY	Okay but did you take any notes?
CE	Me, no
CPY	No, that's fine and just, is there a specific mechanism which a Councillor can use to raise a concern or a complaint about an officer do you know?
CE	A Councillor?
CPY	Yes, so, so if a Councillor has a concern about how an officer is doing their job are there official channels they should go through?
CE	I would think so, yes.
CPY	But you don't know what specially
CE	I don't know what they are, no
CPY	And just how did you feel about Councillor Grahame's comments?
CE	Well I thought they were very inappropriate
CPY	Okay
CE	And I was quite surprised
CPY	Sorry a couple of things that have occurred to me as you've been speaking. When you say that on the evening of the forum evening, Karen rang you at home to say that there were some concerns and she'd spoken to a Councillor, I don't suppose you can remember which Councillor she had spoken to you can you?

CE	Yeah, I think it was Councillor Armitage
CPY	Right
CE	The other thing I forgot to tell you as well was that when she told me that
CPY	Yeah
CE	And I rang our Chief Officer at the time
CPY	Right
CE	Simon Costigan
CPY	Yeah
CE	And actually told him that the Councillors were unhappy at the fact that nobody would be attending the evening meeting
CPY	Right
CE	And, you know obviously I said I wanted to make him aware of that so he said that not to worry, that he'd contact the Chair of, the other Chair of the meeting who was Peter Gruen
CPY	Right
CE	Direct, to let him know that I would not be attending for them reasons, for childcare reasons
CPY	Right
CE	So he contacted him himself so that he was aware of that for the evening meeting that night
CPY	Okay, that's very helpful. I think that's probably all of the questions I have for you
CE	Alright
CPY	Is there anything else that you would like to say at all about this
CE	No, not really, no
CPY	Okay, well thank you very much for speaking to me
CE	Okay
CPY	That's been very helpful
CE	Right

CPY	What I'll do is I will get a transcript of this interview typed up
CE	Yes
CPY	And I'll send it to you, is it best to send it by e-mail or post?
CE	Probably e-mail
CPY	Okay, that's great and what I'll ask you to do is check it through, make any amendments that you think are necessary
CE	Yeah
CPY	And then pop a copy, a signed copy back in the post to me.
CE	Okay, fine yes
CPY	And then we can put that on file
CE	Alright, will do yes
CPY	And if there's anything else you think of between now and then, just stick it on the end of the transcript or give me a ring or an e-mail
CE	Alright then
CPY	Okay, so
CE	Okay fine
CPY	That's absolutely brilliant, thank you very much for your time
CE	Alright Christina, thanks a lot then
CPY	Thanks, bye
CE	Bye-bye

**STATEMENT OF TRUTH**

I confirm that the above note of the interview held on 20 October 2009 is accurate and fair.

Signature .....

Date .....



# Transcribed Record of Interview



Case number: 214679 12	Name of interviewee: <b>Martin Hackett</b>
Name of Investigator: <b>Claire Lefort, Associate, Weightmans LLP</b>	Role/status of interviewee: <b>Witness</b>
Date of interview: <b>21 October 2009</b>	Time of interview: <b>2.34 - 2.54 p.m.</b>
Others present:	Venue: <b>Telephone Interview</b>
Name of interviewer: <b>Christina Pye ("CP"), Non-practising barrister, Weightmans LLP</b>	

CP	Right, the tape recorders are now on
MH	OK
CP	And just to confirm this is an interview conducted by myself, Christina Pye, and you are?
MH	Martin Hackett from South East Area Management Leeds City Council.
CP	Thank you. It is on my watch, 2.34.
MH	Yes, that's about right.
CP	I just need to go through some preliminary information with you first about this investigation, and then I do have some questions for you.
MH	OK.
CP	Now a complaint has been made about Councillor Grahame and her behaviour at the North Whinmoor Forum on the 6 <sup>th</sup> July 2009 towards an individual.
MH	Alright.
CP	The Standards Committee have considered that and felt that it should be investigated and that investigation is being conducted by my colleague, Claire Lefort.
MH	Yea.
CP	The investigation is carried out under the Local Government Act 2000 and 2008 Regulations which are the Standards Committee (England) Regulations, and they set out the powers of investigation. They also make a provision that the investigation itself is confidential for the time being and that is just to protect the integrity of the evidence that we collect and to make sure that we have people's individual recollections without them being influenced in

	any way. Now the confidentiality lasts throughout the whole of the investigation and up until Claire issues her final report. This final report will then be sent to the Standards Committee and they will then decide whether they need to consider that report in public or private.
MH	OK.
CP	If they decide to consider the report in public then all of, then the entire report as well as all of the evidence does become public and that will include the transcript of today's interview.
MH	OK.
CP	So I just wanted you to be aware of that.
MH	Yea, that's all OK.
CP	And as I said there will be a report that will say whether or not there has been a breach of the Code by Councillor Grahame, and that will initially be Claire's recommendations and then the Committee itself will decide whether they agree or not.
MH	Yea.
CP	In terms of your involvement, after today's interview I will get the transcript typed up and send a copy to you for you to check through and sign.
MH	OK.
CP	And after that hopefully you won't be required for anything else, however if there is a discrepancy about the facts then if there is a hearing there's a possibly that you may be called.
MH	OK.
CP	So I just wanted you to be aware of that. Does that all make sense?
MH	Yea, that's, that's all fine, yea.
CP	That's great. Now if you need a break at any time or if you've got any questions then just stop me and ask.
MH	OK.
CP	OK, just some, some questions now. Just, what is your job exactly?
MH	I work for the Area Management Team and the main role of that is supporting the Area Committees in Leeds and my job is to support the Outer East Area Committee and that includes the Ward of Crossgates and Whinmoor which is the Ward where Councillor Grahame is one of the Councillors. So, in relation to this forum, we, part of our community engagement plan is that we run a series of forums throughout our Area Committee area, and this Whinmoor forum is one of those forums.

CP	Right, and you say that you run the forum? How does that work?
MH	Yea, we (mobile phone ringing?) sorry, just
CP	That's OK
MH	We service the meetings, we send out the invites, we a member of our team takes the minutes and everything like that and action the actions in most of, well, or certainly sends out the actions to various people who would then follow up the actions.
CP	Right, so does that mean that you usually, you personally usually attend these meetings?
MH	Either me or one of my colleagues and on, in this particular forum I have been attending for the last, last 2 or 3
CP	Right. And you mentioned Councillor Grahame; does your job involve any contact with her?
MH	Oh, regular contact, yea.
CP	And how, how regular is regular?
MH	Oh, at least some contact once every week, sometimes its, on certain days its once, maybe more than once a day.
CP	Right, and what generally is that contact about?
MH	It can be any issues. I would say in the main its, its about projects that we've funded. But it can also be about items on agendas at things like forums. It can be about various reports that are going to the Area Committee that I've had some involvement in, it can be about issues that have come to our attention that isn't casework but is something that the Area Management staff can deal with, so for example things like awarding small grants to community groups, its such a wide variety of things but its very regular, you know, the contact with all members.
CP	Right. And how is that contact generally formed? Is it telephone, email, face to face?
MH	It can be all three but in the main, the vast majority of contact is either telephone or email.
CP	Right. How would you characterise your working relationship with Councillor Grahame?
MH	It's very difficult.
CP	Right. Could you elaborate?
MH	I find her a very difficult person to work with.
CP	Right

MH	I think she can be very rude. Very, what's the word, maybe not, almost - just very difficult to work with. Almost, creates conflict for no reason over any issue. I find her - just a very difficult working relationship. Probably the most difficult I've ever had with any person I've worked with in Leeds City Council.
CP	Right. And what's your relationship like with the other Councillors?
MH	I'd say pretty good.
CP	OK. Now I just want to go to the meeting on the 6 <sup>th</sup> July 2009, I do have the minutes here and I understand that you did attend that meeting?
MH	I did yea.
CP	And what was your role at that meeting?
MH	Well, we have to have somebody in attendance from Area Management because it's basically one of our jobs running these forums, servicing these forums. Although I don't take the minutes, I'm generally there because there'll be certain sort of issues or subjects that come up that I have to then take back to deal with through my work with Area Management and maybe take to Area Committees and as I say these forums are, part of, we have a community engagement plan which includes forums and includes events that we have throughout the year so sometimes we go and we don't say a thing - we have no involvement with the main agenda, but we attend as a matter of course.
CP	Right, and just a question, obviously at these meetings there are obviously apologies given. What is the procedure for that? Do you know?
MH	Yea, apologies are given at the beginning of the meeting. So if we've received any, if we haven't received then obviously we don't inform the Chair but if we've received any apologies we inform the Chair at the beginning of the meeting.
CP	And that is your department that does that?
MH	In the main they come through us. Not exclusively sometimes they may go directly to the Chair.
CP	Right.
MH	Or, they may have for example, the Neighbourhood Wardens sometimes work, some of them work in the same office as the housing people, so it may go via them.
CP	Yep.
MH	But I would say the vast majority come directly through us, that's Area Management, but the other two in the main, the other two would be either the Councillor who's chairing it or sometimes the Wardens, and sometimes other people.
CP	Right, OK. And in this meeting, there were apologies from Councillor Armitage, Caroline Elsworth from Aire Valley Homes and Phil Diamond from Aire Valley Homes.

MH	Yea
CP	I don't suppose you have any recollection on how their apologies were given do you?
MH	I do, actually. Councillor, I think Councillor Armitage did attend but she were late.
CP	Right.
MH	At the beginning of the meeting Councillor Gruen welcomed everybody and he says these are the apologies and he did actually say at the beginning of the meeting that no one from housing can attend, he mentioned Caroline and Phil, no one could attend so Mike was gonna, that's Mike Weaver,
CP	Yep.
MH	Would have been given a brief report that he would deliver to the forum.
CP	Right.
MH	However, I don't know, I'm pretty certain, I'm not 100 percent certain but I'm 90 something percent certain that Councillor Grahame were about 10 minutes late so she didn't hear that.
CP	Right.
MH	So I think, I've got to be fair I don't think she were there when he said that.
CP	Right. But your recollection is that Councillor Gruen said that no one from housing could attend and that Mike...
MH	He definitely said that, absolutely no doubt about that. He said it.
CP	Right. Ok. And then just how did the meeting progress as far as you can remember?
MH	It went OK. You know, I do remember that the agenda, to remind myself when I knew you were phoning today, I looked through the agenda and I looked through the minutes
CP	Yep.
MH	And again I'm pretty sure that what James Nundy who was the person who's done the minutes
CP	Mmm
MH	What he's done, he's done the minutes as the agenda order, but I don't think that the agenda actually went to order.
CP	OK

MH	Because I think there were one or two people there, certainly, because Highways were gonna be the first people on the agenda to talk about issues on Coal Road
CP	Yep.
MH	And they were down as something like third item on the agenda, the first main item,
CP	Hmm mm
MH	And I think they ended up second from last because they were a little bit late so but in the minutes it looks as though they came in the order of the agenda so that's something of an inaccuracy with the minutes.
CP	Right.
MH	That's my recollection, and I'm pretty confident I'm right in that.
CP	OK.
MH	So the, you know, so that is a bit out of sync with the how the minutes were taken, so then the, the Community Safety report comes on and that's usually police stats and at the end of that when the police had given the stats on the crime stats and how they go in and take and any questions, usually the Warden comes in after that.
CP	Yea.
MH	And my recollection is that Mike said that something like, 'and I'm here to also give a report from housing because Phil and Caroline can't attend', you know, I think he just said 'housing can't attend', and he started talking about one or two things and I think at that time Councillor Grahame were definitely there and she said 'hang on why are you giving this report?' Again, I can't remember her exact words but she said 'why are you giving this report? You're not Housing Officer' and he explained 'well they're not here, this is why I'm doing it'. And I'm pretty sure he said one or two things and that were the end of it. He, she just sort of well I don't think - can't remember the words but basically, 'you're not the Housing Officer, so you shouldn't be delivering this report', you know, 'even if they had arranged to do it through you'. I think, again, think Councillor Gruen who was the Chair said 'Oh, he's doing this because they can't attend' and that were basically about it, so I don't think she were particularly aggressive or rude, well she were rude more than anything else, it was just sort of you know, 'you shouldn't be doing this, you're not the Housing Officer'. That's how I recall it.
CP	Right.
MH	To be honest, it didn't really come across as a big deal because, I'm quite used to it so,
CP	Yep. OK, I just want to go back and just sort of ask a few extra questions around that.
MH	Yea.
CP	Was it usual for a Neighbourhood Warden to read out a report from a different department?

MH	No. no. Never come across it before.
CP	Right. And you say that Mike Weaver started his Neighbourhood Warden report. Did he go all the way through that report?
MH	Yea, I think what he did, I think he said one or two lines - I've been doing this, I've done one or two community clean ups, you know, some of the things he's been involved in
CP	Yea
MH	And I think he said at the end of that, 'and I'm also gonna give you some details from the housing report' I think that's how he said it.
CP	Right.
MH	He may have said it the other way, where he said 'I'll be doing mine and do the housing report' and then he went into his and then followed on from that but its five or six months ago, I can't remember exactly, but it were one way or the other.
CP	And your recollection is that he basically gave both of those reports one after the other?
MH	Yea, I don't think he finished the housing report because I think Councillor Grahame said you know, you're not the Housing Officer you shouldn't be giving it. That's how I recall it so he may have started, maybe a couple of sentences into it and he got cut off, I think.
CP	OK. And you say that Councillor Grahame's tone was rude but not aggressive. Is that right?
MH	Yea, that's, that's how I'd describe it. It were just sort of oh, you're not the you know, you're not the Housing Officer, you shouldn't be doing that. When I think to everyone else in the room he was doing a favour to housing and if she weren't happy about it she should really have took it up with housing. That's how I felt and I guess that's how most other people felt although I suppose its not my job to think how other people are saying but my impression were, a very personal view, were he'd been asked by them to do a favour so he said he'd read their report out and he was sort of told, well you're not a, or you're not authorised, or you don't have any qualification to give a housing report, why are you doing it? As if, you know, he was to blame for just sort of doing someone a favour sort of thing. It were rude rather than being anything more than that.
CP	Right. And what was Mike Weaver's reaction to this?
MH	I, again, from what I remember, I think he stood up to do it and as soon as she said that he just sort of went quiet and he sat down.
CP	Right.
MH	I think, yea. I think he just sat down and felt right if you don't want me to do it I won't do it sort of thing. He didn't say that, but that were his facial expressions if you, you see what I mean?

CP	Yea, And could you see how everyone else in the room reacted to this?
MH	Not everyone looked – one or two opposite him just sort of putting their head down as if to say, you know, they'd made a couple of faces that I looked at – just sort of looked at their papers as if you know, they didn't you know, want to take any notice of what was going on, trying to sort of avoid any eye contact I think, cos it were a bit embarrassing.
CP	Right. And you say that Councillor Gruen said something. Was that to Councillor Grahame?
MH	I think he said it to the meeting. I think he said, because as I say my recollection is she came in late, Councillor Grahame, so she didn't hear it and I think he just sort of, I think again, the embarrassment issue, was just sort of oh you know, Mike had been asked to do this because they had reported their apology they couldn't attend etc and then I think everything went quiet and it just sort of moved on to the next item.
CP	Right.
MH	This is as well as I can remember, remember it.
CP	Yea, no, that's absolutely fine. And I don't think I've asked this yet, how well do you know Mike Weaver?
MH	Probably about 5 years. I started in Area Management 2004, there's always been, he's always been the warden since I've been here. I think I started in February or March 2004, I'm pretty sure he was the warden at that time. If he wasn't he started soon after that time, so its roughly five, well its coming up to six years now innit?
CP	Yep.
MH	Five and a half years.
CP	And how would you characterise your relationship with him?
MH	Well he always comes across as a sort of very mild mannered sort of guy. Pleasant, mild mannered guy. You know.
CP	Right. Just generally in these meetings, what's Councillor Grahame normally like in these meetings?
MH	In this particular forum or are you on about forums generally?
CP	Whichever you have best knowledge of.
MH	My impression is that she almost tries to make an argument when there isn't an argument to be had.
CP	Hmm mm.

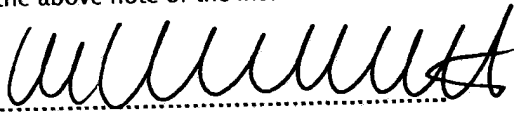


MH	Almost picking on some minutiae to create an argument. That's how I've always found her. You know.
CP	Hmm mm
MH	And its gradually got worse. So I think that's how I'd characterise her, how she when she's at the meetings. How she manages them or how she speaks to people.
CP	Hmm mm. And is it usual for her to interrupt when someone's giving a report?
MH	It does happen, whether it's usual, I can't, I don't think I could say whether it was a usual event but it has happened before. I have seen it happen before.
CP	Right. I'm just checking through my questions. Can you remember, the complaint which we have received from Mike Weaver is that Councillor Grahame specifically said that it was inappropriate for a mere Neighbourhood Warden to give a housing report. Do you remember those exact words?
MH	No I don't.
CP	OK.
MH	I'm not saying she didn't say that, but I, to be honest, I mean, I can't remember, I think if she would have said something like a 'mere Neighbourhood Warden' I think I would have noticed that and, I wouldn't have classed that as just being rude, I would have classed it as being more than rude you see so,
CP	Yep.
MH	I don't remember that but can I be 100 percent certain to say she didn't say that, no I can't
CP	Yep, that's fine. Did you take any notes at all at this meeting?
MH	If I did, I would have now, once I would have actioned them I would have crossed them out
CP	Right
MH	And I wouldn't have noted anything like that.
CP	Yep, that's fine. I think that's all the questions I have for you. Is there anything else that you want to say just about this meeting and what happened?
MH	No. No, not really. Yea, that's fine, you know, I mean I have answered as honestly as I can, you know it was five or six month ago and
CP	Yea.
MH	I mean I do remember the incident but as I say at the time it wasn't such a big deal, a little bit embarrassing but it wasn't such a big deal because I've seen it happen so many times but

	yea, obviously the person who got affected by it is obviously more upset about it.
CP	Yep. OK, well thank you very much, that was very helpful. What I will do after this is get the transcript typed up and send a copy to you. Is it better to send it by email or post?
MH	Email's good.
CP	OK, that's great. And what I'll ask you to do is check it through, print out a copy, sign it and send it back to me.
MH	Yea, OK.
CP	I now make the time 2.54. So thank you very much for your time, that's been very helpful.
MH	OK, no problem, thank you.
CP	Thank you very much, goodbye.
MH	Yea, bye.

**STATEMENT OF TRUTH**

I confirm that the above note of the interview held on 21 October is accurate and fair.

Signature ..... 

Date ..... 28/10/09 .....

# Transcribed Record of Interview

**Weightmans**

Case number: 214679 12	Name of interviewee: James Nundy
Name of Investigator: Claire Lefort, Associate, Weightmans LLP	Role/status of interviewee: Witness
Date of interview: 13 October 2009	Time of interview: 11.05 - 11.14
Others present:	Venue: Telephone Interview
Name of interviewer: Christina Pye ('CPY'), Non-practising barrister, Weightmans LLP	

CPY	Okay the tape recorders are now recording. Can you just confirm for the tape that you have given your consent to this interview to be recorded?
JN	Yeah that's right
CPY	This is an interview conducted by myself, Christina Pye with James Nundy from Leeds City Council regarding an investigation into Councillor Grahame. The time on my clock here is 10.05. I want to firstly just go through some preliminary information with you and I do have a few questions. This is an investigation into conduct by Councillor Grahame and it's governed by powers set out in the Local Government Act 2000 and the Standards Committee England Regulations 2008. A complaint was received by Leeds City Council about Councillor Grahame and that has been passed by the Monitoring Officer to my colleague, Claire Lefort to investigate and I am assisting Claire with that investigation and after all the evidence has been collected, Claire will write a report to City Council's Standards Committee with her recommendations and depending on Claire's recommendations Leeds City Council may hold a hearing. Now at this stage of the investigation any information given by you is confidential under Section 63 of the Local Government Act and that's just to help with the integrity of the investigation. However, should the Standards Committee choose to consider the case in public, Claire's report will become public and that will include the transcript of this interview. Is that all okay?
JN	Yeah, fine
CPY	Do you have any questions about the procedure or anything at this stage?
JN	No, not yet.
CPY	Okay. And after the interview what I will do is I'll get the record typed up and then I will send that to you for you to just check through that that's accurate.
JN	Okay

CPY	Right, I now have some questions for you. Firstly just some preliminary information about you. What exactly is your job title and description?
JN	I am the Administration Officer for Outer East Area Management.
CPY	And what does that involve generally?
JN	On a day to day basis?
CPY	Yes.
JN	Basically, anything to do with admin for the rest of the team, ranging from looking after budgets to servicing meetings and arranging events and basically anything admin related really.
CPY	Right. And do you, does your job include any contact with Councillors at all?
JN	Yes, from time to time. Whether it's at meetings or if they've got any requests, we have a forum grant scheme where we have to get in touch with them all on a regular basis and they can also come to us with any adhoc requests for admin support.
CPY	Right. And have you had any contact with Councillor Grahame at all?
JN	Yes, I've been in this position for 5 years so I'm aware of all the Councillors in our patch and generally only see our Councillors at forum meetings.
CPY	Okay.
JN	I'm based at the main office at Dewsbury Road One Stop Centre.
CPY	Right
JN	Whereas the rest of my team is in the Garforth office
CPY	Okay
JN	Quite a few of the Councillors drop into the Garforth office but I don't see them down here so much.
CPY	Right, okay. Now as I think I've explained previously, the allegation concerns the North Whinmoor Forum meeting on 6 July 2009 and I understand obviously that you attended this meeting.
JN	Yes
CPY	Do you usually attend these meetings?
JN	I do, yes

CPY	And I note that in this meeting you took the minutes, is that normal?
JN	Yes.
CPY	Do you recall anything unusual about this meeting at all?
JN	No, no, it was pretty normal as far as I can remember.
CPY	Okay.
JN	Generally always, well the last couple have all been in the same place so, yes nothing happen out of the ordinary particularly.
CPY	Okay. Now I understand that one of the Housing Officers was not present at the meeting and a report on behalf of Aire Valley Homes was read out by one of the Neighbourhood Wardens. Was it usual for an Officer to read out a report from a different department?
JN	It's, well, generally the Officers would do it
CPY	Right
JN	Or you know, send a representative if they couldn't make the meeting. For a Warden to read out such a report, that was unusual in that sense but as long as the people were getting the information, I would have thought it wouldn't have really matter who delivered it.
CPY	Right
JN	In that instance.
CPY	And so has the Neighbourhood Warden, can you recall any other occasions when a Neighbourhood Warden has read out a housing office report?
JN	Not specifically, no.
CPY	And do you feel that anyone on this occasion had any concerns about that?
JN	Not that I remember. Well from my point of view if I was one of the people there as opposed to an officer taking the minutes, I'd be more concerned if I got no report than if it was delivered by somebody else because at the end of the day it was still the housing report
CPY	Right. So no-one voiced any concerns at all about this?
JN	Not that I remember, no.
CPY	And did the Neighbourhood Warden explain why he, he was reading out that report do you remember?
JN	I don't recall such a thing being said but I do know that he's based in the office where the housing office is so it made sense that they would see him

CPY	Right
JN	Everyday. They've got quite a close working relationship there anyway.
CPY	And can you recall whether the Neighbourhood Warden was interrupted or questioned at all on that report?
JN	I can't remember but what would generally happen with all reports is that the report would be read and there would be any questions at the end
CPY	Right
JN	That's the usual format
CPY	Okay. Now the allegation in this case is that as the Neighbourhood Warden was reading out the report, that Councillor Grahame interrupted him giving the report, do you recall that at all?
JN	No
CPY	No, that's fine
JN	I can't, I can't say if it did or didn't happen, I don't remember
CPY	Okay and so you don't recall if a Councillor Grahame said it was inappropriate for a Neighbourhood Warden to give a housing report?
JN	No
CPY	No
JN	I don't recall anything like that
CPY	Okay. I realise this was several months ago so and obviously I, I assume you go to lots of these meetings?
JN	Oh yes
CPY	Right, I'm just seeing, seeing if there's anything else. Yes so basically you don't recall if Councillor Grahame or anyone else interrupted this report?
JN	No
CPY	And as far as you're aware it was just a fairly normal meeting
JN	Yeah
CPY	Okay well I think that's all of my questions so thank you for your time

JN	Okay
CPY	And I'll end the interview there. I'll send you a copy of the transcript for you to check through. Is it easier to send it by e-mail?
JN	Yeah I think so
CPY	Okay. I'll hopefully send that out in the next couple of days and ask you to just check through that that's accurate of what we've discussed
JN	Okay
CPY	Okay, brilliant, thank you very much for your time.
JN	No problems
CPY	Goodbye
JN	Thanks, bye

**STATEMENT OF TRUTH**

I confirm that the above note of the interview held on 13 October is accurate and fair.

Signature R. James Nurdy

Date 20-Oct-09

# Transcribed Record of Interview

**Weightmans**

Case number: 214679 12	Name of interviewee: Greg Sharp
Name of Investigator: <b>Claire Lefort, Associate, Weightmans LLP</b>	Role/status of interviewee: Witness
Date of interview: 15 October 2009	Time of interview: 2.03-2.24 pm
Others present:	Venue: Telephone Interview
Name of interviewer: <b>Christina Pye ('CPY'), Non-practising barrister, Weightmans LLP</b>	

CPY	I'm going to put them on now. Right we are now recording and just for the record can you just confirm that at this stage you are happy to be recorded.
GS	Yep.
CP	And this is an interview conducted by myself, Christina Pye and you are Greg Sharp of Leeds City Council and this is regarding an investigation into Councillor Grahame
GS	Yes
CP	And the time on my clock at the moment is 2.03 pm. So firstly I just need to go through some background information about this investigation, our powers here and what will happen to this record. A complaint has been made about Councillor Grahame and her behaviour at a forum at the North Whinmoor Forum meeting on 6 July 2009 towards an individual and the Standards Committee have considered this case and have felt that it should be investigated and that it is my colleague Claire Lefort's role. The investigation is carried out under the Local Government Act 2000 and 2008 Regulations which are the Standard Committee (England) Regulations and they set out the powers of investigation and they make the provision that the investigation itself is confidential for the time being and as I am sure you can imagine that is to protect the integrity of the evidence that we collect and also to ensure that we have people's individual recollections without being influenced in any way by anyone else and the confidentiality lasts throughout the whole of the investigation and up until Claire issues her final report which we send to the Standards Committee at Leeds City Council and it will be for the Standards Committee to decide whether they will consider that report in public or private. If they decide to consider the report in public the record of this interview would form part of the report and fall into the public domain at that point so I just wanted you to be aware of that. As I say Claire will write a report about whether she thinks there has or has not been a breach of the code by Councillor Grahame and that will be sent to the Committee and as far as the process goes a draft report will be produced before that although you won't see that one, that will go to the complainant and Councillor Grahame but what will happen is that after the interview today I will provide you with a copy of the transcript of this so that you can make sure that you are happy with it and then you probably won't be contacted again in terms of the report and the investigation



	process.
GS	OK.
CPY	Is that all okay?
GS	Yep.
CPY	Excellent. Basically the only questions I am going to be asking you today are a few background questions about your role within Leeds City Council and then purely for your recollections of what happened at the forum meeting on 6 July and obviously I understand that this was several months ago and that recollections fade and it may be that the meetings merge into one.
GS	Yes coz with this particular councillor I have had many evening meetings in recent months but on that one I am clear about quite a lot of it and I will go into that when you ask.
CPY	Okay. Well thank you very much. Are you happy to continue now?
GS	Yep.
CPY	If you've got any questions as we go along or if you need a break at all just let me know and we can pause then.
GS	I would have a general question.
CPY	Yep.
GS	Will there/are there others at that, that were at that meeting been interviewed?
CPY	Yes.
GS	Okay.
CPY.	Yes. We have contacted several people.
GS	Okay.
CPY	So that we've got sort of a broad overview of what happened at that meeting and obviously people's recollections are different so we are just trying to get a general view of what happened.
GS	Okay.
CPY	So can you just explain to me your job, your job title and what your role involves?
GS	I'm the principal engineer in the traffic. I'm one of three principal engineers in the traffic unit in Leeds City Council and I deal with the east, and north eastern wedges of the city. That's approximately one-third of the city.
CPY	Right.
GS	And I deal with general traffic management and enquiries with the public and promote schemes and lead a small team in developing such as pedestrian crossing schemes and waiting restrictions and general traffic management.
CPY	Okay and how much contact do you have with members of the public and councillors?
GS	Well we are seen as the unit that does deal with the public.
CPY	Right.
GS	Obviously there are units like the bridges, major roads and drainage and things like that but when it comes to anything that doesn't fit in a particular box, generally it is something that moves on the highway and then if they haven't got a little box to put it in then we will end up dealing with it.
CPY	Right.
GS	Either by email, letter, contacted regularly over the telephone and we attend the evening meetings and meet up members, the members, the ward members on a regular basis.
CPY	Right and so you have contact with councillors as well as the public?
GS	Oh yes.
CPY	Yep.
GS	I met the particular councillor you are talking about this week.

CPY	Right okay.
GS	Yesterday actually.
CPY	That was going to be my next question. How much contact do you have with Councillor Grahame ?
GS	On a regular basis.
CPY	Okay.
GS	I've been to probably three, four, three or four evening meetings since and I went to a number prior to the meeting that you're interested in.
CPY	Right. How has your contact been with Councillor Grahame generally?
GS	Generally much of the time its, its fine.
CPY	Okay. That was useful background information. Now I am going to go and talk about the meeting on 6 July.
GS	Yep, that's fine.
CPY	You obviously attended this meeting.
GS	Now this is where we have a little bit of clarity
CPY	Okay.
GS	I attended part of this meeting.
CPY	Okay.
GS	What happened was we were, I was there with another colleague who arrived with me.
CPY	Yep.
GS	In truth we had been told the meeting started at half past six. We met at quarter past six and sat in the car park until half past six and walked into the meeting at which, then we realised that the meeting had probably started a little earlier.
CPY	Right.
GS	We then did, we then, I then was present during the latter end of the debate I think about CCTV cameras and a shop and possible abuse of a, I think it was an Asian gentleman that had been ongoing to do with his shop and then we moved onto the issue that I was dealing with.
CPY	Right.
GS	At the end of that issue which myself and a colleague presented comments, injury, accident information and alike we were then invited to leave and we did do so.
CPY	Right.
GS	We were there I think maybe half an hour, possibly three quarters of an hour at the meeting.
CPY	Right. I now have I have got a copy of the minutes here. I don't know if you've seen these and they've got item number five is highways issues on Coal Road
GS	That's it.
CPY	And it says Greg Sharp next to that. So was that the section that you were talking about?
GS	I was, yes.
CPY	And you say that you left after that then?
GS	Yep. We were invited to leave after that. They said there was no reason for you to stay if you don't want so we do enough of these things and cleared off.
CPY	Yep. That's absolutely fine. So obviously I know you said that but I just need to clarify some extra questions.
GS	Right.
CPY	Were you there for the report by the neighbourhood warden which was Mike Weaver? Do you remember that at all?
GS	Yeah, I think I was yes. Yes.
CPY	And do you know Mike Weaver at all?
GS	I do.

CPY	How do you know him? How well do you know him?
GS	Well it's funny yes I, he is not only the neighbourhood warden but he is also a local parish councillor out at Allerton Bywater near Leeds.
CPY	Right.
GS	So I have actually met him out there with some of his colleagues and ward members, local city council ward members.
CPY	Right.
GS	I actually know his brother.
CPY	Right.
GS	And I many years ago when he did, when he used to go to a certain rugby club near where I live I have on occasions seen him in there so I possibly know his brother better.
CPY	Right.
GS	Yes I do know him.
CPY	Right and so do you remember his report at this meeting then?
GS	Yes. I don't know the details, when you say I remember, did we arrive during it? I think we arrived during it.
CPY	Right.
GS	Yes I think we arrived during that, I don't remember.
CPY	I realise this is a bit of a test of your memory.
GS	Yeah coz I was actually with us coming in we I was just I were really scratching about and getting all my stuff ready and what he were talking about with all due respect to him is of no interest to me.
CPY	Yeah.
GS	So the details of it I would say if you would say what we were talking about I would only guess that it was the usual youth and misbehaviour issues and what progress they had been making on them.
CPY	Okay.
GS	But I couldn't say oh they were talking about a particular youth or whatever.
CPY	Yeah. The allegation is that during Mike's report he was interrupted by Councillor Grahame. Do you recall that at all?
GS	No not really. With such a large group of people if that is the allegation then there are many meetings I go to where we are interrupted not just by ward members you know to get a full run at anything is rare. You are interrupted as you progress as soon as many people don't like what that particular traffic manager, what they don't like what they're hearing.
CPY	Right.
GS	So for me to focus in on that I didn't do and I didn't know if anything that was, just to be interrupted it wouldn't have registered with me. It's just a common occurrence at meetings of that nature.
CPY	Okay and it's been suggested that at this meeting Mike was asked to read out a report about housing issues which would normally be given by Aire Valley Homes. Do you recall that at all?
GS	No I don't remember that at all no.
CPY	Okay.
GS	No.
CPY	Just generally obviously this is a case where Mike was asked to read out a report on behalf of another department. Is that something that often happens?
GS	It does happen to me because you know I am a traffic management engineer but I'm within the highways under the highways umbrella.

CPY	Right.
GS	And without boring you too much for instance last week I did a public meeting, ward members were there and members of the public. It's like a community forum which this was as well but another branch of it and we had to take along like a pop-up thing, display, background display and it all unravels from a small box thing and on it, it has a whole list of the highway functions and that's stuck behind me and anybody could take that. That's given to any highways officer and the idea is that we go, talk about what, you know, I have been in this game for 30 odd years and I do know what other people do. I am familiar with many of the investigative methods used by other sections and you know we can have a fair go at a fair fist of telling the public what they need to know and then if we get down to the detail of whether my streets is having a new footway laid, or are we getting it re-surfaced and that then I have to bring that back, take names, numbers and hand it on. So yes we are often asked particularly in them forums to cover many highways issues. Now whether that's the case with other people who attend these forums and they stick to a specialism I'm not too aware but from my point of view it's a common occurrence.
CPY	Right.
GS	We are seen as highway representatives and that can be drainage, safety. I am given before I go to these meetings a programme of what street works are going to be done as regards re-surfacing and that but if they then want to get to know into the nitty-gritty of what part of the year then that's not on there. For me, I am expected to talk about those other things.
CPY	Right and have you, if they, if you have been asked to talk about something that is not your area of expertise and you haven't been able to answer the questions have you ever received any comments from the councillors about that?
GS	Ever? I started in 1970. Do you know I have often. Yes, I mean. Let's not beat about the bush here. I have often been criticised in public by councillors and do you know what I just take it on the chin.
CPY	Right.
GS	I have got a broad back and a thick skin.
CPY	Right.
GS	And it's been built up over many years.
CPY	Right. I am going to ask you about the specific comments that it is alleged that Councillor Grahame said to Mike Weaver.
GS	Okay.
CPY	It's alleged that she said it was inappropriate for a mere neighbourhood warden to give a housing report. Do you recall her saying anything like that?
GS	I don't, no. No, I don't remember that, very definitely, even if it was said when I was there I can only go back to what I've said about my attention with arriving late.
CPY	Yep.
GS	I was getting prepared for what I for the you know for any questions that I might be asked.
CPY	Right. Yep. No I totally understand.
GS	I mean I just wasn't interested in that. I had settled everything down by the time they were talking about the shopkeeper and the problems that gentleman had. I believed something was said about CCTV and how much it cost and whether it could be done or, that's more what I do remember very definitely.
CPY	Right.
GS	I wondered if it was going to focus in on that.
CPY	No.
GS	No, clearly not.
CPY	I am just checking through. I don't think I have any more questions for you you'll be pleased

	to hear.
GS	No problem.
CPY	Did you take any notes at this meeting at all?
GS	No, I don't. There are so many of them and they've got somebody there who writes the transcript.
CPY	Yep.
GS	And very often I won't be, you know, like I'm not due to go to the next one as a result of that. In fact, I didn't go to the next one as the agenda was sent through the minutes there was nothing on it that asked me to come back and we had replied anyway. Oh yes they did want me to come back but I was actually in Turkey I believe.
CPY	Right.
GS	And I gave them a report on what they wanted which somebody could read out if they so wished.
CPY	Right.
GS	And you know I don't. It's not always, I'm not somebody who keeps going to the forums just as a matter of course. I haven't got a report every three months to hand over so I go. We have got that many in this section to go to that we will only go, we will only go if. I've got a phone call here. Can I just?
CPY	Do you want me to call you back in a couple of minutes?
GS	No, no. It will only take me a second.
CPY	Okay, that's fine.
<b>GS TAKES PHONE CALL</b>	
GS	Yeah. Sorry about that.
CPY	That's quite alright.
GS	I'm having a path built. There was just going to be a line of blocks going in that I didn't want.
CPY	Right. Yep, no that absolutely fine. Right so just is there anything you want to say to just sum up your recollections of the meeting?
GS	Well, as I say, we were there to deliver, my recollection of it was as I say the shopkeeper, issues regarding that and then me and a colleague, my colleague and myself, he gives an, he's an injury accident specialist. He gave his information. I was asked certain questions and we said we would go away and do certain traffic counts and come back with comments which we did do in writing with no further action recommended and then we were asked to leave and that's what we did. That's my recollection of the meeting in the summer.
CPY	Right. I should have clarified just before. What was the name of your colleague that you were there with?
GS	I was trying to avoid that. You going to invite him to an interview now? His name is James Buckley.
CPY	Right, okay.
CS	He is in the Accident Studies Unit.
CPY	That just helps us just for completeness.
CS	Okay then.
CPY	I think that's everything. What I will do is I will get the transcript of this typed up.
CS	Yes
CPY	And I will send it to you to check through. Is it best to send it by email or by post?
CS	You can send it by email if you so wish.
CPY	Okay and I will just ask you to check that through, sign it and send it back to me.
CS	Sign it?
CPY	Yep.

CS	Oh well I will send it back by post then.
CPY	Yep.
CS	Okay.
CPY	That's great. The time on my clock is 2.24. Thank you very much for your time.
CS	No problem.
CPY	And I will send that onto you as soon as possible.
CS	Okay then.
CPY	Thank you very much.
CS	Bye.
CPY	Bye.

**STATEMENT OF TRUTH**

I confirm that the above note of the interview held on 15 October 2009 is accurate and fair.

Signature ..... *G. Shroy* .....

Date ..... *26 / 10 / 09* .....

# Transcribed Record of Interview



Case number: 214679 12	Name of interviewee: Tony Stringwell
Name of Investigator: Claire Lefort, Associate, Weightmans LLP	Role/status of interviewee: Witness
Date of interview: 27 October 2009	Time of interview: 3.07-3.17
Others present:	Venue: Telephone Interview
Name of interviewer: Christina Pye, Non-practising barrister, Weightmans LLP	

CP	We are now recording, and just to confirm, this is an interview with Tony Stringwell of Leeds City Council conducted by myself, Christina Pye. The time is 3.07 by my watch. Mr Stringwell, could you just confirm that you have agreed for this to be tape recorded
TS	Yes I have.
CP	Excellent. What I just need to do is go through some preliminary information with you about the investigation and then I have got a few questions for you.
TS	Ok.
CP	Now, the purpose of the interview today is for me to obtain facts about the North Whinmoor Forum meeting on 6 July 2009. A complaint has been received about the conduct of Cllr Grahame at that meeting and it has been decided that my colleague, Claire Lefort, should carry out an investigation into this matter. The investigation is governed by powers set out in the Local Government Act 2000 and the Standards Committee (England) Regulations 2008. And when all the interviews have been carried out, and all the relevant information has been obtained, Claire will produce a draft report which will set out her draft findings of fact and finding as to whether there has been a breach of the code and this draft will be circulated to the complainant and the subject member and, following any comments, a final report will be issued which will be sent to the Standards Committee of Leeds City Council. Now this report will set out findings of fact and whether Claire considers there to have been a breach of the code of conduct. But the final decision will be for the Standards Committee to make. At the moment the investigation is confidential by virtue of section 63 of the Local Government Act 2000 which makes it an offence to disclose information obtained during the investigation and your interview is covered by that. However, once Claire has issued her final report the Standard Committee may choose to hold a hearing in public at which point all of the report and the record of this interview will become public. So I just wanted you to be aware of that. In terms of your involvement, after today's interview I will send you a transcript for you to check through that it is accurate of what we talked about today. And after you have checked through that, hopefully that will be the end of your involvement. You won't be sent a copy of the draft report and, unless there is a discrepancy of facts, then you won't be asked to attend the Standards Committee hearing. Is that all ok?
TS	That's fine.
CP	Excellent. Can you hear me alright?
TS	Yes I can.

CP	I'm on a hands free so I might sound like I'm far away. If you have any questions at all please let me know and if you need a break at all, again please just let me know. Are you ok if I move on to some questions?
TS	Yes that's fine.
CP	Excellent. Can you just tell me a little bit about your job?
TS	Yes, I'm the recreation officer for Leeds City Council. We have responsibility to deliver the playing pitch strategy for Leeds and that includes sports field development and facility improvements.
CP	Right. And how long have you been in that job?
TS	Around eighteen months.
CP	Ok. And how much contact do you have with councillors in the ward?
TS	Well in that ward I have worked with them on two separate schemes, city wide I work with councillors quite often.
CP	Right. So is your job city wide or is it restricted to that ward only?
TS	No I have a city wide remit.
CP	Right. And have you had much contact with Cllr Grahame at all?
TS	I have had contact with Cllr Grahame with regards to a project relating to Skelton woods and a separate scheme at Fieldhead Carr School working with the Whinmoor Warriors who are the rugby league club - those were the two schemes with which I have had involvement with Cllr Grahame.
CP	Right, and how has your working relationship been with Cllr Grahame?
TS	Well fine. An officer/elected member relationship, it's just as you would expect.
CP	Right.
TS	Very professional.
CP	Ok. The allegations surrounding the North Whinmoor Forum meeting on 6 July 2009, and I understand you attended that meeting?
TS	Yes I did attend that meeting.
CP	And do you usually attend these forum meetings?
TS	No, I was asked to attend specifically relating to one of those two projects previously mentioned which was on the agenda for that particular meeting.
CP	Right. And can you recall anything unusual about this meeting at all?
TS	Well there was an incident at the start of the meeting which you may have classed as being unusual and away from the norm, but away from that it was a fairly standard forum meeting, it involved local members of the local community, the police, so you know it's not unusual for there to be conflict and disagreements. So actually no it probably wasn't abnormal, it was a fairly normal meeting.
CP	Right. And you described an incident. What incident was that about?
TS	My recollection was there was a discussion taking place which in principle related to a wider issue around community safety, and then I think as part of that discussion a specific issue was raised in relation to a local shopping precinct. I could not give you exact details as to what the nature of that discussion was, but I think that through the course of that discussion there was a comment made by somebody who was in attendance at the Whinmoor Forum meeting, I have to choose my words carefully, but which could have been interpreted as perhaps being of a racist nature.
CP	Right.
TS	I think on that basis my recollection is that I can recall that Cllr Grahame emphasised an objection to the nature of these remarks and stated that irrespective of intent, or any other issues which the resident, or the person in question, perhaps made the comment, that Cllr Grahame made it clear to the forum and to the person in question that remarks of that



	nature were inappropriate and pretty much went on to request that their comment and her objection to that statement and its content was noted.
CP	Right, ok. I think I want to go slightly further into the meeting than that. I want to ask you about the Neighbourhood Warden, who was Mike Weaver. Have you had anything to do with Mike Weaver at all?
TS	No I haven't.
CP	Right. And had you ever seen him at one of these meetings before?
TS	No.
CP	Right. And I understand that at this meeting there was no one from the Housing Office present. Can you remember that at all?
TS	No I can't recall, because my remit does not cross into housing so I can't recall if someone from housing was present or not.
CP	Right, ok. It may be that some of these questions are a test of memory and you can't remember so that's absolutely fine. And I understand that at this meeting a report on behalf of Aire Valley Homes was read out by the Neighbourhood Warden, Mike Weaver?
TS	Ok.
CP	Do you remember that at all?
TS	Vaguely. I can remember a warden reading something out.
CP	Right.
TS	I can't recall it in detail. I mean it was July wasn't it?
CP	Yes. And the allegation is that whilst Mike Weaver was reading out this report he was interrupted. Do you recall that at all?
TS	I can't recall that, to be frank, no.
CP	Ok. And it has been suggested that it was Cllr Grahame that interrupted Mike Weaver and that she said that it was inappropriate for a mere neighbourhood warden to give a housing report. Do you remember that at all?
TS	No I don't.
CP	Ok. And, would you have considered it strange that an officer was reading out a report from a different department?
TS	I suppose if the officer in question had been asked to read out the report and the report was necessary at the meeting then I don't suppose it's all that strange. Personally I perhaps wouldn't have done it, but I don't think it's all that strange.
CP	Ok. As you say, you can't recall Cllr Grahame interrupting at all ...
TS	No.
CP	... and on that basis, I don't really have any other questions for you, you'll be pleased to know. But thank you very much for speaking to me. That was very helpful just to get your recollections. And what I'll do is I'll get the transcript of this typed up and send a copy to you. Is it better to send it by email or post?
TS	I'm happy for you to send it via email.
CP	Ok that's great. And what I'll ask you to do is just check through that it is accurate and then print a copy, sign it and post it back to me if that's ok.
TS	That's fine.
CP	Well thank you very much for your time.
TS	Thank you.
CP	Thank you, goodbye.

#### STATEMENT OF TRUTH

I confirm that the above note of the interview held on 27 October is accurate and fair.

Signature .....

Date .....

# Transcribed Record of Interview

**Weightmans**

Case number: 214679 12	Name of interviewee: Mindi Singh
Name of Investigator: Claire Lefort, Associate, Weightmans LLP	Role/status of interviewee: Witness
Date of interview: 22 October 2009	Time of interview: 10:03 - 10.19
Others present:	Venue: Telephone Interview
Name of interviewer: Christina Pye ("CPY"), Non-Practising Barrister, Weightmans LLP	

CPY	Okay, the recorders are now on. This is an interview with Mindi Singh and my name is Christina Pye and I will be conducting this interview. The time on my watch is 10.03 and it is 22 October.
MS	Yes
CPY	Now can you just confirm that you have agreed that this interview can be recorded.
MS	Yes I have
CPY	Thank you. Can you hear me alright?
MS	Yes I can
CPY	Excellent. Now I need to go through just some preliminary information with you
MS	Yes
CY	And then I do have some questions for you, okay
MS	Okay
CPY	Excellent. Now I think I explained in my initial letter that a complaint has been made about Councillor Grahame
MS	Yes
CPY	And her behaviour at the North Whinmoor Forum on 6 July 2009
MS	Yes

CPY	Towards an individual. Now the Standards Committee have considered this initial complaint and decided that it should be investigated and they have passed that investigation onto my colleague, Claire Lefort. The investigation is carried out under the Local Government Act 2000 and the Standards Committee (England) Regulations 2008 and these set out the powers of investigation
MS	Yeah
CPY	They also make a provision that the investigation itself is confidential for the time being and that's to ensure that the integrity of the evidence that we collect is maintained.
MS	Yeah
CPY	Now this confidentiality lasts throughout the whole investigation and up until Claire issues her final report, which is then sent to the Standards Committee and this final report from Claire will set out the findings of fact and whether she considers there's been a breach of the Code of Conduct by Councillor Grahame
MS	Yes
CPY	The final decision is then for the Standards Committee to make
MS	Yes
CPY	And they may decide to hold a hearing on that and that hearing may be held in public
MS	Yes
CPY	At which point the report and all of the evidence including this interview transcript
MS	Yes
CPY	Will go into the public domain.
MS	Yes
CPY	So everything you say today is confidential up until the final report is produced at which point it may become public knowledge
MS	Yes
CPY	Is that okay?
MS	Yes
CPY	Excellent and in terms of your involvement
MS	Yes

CPY	After today's interview, I will send you a transcript of this interview typed up from the recorders
MS	Yes
CPY	And ask you to just check through that that's accurate
MS	Yes
CPY	And then send it back to me
MS	Okay
CPY	And then hopefully that will be your involvement over
MS	Yes
CPY	However, if the Standards Committee do decide to hold a hearing
MS	Yes
CPY	And if there are any discrepancies of fact then they may ask you to be a witness to that
MS	Okay
CPY	But that's sometime in the future for now.
MS	Okay
CPY	Does that all make sense?
MS	It does
CPY	Thank you. Now if you've got any questions at all throughout the interview, or you need a break at all then just let me know and we can pause it there.
MS	Okay then.
CPY	Okay?
MS	Okay
CPY	Right, I've got a few questions for you if that's okay.
MS	Yes
CPY	Now
MS	[ <i>Mobile phone rings</i> ] Just one minute love

CPY	Okay
MS	[Takes the call] Sorry about that
CPY	That's alright. Can you just tell me what you do for a living?
MS	I'm a self-employed businessman, sub-post master
CPY	Right. Where is your shop located?
MS	It's in Whinmoor
CPY	Okay, and have you had any contact with any of the Councillors from Leeds City Council in the past?
MS	In the past?
CPY	Yeah.
MS	Yes I mean, I see them at the forums and other activities.
CPY	Right and how much contact have you had with Councillor Grahame herself?
MS	Well any problems I always refer them to Councillor Grahame or Councillor Gruen.
CPY	Right
MS	And at any public meetings, I've seen her there, yep
CPY	Okay and how's your relationship been with Councillor Grahame in that time?
MS	It's been very good really
CPY	Excellent and you say that you attend the forums
MS	Yes
CPY	Which forum meetings do you attend?
MS	North Whinmoor Forum
CPY	And how often do you attend those meetings?
MS	Well it's usually 4 in a year and I average about 3 love
CPY	Okay and why do you choose to go to those forum meetings?
MS	I go because I have a business in the area, can put the concerns of the local businesses in the

	area.
CPY	Right and do many other local businessmen go?
MS	Not often, no
CPY	Okay and what about other local residents or any other members of the public?
MS	Yes there's a few other people there from various groups and local residents as well.
CPY	Now I want to ask you specifically about the North Whinmoor Forum meeting on 6 July 2009
MS	Yes
CPY	Just firstly your recollections of that meeting
MS	Yes
CPY	Do you recall anything unusual happening in that meeting?
MS	No, not really it was just a normal forum meeting and yeah Councillor Gruen who is the Chairman made a point about the police and various housing officers not attending and he was disappointed.
CPY	Right and you say you made a comment about the housing officers not attending
MS	Yes
CPY	Can you remember at what point during the meeting he made that comment?
MS	It was on the agenda when it come down to I think on the agenda it's a local housing office and local community safety he, he asked, well he said I see there's nobody here from the housing office and the ward, Neighbourhood Warden, Mike Weaver he says oh I've got a report for the housing office and at that point that Councillor Gru, Grahame says well you can't give the report on behalf of the Housing Officers because you won't be able to answer the questions
CPY	Right
MS	And, and then he and Councillor Grah, Gruen the chairman says well you know it's very disappointing that the Housing Officer haven't turned up and he can't, you know, if they wanted to submit a written report they should have submitted it to him as the chairman and not given it to a Neighbourhood Warden it's not his report and then Councillor Grah, Gruen asked the Neighbourhood Warden, Mike Weaver to proceed with his own report
CPY	Right and just, you mentioned Mike Weaver there, how well do you know him at all?
MS	He's a Neighbourhood Warden, he comes and sees me quite often about the problems we have in the neighbourhood

CPY	Right
MS	I've known him for a while now
CPY	Okay and how well would you say you got on with him?
MS	Well yeah I got on with him alright. He does his job and if we have any problems he takes them up
CPY	Right and you explained that in this meeting, no-one from the Housing Office attended
MS	That's right
CPY	And what was the first that you were aware that there was going to be no-one from the Housing Office
MS	Well when I was sat in the meeting I, I noticed Mike, Neil Diamond, who is the Housing Manager of them, he wasn't there
CPY	Right
MS	And, and I couldn't recognise anybody else from the Housing Office
CPY	And were there any apologies given at the beginning of the meeting?
MS	I can't recollect that love
CPY	Okay, that's fine and you say that when it got on to the housing report section that Councillor Gruen said there was no-one there and that, was it then that Mike Weaver stood up
MS	Yes, he said he's got the housing officer's report
CPY	Right and you say that Councillor Grahame then said something then
MS	Well yeah, I think there was, I can't exactly remember, I think she pointed out that the fact that he can't give a report on housing offices report, a report on their behalf because he won't be able to answer the questions and he won't be, and he, and any answers he gives whose going to be liable for the consequences. It's not his responsibility to give Housing Officers' reports.
CPY	Right
MS	And she was trying to make it known to him that it's for his own benefit he cannot give a third party's report because he's not responsible for it, you know in a fact that if he gives a report and it is incorrect who is going to be responsible.
CPY	And can you remember what tone she said this in?



MS	Just a normal tone she uses in the meeting
CPY	Okay
MS	Nothing unusual
CPY	And did you say that this point Councillor Gruen said something?
MS	I think he, he said you know he was, he, he, he has not been informed that there's nobody from the Housing Office was going to attend.
CPY	Right
MS	And that you know he was disappointed as to why wasn't he informed as the Chairman of the Committee
CPY	Yeah
MS	And he, I think if I remember I think he said as far as he was concerned somebody was going to be there from there
CPY	Right
MS	As they had not informed him
CPY	Yeah. And what did Mike Weaver say about this?
MS	He just said he's got the written report from the Housing Office and that you know then he was, he was, he was going to read it out and there, there was no point of him reading the report out because he, he won't be responsible for any, you know he can't answer the questions.
CPY	Yeah and after Mike explained this, did either Councillor Grahame or Councillor Gruen say anything more
MS	No, no I can't recall
CPY	Okay
MS	I think, I think Grahame, Councillor Gruen says to him you, you just give me the Neighbourhood Warden's report
CPY	Okay
MS	Which he proceeded to do so, it's in the minutes.
CPY	Right yes. And did, so was there a housing report read out at all then?

MS	No, I don't think so
CPY	Okay and how did Mike Weaver seem after this?
MS	Well I think he was a bit put off that why wasn't he allowed to give the housing officer's report but members of the forum felt that it's not his place to give a report on behalf of somebody else
CPY	Right. So you felt as a member of the forum that it was
MS	As a member of the forum I felt that why should he give a housing officer's report because then the housing officers are not responsible for their comments
CPY	Right
MS	And then, you know, he's going to give the, a third party giving it and his job is a housing, he's the Neighbourhood Warden, he might work from the housing office but he's not responsible for their actions and he's not responsible to give reports
CPY	Yep
MS	It's not his place we felt
CPY	And after this incident happened, did how did the meeting progress after that?
MS	Yeah the meeting carried on, yeah, we've had another forum meeting since then [ <i>mobile phone rings</i> ] just one minute please
CPY	Okay
MS	[ <i>Answers phone</i> ] Sorry love
CPY	That's alright, I've only got a couple more questions for you
MS	Yes
CPY	The allegation that's been made is about this incident
MS	Yes
CPY	It's alleged that Councillor Grahame said that it was inappropriate for a mere Neighbourhood Warden to give a housing report. Can you remember those exact words at all?
MS	I think what she said it's not his, I can't remember the exact words but she did say a Neighbourhood Warden cannot give housing officers report because his job is Neighbourhood Warden
CPY	Right

MS	That's what we implied to be her meaning.
CPY	Okay
MS	Not, she didn't say a mere Warden, Neighbourhood Warden didn't say anything about mere
CPY	Right
MS	Mere or whatever
CPY	Yeah
MS	She wasn't, that sounds a bit insulting, she wasn't like that at all.
CPY	Yeah okay. Is there anything else that you recall about that meeting you want to say
MS	No, not really just a normal run of the meeting.
CPY	Okay, that's great. In that case, I'll end the interview there
MS	Yeah
CPY	Thank you very much for speaking to me
MS	You're welcome
CPY	It's been very helpful
MS	Okay
CPY	What I want to do is after this interview I'll get the transcript typed up
MS	Yeah
CPY	And I'll send it to you
MS	Right
CPY	Is it better to send it by post or by e-mail?
MS	It's best to send it by post love
CPY	By post okay and is the address that I sent it to you last, you received a letter from us didn't you
MS	Yes [REDACTED]
CPY	Okay and is that the best one to send it to?

MS	It is yes
CPY	Okay and what I'll ask you to do is just check it through
MS	Yes
CPY	Make any amendments that you think are necessary
MS	Yes
CPY	If you want to add anything on to the bottom that you've just remembered then please do
MS	Yes
CPY	And then just sign it and send it back to us
MS	Okay love
CPY	Brilliant. The time is now 10.19
MS	Yes
CPY	So thank you very much for your time
MS	Okay, Christina
CPY	Goodbye
MS	Thank you, bye-bye

**STATEMENT OF TRUTH**

I confirm that the above note of the interview held on 22 October 2009 is accurate and fair.

Signature ..... *mb* .....

Date ..... *15/11/09* .....

CLT 17

**Jackie Bowen**

---

**From:** [REDACTED]  
**Sent:** 13 November 2009 09:50  
**To:** Christina Pye  
**Subject:** RE: Investigation : NOT PROTECTIVELY MARKED (Weightmans Ref:214679/12)

Christina,

PCSOs Thimm and Bickerdyke have confirmed that they neither saw nor heard anything controversial, and in fact only attended at the start of the meeting.

Mike Percival  
Force Solicitor  
West Yorkshire Police  
Telephone Number External 01924 [REDACTED]  
Internal [REDACTED]  
e-mail [REDACTED]

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"Christina Pye" <Christina.Pye@Weightmans.com>

05/11/2009 10:12

To [REDACTED]  
cc  
Subject RE: Investigation : NOT PROTECTIVELY MARKED (Weightmans Ref:214679/12)

Mike,

Thank you very much for this update.

Kind regards

Christina

---

**From:** [REDACTED]  
**Sent:** 05 November 2009 07:43  
**To:** Christina Pye  
**Subject:** Re: Investigation (Weightmans Ref:214679/12) : NOT PROTECTIVELY MARKED

Yes - PCSO Thimm e mailed yesterday to say that neither he nor PC Bickerdyke received any complaints at or about the meeting and have no details in their pocket books other recording that they attended. I responded asking if they saw or heard anything controversial on the part of any councillor but haven't had a reply yet. As soon as I do, I will provide an

10/12/2009

update.

Mike Percival  
Force Solicitor  
West Yorkshire Police  
Telephone Number External [REDACTED]  
Internal [REDACTED]  
e-mail [REDACTED]

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"Christina Pye" <Christina.Pye@Weightmans.com>

04/11/2009 18:07

To [REDACTED]

cc

Subject Investigation **\*\*CONFIDENTIAL\*\*** (Weightmans  
Ref:214679/12)

Dear Mike,

Further to our previous emails, I was wondering if you have had any luck in locating PC Bickerdyke and PCSO Thimm?

Kind regards

Christina

Christina Pye  
Barrister (non-practising)  
Local Government and Police Team  
Weightmans LLP

DDI: 0207 822 1986  
[christina.pye@weightmans.com](mailto:christina.pye@weightmans.com)  
[www.weightmans.com](http://www.weightmans.com)

Birmingham Leicester Liverpool London Manchester

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Jackie Bowen

---

**From:** [REDACTED]  
**Sent:** 05 November 2009 07:43  
**To:** Christina Pye  
**Subject:** Re: Investigation (Weightmans Ref:214679/12) : NOT PROTECTIVELY MARKED

Yes - PCSO Thimm e mailed yesterday to say that neither he nor PC Bickerdyke received any complaints at or about the meeting and have no details in their pocket books other recording that they attended. I responded asking if they saw or heard anything controversial on the part of any councillor but haven't had a reply yet. As soon as I do, I will provide an update.

Mike Percival  
Force Solicitor  
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Telephone Number External [REDACTED]  
Internal [REDACTED]  
e-mail [REDACTED]

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"Christina Pye" <Christina.Pye@Weightmans.com>

To [REDACTED]  
cc

04/11/2009 18:07

Subject Investigation \*\*CONFIDENTIAL\*\* (Weightmans Ref:214679/12)

Dear Mike,

Further to our previous emails, I was wondering if you have had any luck in locating PC Bickerdyke and PCSO Thimm?

Kind regards

Christina

Christina Pye  
Barrister (non-practising)  
Local Government and Police Team  
Weightmans LLP

DDI: 0207 822 1986  
[christina.pye@weightmans.com](mailto:christina.pye@weightmans.com)  
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APPROX 11-30

Tues 7 July 2009

As I came into Housing office Karen Sims + Caroline  
 Busworth called me over, I could see they were sitting  
 Karen said CEA Consultant had been on the phone playing  
 how that nobody from the Housing office had attended  
 the Forum meeting and that a Momb Warden and  
 a conservative BNP person at that had given a  
 report on behalf of the Housing office

I said sure - said what? what did she call me and  
 Karen repeated what CEA Consultant had said + other  
 remarks about the Housing office staff?

I asked Karen if she was prepared to verify what  
 CEA Consultant had said she said YES

I said this might go further as I was going to  
 make an official complaint

Karen said she would

CLT 19

**Christina Pye**

**From:** Pauleen.Grahame@leeds.gov.uk  
**Sent:** 12 November 2009 13:40  
**To:** Christina Pye  
**Subject:** Fw: [REDACTED]

Dear Christina,

I will send emails which I feel will be helpful regarding the complaint these emails refer to [REDACTED]  
[REDACTED]

This will be the 2nd time i have sent these emails

Best wishes  
Cllr Pauleen Grahame  
Secretary to the Labour Group  
Chair of Central and Corporate Scrutiny Committee  
telephone 0113 [REDACTED]

----- Forwarded by Pauleen Grahame/MEM/LCC on 12/11/2009 13:33 -----

Pauleen Grahame/MEM/LCC

To Kevin Vaughan <[REDACTED]>, Peter Gruen

cc Karen Shaw <[REDACTED]>

09/10/2009 16:51

Subject RE: [REDACTED] [Link](#)

Dear Kevin,

[REDACTED] has never wanted to move out of [REDACTED] Cul-de-sac as has been explained to [REDACTED] by myself when I have discussed the stair lift, [REDACTED] who has been on holiday recently, has made this perfectly plain.  
I would like an explanation to your remarks re your TMO [REDACTED] as I have stated I have been dealing with [REDACTED] as [REDACTED] is an elderly lady he has contacted me on her behalf, as I have informed both [REDACTED] I am also sure that he will be more than happy to repeat to you what he has repeated to me, regarding conversations with [REDACTED]

Cllr Pauleen Grahame  
Secretary to the Labour Group  
Chair of Central and Corporate Scrutiny Committee  
telephone 0113 [REDACTED]

Kevin Vaughan <Kevin.Vaughan@avhleeds.org.uk>

To Pauleen Grahame <Pauleen.Grahame@leeds.gov.uk>

cc Karen Shaw <[REDACTED]>

09/10/2009 15:39

Subject RE: [REDACTED]

Cllr Grahame

Further update:

In relation to [REDACTED] I have been attempting to contact his niece [REDACTED] [REDACTED] for several days now in relation to the need to complete a housing application, and also the stair lift issue. I cannot find any evidence of a recent housing application, and so yesterday I have personally delivered a new Housing Application to [REDACTED] at [REDACTED] for completion and return. If evidence of a previous housing application is produced I am happy to backdate the application date to reflect this fact.

The last housing application on record is the one which [REDACTED] used to be rehoused from [REDACTED], [REDACTED] his current address, in 2008. Once an applicant has been rehoused the application expires automatically.

I am also attempting to expedite the assessment for the stair lift.

Regarding the second case I was able to speak directly with [REDACTED] [REDACTED] Although she felt the NHO had been "slow" initially in dealing with her case she was now satisfied with the more recent service provided by the NHO team and wanted to make particular mention that my TMO Karen Shaw had "been very good to her" in relation to her housing needs

I also clarified the bedroom issue in relation to the financial aspect of the Under Occupation Incentive Scheme i.e. each bedroom within the downsize scheme equates to £1k

[REDACTED] told me she would prefer a 2 bedroom house near to her son (son lives at [REDACTED]) but would also consider 2 bedroom flats such as those in Swardale Green. [REDACTED] stated that my TMO had never suggested that under the UOI Scheme she could only be considered for 1 bedroom accommodation.

Within the Under Occupation Incentive Scheme applicants are awarded both Direct Let status and PX Priority so as to increase their choice and prospects. And so "bidding" is still appropriate for those cases.

I trust this information is of assistance

Kevin Vaughan

Neighbourhood Housing Manager

Swardcliffe NHO

Tele : [REDACTED] Fax: [REDACTED]

e: [REDACTED] w: <http://www.avhleeds.org.uk>

Aire Valley Homes Leeds, Navigation House, 8 George Mann Road, Leeds, LS10 1DJ.

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**From:** Pauleen Grahame

**Sent:** 02 October 2009 16:39

**To:** Kevin Vaughan; Peter Gruen

**Cc:** Karen Shaw

**Subject:** Re: [REDACTED]

Dear Kevin,

Thank you for this update ,

I first asked for [REDACTED] to be assessed for a stair lift over 9 months ago I have repeatedly asked for [REDACTED] [REDACTED] or have sight of a request for a referral so that I could keep [REDACTED] and his niece up to date I may add that his niece has kept a diary of her request and conversation's [REDACTED]

Regarding his housing application you informed me then [REDACTED] that it was not live his niece to this day

11/12/2009

has no record the application being removed we were both informed that an application form would be delivered to him. It has never been [redacted] intention to leave [redacted] (the culdesac). He would have liked to have moved from his upstairs flat to the vacant ground floor.

I have just spoken again to [redacted] his mother applied for [redacted] she lives at [redacted] a 4 bedroom property [redacted] thought that she was on the Bed room release scheme I spoke to [redacted] on the scheme. It then transpires that she is [redacted] son phoned me to say that his mother had been told that she can only apply for a 1 bed room flat, which we spoke about if [redacted] would have been happy with [redacted] a one bedroom flat, she has had time to consider and realises that a 2 would be more appropriate as she has family to stay [redacted] tells me that his mother has bid for [redacted] a 2 bed property I was under the impression that she would not have to go through the bidding process as she would be matched to her needs a 2 bed she will be giving up 2 bedrooms.

Best wishes  
Cllr Pauleen Grahame  
Secretary to the Labour Group  
Chair of Central and Corporate Scrutiny Committee  
telephone 0113 [redacted]

Kevin Vaughan <[redacted]>

02/10/2009 15:42

To Pauleen Grahame <Pauleen.Grahame@leeds.gov.uk>  
cc Karen Shaw <[redacted]>  
Subject [redacted]

Cllr Grahame,

1) I can confirm that an OT referral for a stair lift was made by my TMO on 250909 However in relation to the Housing Application, please see the *italicised* note below which is part of the TMO report contained on the OT referral. Basically the Housing Application has not been progressed on the advice of the niece. I am quite happy for my TMO to visit [redacted] to help him complete the LHR but this would be against his relatives wishes.

*[redacted] is 82 years old and suffers from degenerative arthritis to his knees he is presently in a 2 bedroom upper flat, he states that if he could move it would only be within [redacted] and no other area this has been reiterated by his niece and carer [redacted] who lives at [redacted]. The property has a wet floor shower room fitted.*

*I have asked [redacted] if they wish to complete a further Housing Application but this has been declined.*

2) I can confirm that [redacted] has been allocated to a 65 year old female applicant. The offer has been accepted and the sign up is scheduled for next Monday

3) The Dennils case is [redacted] of [redacted] My TMO has recently visited and completed both an LHR Housing Application and an Under Occupation Incentive Scheme form. Following a "Home Visit" all UOIS cases have to be authorised by the Area Manager. But having looked at the home visit form, I cannot see any obstacles to the case being accepted on to the scheme  
I trust this information is of assistance

Kevin Vaughan

11/12/2009

Neighbourhood Housing Manager

Swarcliffe NHO

Tele : [REDACTED] Fax: [REDACTED]

e: [REDACTED] w: <http://www.avhleeds.org.uk>

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**Christina Pye**

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**From:** Pauleen.Grahame@leeds.gov.uk  
**Sent:** 12 November 2009 14:01  
**To:** Christina Pye  
**Subject:** Fw: phone message - [REDACTED]

[REDACTED]

Cllr Pauleen Grahame  
Secretary to the Labour Group  
Chair of Central and Corporate Scrutiny Committee  
telephone 0113 [REDACTED]

----- Forwarded by Pauleen Grahame/MEM/LCC on 12/11/2009 13:59 -----

**Pauleen Grahame/MEM/LCC**

**To** Karen Shaw/AVHL/LCC

**cc** Peter Gruen

08/09/2009 11:55

**Subject** Re: Fw: phone message - [REDACTED] [Link](#)

Dear Karen,

The reason that you were included is that [REDACTED] are in your area which is why Bev gave your name .

Best wishes  
Cllr Pauleen Grahame  
Secretary to the Labour Group  
Chair of Central and Corporate Scrutiny Committee  
telephone 0113 [REDACTED]

**Karen Shaw/AVHL/LCC**

**To** Pauleen Grahame/MEM/LCC@Leeds\_City\_Council

**cc**

08/09/2009 08:58

**Subject** Re: Fw: phone message - [REDACTED] [Link](#)

Hi Councillor Grahame

I am a little bit puzzled as to why I have been included in this case as the applicant is in the catchment area of East North East Homes so i would be unable to assist her in any way,

Having checked the application it would appear that the applicant has Priority-Housing Conditions awarded to her circumstances, this was awarded in May 2008 and is now due to be extended. According to her application form the applicants area of first choice is Seacroft South.

11/12/2009



I will contact Mrs [REDACTED] and answer any questions she may have with regards to her daughters application.

Regards

Karen

**Karen Shaw**  
Tenancy Management Officer

t: [REDACTED] f: [REDACTED]

e: [REDACTED]

w: [www.avhleeds.org.uk](http://www.avhleeds.org.uk)

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# Transcribed Record of Interview



Case number: 214679 12	Name of interviewee: Karen Shaw
Name of Investigator: Claire Lefort, Associate, Weightmans LLP	Role/status of interviewee: Witness
Date of interview: 19 October 2009	Time of interview: 4 - 4.24 pm
Others present: Christina Pye, Non-practising barrister, Weightmans LLP	Venue: Telephone Interview
Name of interviewer: Claire Lefort ('CLT'),	

CLT	Okay this is a telephone interview with Karen Shaw. It is the 19th October and it is 4 o'clock. My name is Claire Lefort and I am conducting the investigation and I am also joined by Christina Pye who you've had some correspondence with, is that correct Karen?
KS	Yes
CLT	Is it OK to call you Karen?
KS	Yes
CLT	Thank you. And just for the purposes of the recording, can you confirm that you are happy to be recorded today?
KS	Yea, that's fine.
CLT	Thank you very much. Before we start with the questions, I've got a series of background information that I need to give to you just so that you are aware of what will happen through the investigation and afterwards. So if you have any questions at the end then please let me know. Alright?
KS	OK.
CLT	There has been a complaint that has been made about the conduct of Councillor Graham. My role in the complaint is to investigate what happened and that means obviously collecting relevant information and conducting interviews to obtain the evidence to tell me and help me establish what happened. From there, it's my role to decide whether there has or has not been a breach of the Code of Conduct.
KS	Hmm hmm
CLT	And what I will be doing is sending or preparing rather, a report of my investigation which will set out all of the facts as I consider them to be as well as whether I think there has been a breach of the code. Now that will be prepared in draft form but it won't be sent to you. It will only be sent to Councillor Graham and Mr Weaver, who made the complaint. So, really, effectively after today's interview there won't be too much further contact with you, other

	than providing you with a copy of the transcript of the interview and, depending on the finding, it may be that there's a hearing and you might be asked to attend to give any evidence at that hearing.
KS	OK.
CLT	Alright? Now the interview itself, and the investigation, are confidential. And I should say that once the, once I've done my investigation I will send my final report and finding to the Standards Committee of Leeds City Council and it will be their final decision as to whether they think there has or has not been a breach of the Code. So, whatever my finding is its possible that they might not agree with me...
KS	Hmmm hmmm.
CLT	...either way. If they have a hearing and the hearing will usually be in the case of a finding that I've made of a breach of the Code. That hearing, as I say, may require evidence to be given.
KS	Hmmm hmmm
CLT	And at that stage it might be that you're asked to come along for, to give any evidence. You can't be compelled to do so, but that's a possibility.
KS	Mmm
CLT	It is confidential as I say now, including the interview, so therefore anything that isn't already in the public domain and that you haven't been ordered by a court to disclose, mustn't be disclosed to anybody.
KS	Right.
CLT	And that's really to protect the integrity of my investigation. At the end of my investigation, because the report and evidence I rely on, which will include interview transcripts, because that will be sent to the Standards Committee, that Committee can decide whether they hear the case in public or in private.
KS	Hmmm
CLT	And it may well be that if they hear it in public that a copy of your transcript at a later date could fall into the public domain then. Alright, so you just need to be aware of that for the purposes of this interview.
KS	OK.
CLT	OK? Now, if you need a break at any time through the interview then please let me know and we will begin, if you don't have any questions.
KS	Yea, that's fine
CLT	OK, that's great. Perhaps you could firstly tell me about Aire Valley Homes as an organisation and then move on to tell me about your role at Aire Valley Homes. Please.

KS	Aire Valley Homes is an ALMO – an Arms Length Management Organisation running Local Authority properties of which I am a tenancy management officer of part of an estate based at Swarcliffe, Leeds [inaudible].
CLT	Right, yep. And what does your role involve then?
KS	Basically, day to day tenancy management such as anti-social behaviour, tenancy related matters, domestic abuse, assessments and day to day running of properties.
CLT	Right, OK. And how long have you held that role?
KS	For the past, I would say, 7 years?
CLT	Right OK. And what sort of contact do you have with, we'll start with officers of Leeds City Council.
KS	Sometimes daily contact, sometimes several times a day.
CLT	Right and what would that sort of daily contact amount to. What sorts of things?
KS	General enquiries that they've received from the public and when they've been asked by members of the public or tenants to get in touch with the local housing office.
CLT	Right, OK. And what sort of, do you know of Mr Weaver, Mike Weaver?
KS	Yes
CLT	And how do you know Mr Weaver?
KS	Because he's our Estate Warden based at Swarcliffe Housing Office.
CLT	Right, and what sort of contact do you have with him?
KS	Daily basis.
CLT	And on what sort of issues?
KS	He manages part of the estate as an Estate Warden patrolling the estate and relaying any problems back.
CLT	Right. OK. And how long have you known Mr Weaver?
KS	Possibly three years.
CLT	Right. OK. In relation to councillors what sort of conduct, contact rather, do you have with councillors of Leeds City Council?
KS	It's mainly telephone contact. We do have face to face contact and we do meet them at residents' meetings.
CLT	Right. OK and specifically in relation to Councillor Graham, can you tell me the contact that

	you had with her?
KS	It's mostly been on a daily basis, mostly dealing with enquiries from tenants.
CLT	And do you know why that is particularly from Councillor Graham?
KS	She rings up in relation to housing matters and issues asking for advice.
CLT	Right, OK. Is it in relation to any particular area or the whole of Leeds?
KS	No, its just based with Swarcliffe
CLT	Right, OK. And how has that relationship been with Councillor Graham?
KS	Fine.
CLT	Yep? OK. Could you also just explain to me the relationship between Aire Valley Homes and the council itself?
KS	It is wholly owned, it's an Arms Length Management Organisation is Aire Valley Homes.
CLT	Right.
KS	But it's also governed by Leeds City Council, it's actually Leeds City Council that we use, the ward members are based down at the Civic Hall.
CLT	Right, OK. And who are the ward members?
KS	For the Swarcliffe area?
CLT	Yea.
KS	It would be Councillor Graham, Councillor Suzy Armitage and Councillor Peter Gruen
CLT	Right OK. OK. Now I understand that Councillor Gruen is the Chairman of Aire Valley Homes. Is that correct?
KS	Yes.
CLT	Ok. And do you have any specific reporting requirements to Leeds City Council?
KS	To the Ward Members?
CLT	Yes, to the Ward Members.
KS	In what way?
CLT	Do you have to provide them with any specific information or..
KS	Yea, obviously we provide them with housing information, anti-social behaviour information, just the general day to day running of the estate.

CLT	And is that on a formal, formalised basis?
KS	Not necessarily. Most of the time its via the telephone or at residents' association meetings.
CLT	Right OK, alright, that's fine. Now I understand that you weren't at the meeting, the
KS	No I wasn't
CLT	The neighbourhood forum meeting. Can you tell me why that was?
KS	Because we all work part of the estate, there's 3 tenancy management officers and the estate is split into three sections, I actually don't manage the section where the forum was based, that's actually managed by Mrs Elsworth, my colleague.
CLT	Right, yes
KS	So I would attend my own residents' meetings and forums based on the area that I run
CLT	Yep
KS	And Mrs Elsworth would attend the forums for that area, particular area, for that particular meeting.
CLT	OK. And were you aware of any of the items that were on the agenda for that neighbourhood?
KS	No, not specifically no.
CLT	OK, that's fine. Now the specific questions that we had for you related to a telephone call between yourself and Councillor Graham on the 7 <sup>th</sup> July. Do you remember that
KS	Yes.....
CLT	..conversation? Can you tell me what was said during that conversation please?
KS	Basically that the Ward Members were unhappy that the Aire Valley Homes were not represented that night by members of the housing staff based at Swarcliffe
CLT	Mmm
KS	And I explained that this was due to the fact that Mrs Elsworth was unable to attend due to childcare issues and then I was informed by Councillor Graham that Mr Weaver our Estate Warden had been given the office report to relay and that she didn't think that was right.
CLT	Sorry, say that again, she had
KS	She didn't
CLT	Sorry, Mr Weaver had been given the?

KS	The office report to relay
CLT	Yea
KS	To the forum which I wasn't aware of and she didn't think that was correct and also that it should not have been delivered by an Estate Warden who was not a representative of our housing team.
CLT	Mmm mm
KS	I said I was sorry that I didn't have any knowledge why he was given that to do and she said especially as he is a Tory BNP supporter.
CLT	Right, OK. Now on the 7 <sup>th</sup> July can you remember when that telephone call took place?
KS	Yea, just bear with me, I'll have a look in my book (pause), right, I haven't got a specific time, it was early in the morning, I'd say about 9 - 9.30.
CLT	OK. And why do you say that particular time, 9 - 9.30?
KS	Because it was the result of nobody turning up to the meeting the previous night that I think there were members who were quite angry that there'd been no representation so it was quite early in the day when I was contacted.
CLT	Right, OK. And why, why did Councillor Graham contact you do you think?
KS	It was regarding why there was no representation from the housing office. It was actually to speak to Caroline Elsworth at that point who wasn't in the office at the time.
CLT	Right, I see. OK. And now when she was talking to you, can you describe her tone that she used throughout that conversation?
KS	I wouldn't say it was an angry tone. Just say that it was the fact that she relayed the fact that people weren't happy that there was no representation at the forum. There wasn't an altercation, wasn't particularly angry with me because I wasn't meant to be at the forum.
CLT	Right.
KS	I think it was to relay the fact that people were unhappy with the situation.
CLT	Mmm hmm. And what concerned you most? Or did you have any concerns I should ask first about the comments that were made?
KS	No.
CLT	No? And was there anything that you in particular with regard to the comment of especially a BNP Tory person, what, what did you think about that comment?
KS	I thought that it was probably not the correct comment to make.
CLT	Right.

KS	Because, albeit, what anybody's persuasions are, whether they are or whether they aren't you know, every, my feelings at the time was that everybody has a right to speak at meetings and just because somebody doesn't like what that person supports doesn't mean to say they haven't got a right.
CLT	Mmm
KS	That was my feeling, I wasn't angry about it, it was just the fact that it was said and in all honesty when this was relayed after the telephone conversation I didn't really think anything about it at the time.
CLT	Right OK. When, did you make any notes during that telephone call?
KS	No. It was just a one to one normal every day call.
CLT	Right and did you, did you make any notes after the call at any point?
KS	No.
CLT	No. OK. Was anyone able to overhear what Councillor Graham had said to you?
KS	No, it was on a one to one telephone conversation with myself.
CLT	OK. Now after the telephone call, what did you then do?
KS	I spoke to Caroline Elsworth because she was sat there, she came back in and spoke to her and said that Councillor Graham had been in touch and wasn't happy that the housing office hadn't been represented at the forum and wasn't happy that the Estate Warden had relayed the office report which Caroline said was very little on the office report and also the comments that she made about Mr Weaver.
CLT	Right
KS	And how unhappy she was about it and that's what she'd said about him.
CLT	OK.
KS	And that was it.
CLT	OK. And do you remember anyone else being around while you said that?
KS	Yea, there was, it is in the centre of the office, there was quite a few work colleagues there.
CLT	OK. Now obviously Mr Weaver heard about the telephone conversation. Do you know how he heard about it?
KS	Yea, we, we discussed it, Caroline, Mrs Elsworth and myself and then we felt it was right that we let Mr Weaver know about the unhappiness with the situation the previous night.
CLT	Hmm mm



KS	And we said that Councillor Graham wasn't happy with what had happened and we did mention what was mentioned about him and that's where I just walked away and thought that was it.
CLT	OK, and when did that conversation take place with Mr Weaver?
KS	That was within 30 minutes of the telephone call.
CLT	Within 10 minutes did you say?
KS	30 I would say.
CLT	30? Right, OK, alright, and whereabouts did that take place?
KS	That was in the office where the Estate Wardens sat, which is just set off from the office where we sit.
CLT	Right, OK. Do you remember Mr Weaver's reaction?
KS	He was quite annoyed.
CLT	Alright. So did he, how can you describe, or how do you assume that he was annoyed?
KS	He just said he wasn't very happy being called that and it was out of order to be called that and that he wasn't and never has been a member of the BNP party and his political views are his own opinion, and not for somebody else to discuss.
CLT	Ok, and did you say anything in response to that?
KS	No.
CLT	No? Is that
KS	Not as far as I can remember.
CLT	OK. Alright. Now when you had the conversation with Councillor Graham, how sure can you be of your recollection about what she said?
KS	Totally.
CLT	Totally? And why is that?
KS	Because they was the words that I picked out, was the words because, to be quite honest with you at the time when I'm on the phone I was thinking consciously that this problem with the forum actually was not an issue that I should have been dealing with because it wasn't a meeting I would be or would have been attending. And at that time the conversation continued and I apologised for the fact that certain people couldn't attend that meeting and there was no representation but at the time it was out of my hands, and then when she brought up the fact that Mr Weaver had had to give the office report and I've solely picked out she says "and not only is he only an Estate Warden but he's a Tory BNP supporter" and

	them words just stuck - no particular reason but I was quite taken aback to hear a Ward Member come out with that sort of statement because basically I was quite shocked by this I think basically someone should remain neutral with their opinions.
CLT	Right. OK.
KS	And that's why I remember it.
CLT	OK, that's fine. And when she used the words "Tory BNP person" was there any particular emphasis on any of those words?
KS	No, not, not particular emphasis on either word
CLT	OK and what about her volume of voice during that conversation?
KS	It remained the same.
CLT	Right, OK. Alright that's fine. Is there anything else that you can recall about that telephone call and the events that happened afterwards that would be of assistance to us?
KS	No, because I think what had happened then would be pretty much taken up by Mrs Elsworth who would have been attending the forum.
CLT	Right, OK. OK and that was the end of your involvement in it?
KS	Yea, hmm mm
CLT	OK that's fine. Right well if there isn't anything else then I can finish the interview now. Now what we will do is we'll put together a transcript of the interview and get that sent out to you.
KS	Hmm
CLT	Are you happy to receive that by email?
KS	Yea that's fine.
CLT	Excellent. We hope to get that in the next few days but it may be early part of next week if that's alright?
KS	Yea, that's fine.
CLT	And if there is anything else, because we have got other people that we need to speak to, but if there is anything else then we will come back to you if that's OK?
KS	I mean obviously you don't wish to know what's transpired after this, [REDACTED] [REDACTED]
CLT	Right.
KS	[REDACTED] [REDACTED]

CLT	OK.
KS	And since that date we've not had any contact.
CLT	Right OK.
KS	Mmm
CLT	Alright that's fine.
KS	Alright
CLT	Well, we're hoping to have matters concluded as quickly as possible as well, so
KS	I'm sorry for the delay in getting back to you but there was a few things I had to mull around in my head basically so
CLT	That's fine, no problem.
KS	Thank you.
CLT	Thank you very much for your time.
KS	Bye.
CLT	Bye.

**STATEMENT OF TRUTH**

I confirm that the above note of the interview held on 19 October is accurate and fair.

Signature .....

Date .....

CLTZ1

**Jackie Bowen**

---

**From:** Pauleen.Grahame@leeds.gov.uk  
**Sent:** 07 December 2009 13:45  
**To:** Claire Lefort  
**Subject:** Fw: [REDACTED],

[REDACTED]

Cllr Pauleen Grahame  
Secretary to the Labour Group  
Chair of Central and Corporate Scrutiny Committee  
telephone 0113 [REDACTED]

----- Forwarded by Pauleen Grahame/MEM/LCC on 07/12/2009 13:44 -----

**Pauleen Grahame/MEM/LCC**

**To** Pamela Parker/AVHL/LCC

**cc** Caroline Elsworth/AVHL/LCC

**Subject** [REDACTED],

04/12/2009 12:58

Dear Pam ,

What is the situation with [REDACTED] please regarding her re housing application.

Best wishes  
Cllr Pauleen Grahame  
Secretary to the Labour Group  
Chair of Central and Corporate Scrutiny Committee  
telephone 0113 [REDACTED]

---

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**Jackie Bowen**

---

**From:** Pauleen.Grahame@leeds.gov.uk  
**Sent:** 07 December 2009 13:22  
**To:** Claire Lefort  
**Subject:** Fw: [REDACTED]

Dear Clair.

Please note that [REDACTED] is the address of [REDACTED] I have copied you an email titled [REDACTED] which refers to [REDACTED]

Cllr Pauleen Grahame  
Secretary to the Labour Group  
Chair of Central and Corporate Scrutiny Committee  
telephone 0113 [REDACTED]

--- Forwarded by Pauleen Grahame/MEM/LCC on 07/12/2009 13:19 ---

**Pauleen Grahame/MEM/LCC**

23/06/2009 09:10

**To** Nick Swithenbank/AVHL/LCC

**cc** Neil Diamond/AVHL/LCC@Leeds\_City\_Council

**Subject** Re: [REDACTED] [Link](#)

thank you Nick.

Cllr Pauleen Grahame  
Secretary to the Labour Group  
Chair of Health Scrutiny Committee  
telephone 0113 [REDACTED]

**Nick Swithenbank/AVHL/LCC**

22/06/2009 15:55

**To** Pauleen Grahame/MEM/LCC@Leeds\_City\_Council

**cc**

**Subject** [REDACTED]

Dear Cllr Grahame

I have nominated both applicant's for the new build properties and I have asked Mr Diamond to look into Miss [REDACTED] in the hope of getting her rehoused before she has to leave [REDACTED] in July.

I will keep you posted on any outcome.

Best Wishes

10/12/2009

Nick Swithenbank

Tenancy Management Officer

Swarcliffe Neighbourhood Housing Office

32-38 Langbar Gardens

Swarcliffe

Leeds

LS14 5ES

t: [REDACTED] f: [REDACTED] m: [REDACTED]

e: [REDACTED]

w: [www.avhleeds.org.uk](http://www.avhleeds.org.uk)

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**Jackie Bowen**

---

**From:** Pauleen.Grahame@leeds.gov.uk  
**Sent:** 07 December 2009 13:48  
**To:** Claire Lefort  
**Subject:** Fw: [REDACTED]

Cllr Pauleen Grahame  
Secretary to the Labour Group  
Chair of Central and Corporate Scrutiny Committee  
telephone 0113 3950895

----- Forwarded by Pauleen Grahame/MEM/LCC on 07/12/2009 13:47 -----

**Pauleen Grahame/MEM/LCC**

**To:** Pamela Parker/AVHL/LCC  
**cc:** Peter Gruen/MEM/LCC@Leeds\_City\_Council,  
Karen.Shaw@exchange.leeds.gov.uk

01/12/2009 10:30

**Subject:** Re: [REDACTED] [Link](#)

Dear Pam,

I would like an explanation as to why Air Valley Homes [REDACTED]

Pauleen Grahame  
Secretary to the Labour Group  
Chair of Central and Corporate Scrutiny Committee  
telephone 0113 [REDACTED]

**Jane Greenwood**

**To:** Pauleen Grahame [REDACTED]  
**cc:** AVHLeeds Adaptations [REDACTED], Katy Lester [REDACTED], Pamela Parker [REDACTED]  
**Subject:** [REDACTED]

01/12/2009 09:54

Dear Cllr Grahame

Further to your earlier enquiry regarding a stair lift to the above property I can advise you that the adaptations Team was first notified of this [REDACTED]

On 3<sup>rd</sup> November Sue Carlisle, Adaptations Case Worker spoke with [REDACTED] on the telephone & was

10/12/2009

advised that he did not want an assessment for a stair lift, he wanted to move & our file was up dated with this information.

On 9<sup>th</sup> November a colleague from Medical Re-housing visited [REDACTED] & priority medical was subsequently awarded.

Following your e mail of yesterday, Katy Lester our Occupational Therapist has spoken with [REDACTED] and has been advised that he does not wish to stay in his current flat. He has two stair rails & an intercom so does not have to go down stairs much. He stated that he doesn't need any additional rails & stated firmly that he wants a move.

He has been advised of the need to bid on suitable properties but his details have also been passed to Louise Ambler, the Re-housing Officer within the Adaptations Team who will actively look for suitable properties to assist [REDACTED] in obtaining a suitable property as speedily as possible.

regards

Jane Greenwood

Investment Manager

t: [REDACTED] m: [REDACTED] f: [REDACTED]

e: [REDACTED]

w: [www.avhleeds.org.uk](http://www.avhleeds.org.uk)

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CLT22

**Jackie Bowen**

**From:** Pauleen.Grahame@leeds.gov.uk  
**Sent:** 07 December 2009 15:15  
**To:** Claire Lefort  
**Subject:** Re: Draft report \*\*\*CONFIDENTIAL\*\*\* (Weightmans Ref:214679/12)  
**Attachments:** 8779680.doc; 8780808.pdf, 8780799.pdf, 8780796.pdf, 8780786.pdf, 8780782.pdf, 8780760.pdf

Dear Clair,

My response to your findings MY phone conversation with Karen Shaw.

Karen Shaw in one part it appears that I have phoned her then she says that I phoned to speak to Caroline Elsworth to complain about the lack of housing officers at the Forum why would I it is not my place I am not the chair and Karen Shaw is not for that area.

Karen Shaw asked me if Cllr Gruen was annoyed I said yes . I am amazed that an expression that I have never used, that I am supposed to have said at the Forum which only M.Weaver can recall Karen Shaw repeats that I said to her on the phone ie a mere warden.

In my interview I said that at that stage I would not [redacted] re the phone call and I said that I could not really recall it I have had time to trace back . Due to my constituents phoning me everyday which is understandable at that time I could have phoned Karen Shaw every day especially regarding [redacted] as her date to vacate the property was final as the 19th of August I was going away on the 22nd. I also had a [redacted]

[redacted]

[redacted], this

I hold a surgery every Monday at 2pm which means that I can phone straight through to the Housing office in front of my constituent so they know what I have done. This explains why most of my emails re garding [redacted] as you have put in your report. I did inform you when I received the notice of complaint that I had told [redacted] I do not know how she could sleep at night knowing what [redacted] and her family were going through.

On the 8th of Saturday August 2009 there was an open day at Fieldhead Carr Community Centre I bumped into [redacted] with her mother I asked her if [redacted], I pointed to a table [redacted]

[redacted]

Incidentally Mike weaver was at this open day.

Please note the date of my email to Nick Swithenbank 23rd June 2006 regarding [redacted] Nick answered the phone. [redacted]

[redacted]

I have copied the latest email [redacted] health has deteriorated due to the stairs all he needed was the [redacted]

[redacted] the email speaks for its self [redacted] that I [redacted] as you will see from the email [redacted] here we had a chance for [redacted] to down size and release a 4 bedroom property which we are crying out for, [redacted] I have his last message on my phone.

There are more that I could list .

I do not take kindly to the comments from M. Weaver re Caroline Elsworth it is very rare that I deal with Caroline as the case of [redacted] which has been on going I received a phone call from [redacted] father [redacted]

.I do feel that if the information regarding [redacted] claim had been available at the beginning I could have responded much fuller instead of rushed as I am now.

[redacted] As a Councillor I was elected to represent my constituents to the best of my ability [redacted]

There are comments from Mike weaver regarding [redacted] I have no idea what he is referring to .he mentions Cllr Gruen being involved and Simon Costigan . There have been [redacted] ward members had a meeting with the new housing Manager Pamela Parker and Simon Costigan on the 13th November it was acknowledged that there was a [redacted]

As I put earlier I wish that I had more time to respond.  
I completely dispute Karen shaws comments .

I would appreciate an acknowledgment please.

Best wishes Cllr Pauleen Grahame  
Secretary to the Labour Group  
Chair of Central and Corporate Scrutiny Committee  
telephone 0113 [redacted]

"Claire Lefort" <Claire.Lefort@Weightmans.com>

To <Pauleen.Grahame@leeds.gov.uk>

27/11/2009 15:41

cc  
Subject Draft report \*\*\*CONFIDENTIAL\*\*\* (Weightmans Ref:214679/12)

Dear Councillor Grahame

Complaint of failure to observe the Code of Conduct

Thank you for your co-operation and patience with my investigation concerning Mr Weaver's

allegation that you failed to comply with the code of conduct.

I have considered the evidence obtained and produced a draft report which contains my conclusions as to the facts, my finding and the reasons why I have reached this finding, a copy of which is attached. I also attach the evidence that I have relied upon to reach my finding. Please let me know if you wish to receive a hard copy of the draft report and evidence. I have provided Mr Weaver with a copy of my draft report, although not copies of the evidence.

Please note that the contents of the draft report represent my draft findings and are subject to change depending upon any comments that I receive.

Please note that the disclosure of information from parts of the report may be an offence under Section 63 of the Local Government Act 2000.

Section 63 prohibits the disclosure of information gathered during an investigation. However, information can be disclosed to your solicitor or other adviser and in any of the following circumstances:

- The disclosure will enable the standards committee, an ethical standards officer, the ombudsman, the Audit Commission (and Welsh equivalent), the Electoral Commission or the Adjudication Panel for England to perform their statutory functions.
- The disclosure will assist the monitoring officer to perform their statutory functions.
- You have permission from the person to whom the information relates to disclose it.
- The information has already lawfully been made public.
- The disclosure is made for the purposes of criminal proceedings in the UK.
- You are required to do so by a court or similar body.

You may wish to seek your own advice if you are unsure if you can legally disclose information from the report.

If you wish to comment on the draft report and my findings, please let me have your comments in writing by letter, fax or email by close of business on 7 December 2009. If I have not heard from you by that date, I shall proceed to issue the final report.

Yours sincerely

Claire Lefort  
Associate  
For and on behalf of Weightmans LLP

Claire Lefort  
Associate, Local Government and Police Team  
Weightmans LLP

DDI: 020 7822 1935  
[claire.lefort@weightmans.com](mailto:claire.lefort@weightmans.com)  
[www.weightmans.com](http://www.weightmans.com)

Birmingham Leicester Liverpool London Manchester

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**Claire Lefort**

---

**From:** Pauleen.Grahame@leeds.gov.uk  
**Sent:** 08 December 2009 12:29  
**To:** Claire Lefort  
**Subject:** RE: Draft report \*\*\*CONFIDENTIAL\*\*\* (Weightmans Ref:214679/12)  
**Attachments:** 8779680.doc; 8780808.pdf; 8780799.pdf; 8780796.pdf; 8780786.pdf; 8780782.pdf; 8780760.pdf  
**File Doc:** Client: 214679, Matter: 12, Document: 8872206  
**File Title:** EMA from Pauleen.Grahame@leeds.gov.uk: RE: Draft report \*\*

Dear Claire,

Thank you for the offer of more time unfortunately time is something that I do not have to spare, I have given support in the emails sent to my comments I am afraid that it is Karen Shaws word against mine and the evidence I have sent .

Best wishes  
Cllr Pauleen Grahame  
Secretary to the Labour Group  
Chair of Central and Corporate Scrutiny Committee  
telephone 0113 [REDACTED]

"Claire Lefort" <Claire.Lefort@Weightmans.com>

To <Pauleen.Grahame@leeds.gov.uk>

cc

08/12/2009 11:11

Subject RE: Draft report \*\*\*CONFIDENTIAL\*\*\* (Weightmans Ref:214679/12)

Dear Councillor Grahame

I acknowledge safe receipt of your comments.

I will consider them and my draft report. I note that you refer to wanting more time to respond. Please can you tell me how much more time you would require as it is important that you feel you have ample opportunity to respond to the complaint made about you. I would be prepared to offer you more time if you felt that this would assist.

I look forward to hearing from you.

Kind regards

Claire

Birmingham Leicester Liverpool London Manchester

11/12/2009

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----- Message from <Pauleen.Grahame@leeds.gov.uk> on Mon, 7 Dec 2009 15:14:45 -0000 -----

**To:** "Claire Lefort" <Claire.Lefort@Weightmans.com>

**Subject:** Re: Draft report \*\*\*CONFIDENTIAL\*\*\* (Weightmans Ref:214679/12)

Dear Clair,

My response to your findings MY phone conversation with Karen Shaw.

Karen Shaw in one part it appears that I have phoned her then she says that I phoned to speak to Caroline Elsworth to complain about the lack of housing officers at the Forum why would I it is not my place I am not the chair and Karen Shaw is not for that area.

Karen Shaw asked me if Cllr Gruen was annoyed I said yes . I am amazed that an expression that I have never used, that I am supposed to have said at the Forum which only M.Weaver can recall Karen Shaw repeats that I said to her on the phone ie a mere warden.

In my interview I said that at that stage I would not [REDACTED] re the phone call and I said that I could not really recall it I have had time to trace back . Due to my constituents phoning me everyday which is understandable at that time I could have phoned Karen Shaw every day especially regarding [REDACTED] as her date to vacate the property was final as the 19th of August I was going away on the 22nd. I also had a [REDACTED]

[REDACTED]

[REDACTED]

I hold a surgery every Monday at 2pm which means that I can phone straight through to the Housing office in front of my constituent so they know what I have done.This explains why most of my emails re garding

11/12/2009

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Nick answered the phone. [redacted]

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[redacted] the email speaks for its self. [redacted] that I [redacted] as you will see from the email [redacted] here we had a chance for [redacted] to down size and release a 4 bedroom property which we are crying out for, [redacted] I have his last message on my phone.

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[redacted] As a Councillor I was elected to represent my constituents to the best of my ability [redacted]

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I completely dispute Karen shaws comments .

I would appreciate an acknowledgment please.

Best wishes Cllr Pauleen Grahame  
Secretary to the Labour Group  
Chair of Central and Corporate Scrutiny Committee  
telephone 0113 [redacted]

11/12/2009

"Claire Lefort" <Claire.Lefort@Weightmans.com>

27/11/2009 15:41

To <Pauleen.Grahame@leeds.gov.uk>

cc

Subject Draft report \*\*\*CONFIDENTIAL\*\*\* (Weightmans Ref:214679/12)

Dear Councillor Grahame

### Complaint of failure to observe the Code of Conduct

Thank you for your co-operation and patience with my investigation concerning Mr Weaver's allegation that you failed to comply with the code of conduct.

I have considered the evidence obtained and produced a draft report which contains my conclusions as to the facts, my finding and the reasons why I have reached this finding, a copy of which is attached. I also attach the evidence that I have relied upon to reach my finding. Please let me know if you wish to receive a hard copy of the draft report and evidence. I have provided Mr Weaver with a copy of my draft report, although not copies of the evidence.

Please note that the contents of the draft report represent my draft findings and are subject to change depending upon any comments that I receive.

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- The disclosure will assist the monitoring officer to perform their statutory functions.
- You have permission from the person to whom the information relates to disclose it.
- The information has already lawfully been made public.
- The disclosure is made for the purposes of criminal proceedings in the UK.
- You are required to do so by a court or similar body.

You may wish to seek your own advice if you are unsure if you can legally disclose information from the report.

11/12/2009



If you wish to comment on the draft report and my findings, please let me have your comments in writing by letter, fax or email by close of business on 7 December 2009. If I have not heard from you by that date, I shall proceed to issue the final report.

Yours sincerely

**Claire Lefort**  
Associate  
For and on behalf of Weightmans LLP

Claire Lefort  
Associate, Local Government and Police Team  
Weightmans LLP

DDI: 020 7822 1935  
[claire.lefort@weightmans.com](mailto:claire.lefort@weightmans.com)  
[www.weightmans.com](http://www.weightmans.com)

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Note

Matter	Investigation re Councillor Pauleen Grahame	Date	10 December 2009
Matter No	214679 12	Time Engaged	
Case Manager	Claire Lefort		

CPY telephoning Karen Shaw.

I explained that I had a quick questions for KS. KS said that she was happy to answer it.

I asked KS how her [REDACTED]

KS explained that the [REDACTED] she was the first port of call. KS said that she had numerous emails thanking her for doing a good job.

[REDACTED]

[REDACTED] KS stated that she was only telling the truth. [REDACTED]

[REDACTED]



### Note

Matter	Investigation re Councillor Pauleen Grahame	Date	9 December 2009
Matter No	214679 12	Time Engaged	
Case Manager	Claire Lefort		

CPY telephoning Simon Costigan of Aire Valley Homes.

I outlined that we were investigating a complaint made about Cllr Grahame and that it involved Karen Shaw and Caroline Elsworth of the Swarcliffe Office. SC confirmed that he was aware of the investigation and the issues.

I asked SC whether any [REDACTED]

SC explained that he was not aware of any [REDACTED] in the sense of [REDACTED]. He explained that there will always be [REDACTED]. He described this as the difference between [REDACTED]

SC gave the general example where customers have been to see cllrs at surgeries and the cllr [REDACTED]

SC explained that tenancy management officers deal with specific geographical areas and for example if [REDACTED]

SC confirmed that he was not aware of any [REDACTED]

He explained that Jeff Clark, the Housing Manager would have more of a day-to-day knowledge of issues. His number is [REDACTED] - this number would also get through to SC if I wanted to contact him again.

I thanked SC for his time.

## Pre-Hearing Process Summary Report

Authority	Leeds City Council
Member	Councillor Pauleen Grahame
Complainant	Mr Michael Weaver
Case reference number	0910005
Chair of the Hearings Sub-Committee	Mr M Wilkinson
Monitoring Officer	Ms N Jackson
Investigator	Ms C Lefort
Committee Clerk	Miss L Ford
Date the pre-hearing process summary was produced	19 <sup>th</sup> March 2010 (updated on 20 <sup>th</sup> April 2010)
Date, time and place of the hearing	11 <sup>th</sup> May 2010, 9:00am, Committee Room 2, Civic Hall, Leeds, LS1 1UR

### 1. Summary of the complaint

The complaint contains two allegations, as follows:

- (a) The complainant, Mr Michael Weaver, alleges that during a North Whinmoor Forum meeting on 6<sup>th</sup> July 2009, Councillor Grahame interrupted him when he was presenting a report on behalf of a colleague. Mr Weaver alleges that Councillor Grahame stated that she did not think a warden should be giving a report on behalf of the housing office, saying he was not qualified to do so. Mr Weaver outlines that he tried to explain that he had been involved in this particular project from the start; and
- (b) Mr Weaver further alleges that on Tuesday 7<sup>th</sup> July 2009 Councillor Grahame called the Swarcliffe Housing Office to complain that no one from the Housing Office had been at the forum meeting. It is alleged that Councillor Grahame also stated that a "Tory – BMP [*sic.*]" person had given a report, meaning Mr Weaver. Mr Weaver alleges that this was an incorrect remark made in a derogatory manner.

In relation to allegation (a), the Investigator made a finding of no failure and this was accepted by the Consideration Sub-Committee on 1<sup>st</sup> February 2010. Therefore, only allegation (b) has been referred to the Hearings Sub-Committee.

## 2. Relevant section(s) of the Code of Conduct

The following sections of the Code of Conduct are relevant to the complaint:

- The Leeds City Council Members' Code of Conduct states at paragraph 2(1) that:

'Subject to sub-paragraphs (2) to (5), you must comply with this Code whenever you—

(a) conduct the business of your authority (which, in this Code, includes the business of the office to which you are elected or appointed); or

(b) act, claim to act or give the impression you are acting as a representative of your authority,

and references to your official capacity are construed accordingly.'

- Paragraph 3(1) of the Code states:

'You must treat others with respect.'

- Paragraph 3(2)(b) of the Code states:

'You must not bully any person.'

- Paragraph 6(a) of the Code states:

'You must not use or attempt to use your position as a member improperly to confer on or secure for yourself or any other person, an advantage or disadvantage.'

## 3. Findings of fact in the report that are agreed/partly agreed

There are three findings of fact in respect of the allegation that has been referred to the Hearings Sub-Committee. Two of the findings of fact are **partly agreed**, as follows:

- ***'Councillor Grahame telephoned the Housing office on 7 July 2009 at approximately 9.30am, and spoke to Karen Shaw'*** – Councillor Grahame has agreed that she telephoned the Housing office on 7 July 2009 and that she spoke to Karen Shaw, however she has stated that it took place at an unknown time; and
- ***'Councillor Grahame spoke about her concerns that no one from the Housing Office had attended the North Whinmoor Forum on 6 July 2009'*** – Councillor Grahame has stated that she spoke about case work issues and also mentioned her concerns that no one from the Housing Office had attended the North Whinmoor Forum on 6 July 2009.

#### 4. Findings of fact in the report that are not agreed

There is one finding of fact that is **not agreed**, as follows:

- ***'Councillor Grahame said during the telephone conversation with Karen Shaw that the Housing Office report should not have been delivered by a neighbourhood warden who was not a representative of the housing office, especially as he was a Tory BNP supporter'***.

The Hearings Sub-Committee will not make findings of fact in respect of the allegation set out in paragraph 1(a) of this summary, as the Investigator's finding of no failure in relation to this allegation was accepted by the Consideration Sub-Committee on 1<sup>st</sup> February 2010.

#### 5. Attendance

The subject Member will attend, and will be represented by Mr Peter McKay of Eversheds, with support from Ms Clare Hardy of Eversheds. The Investigator will attend and will not be represented.

#### 6. Witnesses

Subject to the power of the Hearings Sub-Committee to make a ruling at the hearing, the following people will be asked to give evidence:

- Councillor Peter Gruen – will be asked to give evidence at Stage 3 of the hearing, in relation to whether Councillor Grahame [REDACTED]  
[REDACTED] If the Hearings Sub-Committee resolves that Councillor Grahame did breach the Code of Conduct, Councillor Gruen will also be asked to provide evidence at Stage 5 of the hearing;
- Ms Karen Shaw – will be asked to give evidence at Stage 3 of the hearing, in relation to her telephone conversation with Councillor Grahame which took place on 7 July 2009, and her discussions with Mrs Caroline Elsworth and Mr Michael Weaver which took place after the telephone conversation with Councillor Grahame;
- Mrs Caroline Elsworth – will be asked to give evidence at Stage 3 of the hearing, in relation to her discussions with Ms Karen Shaw and Mr Michael Weaver, which took place after the telephone conversation between Ms Shaw and Councillor Grahame; and
- Mr Michael Weaver – will be asked to give evidence at Stage 3 of the hearing, in relation to his discussions with Ms Karen Shaw and Mrs Caroline Elsworth which took place after the telephone conversation between Ms Shaw and Councillor Grahame.

Please note that the Hearings Sub-Committee will only hear evidence that is relevant to the findings of fact listed in paragraphs 3 and 4 of this summary.

#### 7. Procedure for the hearing

The hearing will be conducted in accordance with the Hearings Sub-Committee Procedure which is set out in paragraph 4 of the Standards Committee Procedure Rules, as attached at Appendix A.

**8. Parts of the hearing that will be held in private**

In accordance with Appendix D of Leeds City Council's Standards Committee Procedure Rules, the Monitoring Officer's view is that the hearing should be open to the public, however the final decision on this matter will be taken by the Hearings Sub-Committee. The Monitoring Officer does not consider that the arguments submitted by the parties justify holding the hearing in private.

**9. Documentation to be withheld from the public prior to the hearing**

The Monitoring Officer's view is that the final investigation report and the additional evidence provided by the subject Member as part of the pre-hearing process should be publicly available although as this is a decision for the Hearings Sub Committee, it will be treated as exempt information prior to the hearing. The Hearings Sub-Committee will decide whether this information should remain exempt at Stage 2 of the hearing.

**10. Preliminary issues identified**

The following preliminary issues have been identified during the pre-hearing process. The Hearings Sub-Committee will decide these issues at Stage 2 of the hearing:

- Whether the hearing or any part of it should be held in private, and whether the final investigation report and additional documentary evidence should remain exempt;
- Whether the Hearings Sub-Committee will hear evidence from Councillor Gruen at Stage 3 of the hearing in relation to [REDACTED]; and
- Whether the Hearings Sub-Committee will consider the additional evidence provided by Councillor Grahame during the pre-hearing process.



## **4.0 HEARINGS SUB-COMMITTEE PROCEDURE**

### **4.1 PURPOSE OF THE PRE-HEARING PROCESS**

4.1.1 The pre-hearing process will only deal with procedural issues. It will normally be dealt with by the Monitoring Officer, in consultation with the Chair of the Hearings Sub-Committee, and carried out in writing, although the Chair has discretion to convene a pre-hearing meeting of the Hearings Sub-Committee, which may be attended by the Parties, where the Chair considers this is necessary.

4.1.2 The purpose of the pre-hearing process is to:

- identify whether the subject Member disagrees with any of the findings of fact in the investigation report;
- decide whether or not those disagreements are likely to be relevant to any matter the hearing needs to decide;
- decide whether to hear evidence about those disagreements during the hearing;
- decide whether there are any parts of the hearing that should be held in private; and
- decide whether or not any parts of the investigation report or other documents should be withheld from the public prior to the hearing on the grounds that they contain 'exempt' material.

### **4.2 STARTING THE PRE-HEARING PROCESS**

4.2.1 The Committee Clerk will commence the pre-hearing process once the Consideration Sub-Committee has made a decision to refer a complaint to the Hearings Sub-Committee for a hearing.

4.2.2 The Committee Clerk will contact the Chair of the Standards Committee following the decision of the Consideration Sub-Committee to establish who will act as the Chair to the Hearings Sub-Committee. This will normally be the Chair of the Standards Committee<sup>1</sup>, unless he or she is prevented from taking part for some reason, in which case it will be the Chair's nominee, chosen from one of the other Independent Members appointed to the Standards Committee.

4.2.3 After consultation with the Chair of the Hearings Sub-Committee and within 3 days of the decision of the Consideration Sub-Committee the Committee Clerk will:-

- propose a date for the hearing (this must be within 3 months of the date on which the Investigator completed the report or from the date the Monitoring Officer received the report from the ESO, and at least 14 days<sup>2</sup> after the date on which the Monitoring Officer sent the subject Member a copy of the report, unless the subject Member agrees to an earlier date);
- provide a copy of this Hearings Sub-Committee Procedure to the subject Member;

<sup>1</sup> As stated in Article 9 of the Constitution.

<sup>2</sup> These are not working days.

- send the subject Member an outline of their rights during the hearings process (Appendix C to the Standards Committee Procedure Rules); and
- invite the subject Member to respond in writing by a set time<sup>3</sup> to the questions set out in the Member's Information Form, in order to find out whether the subject Member:
  - wants to be represented at the hearing by a solicitor, barrister or any other person;
  - disagrees with any of the findings of fact in the report, including the reasons for any disagreements;
  - wants to give evidence to the Hearings Sub-Committee, either verbally or in writing;
  - wants to call relevant witnesses to give evidence to the Hearings Sub-Committee (if so, the subject Member should provide outlines or statements of the evidence that their witnesses intend to give);
  - wishes to make representations about any sanctions to be imposed if the Hearings Sub-Committee decide that they have breached the Code of Conduct;
  - can come to the hearing on the proposed date<sup>4</sup>;
  - wants any part of the hearing to be held in private; and
  - wants any part of the investigation report or other relevant documents to be withheld from the public.

4.2.4 If the subject Member does not respond within the time set the Committee Clerk will send the subject Member a reminder giving a further 5 working days in which to respond.

4.2.5 If the subject Member fails to respond following the reminder it will be assumed that the subject Member:

- agrees with the findings of fact in the report;
- does not wish to make representations about any sanctions to be imposed if the Hearings Sub-Committee decide that the subject Member has breached the Code of Conduct;
- does not want to be represented at the hearing by a solicitor, barrister or any other person;
- does not want to give evidence to the Hearings Sub-Committee, either verbally or in writing;
- is content for the hearing to be fixed on any of the proposed dates whether or not the subject Member can attend;
- does not want any part of the hearing to be held in private; and
- does not want any part of the report or other relevant documents to be withheld from the public.

4.2.6 Within 3 days of receiving the subject Member's response the Committee Clerk will send the subject Member's response to the Investigator for comment, and will request that the Investigator responds to the questions set out in the Investigator's

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<sup>3</sup> The Chair will decide the set time in relation to each Complaint, according to the relevant circumstances, but it will be a minimum of 10 working days.

<sup>4</sup> Where ever possible, given the availability of Members of the Standards Committee and the availability of suitable accommodation the Member will be given a choice of dates. These dates will be proposed by the Chair in consultation with the Committee Clerk.

Information Form within a set time<sup>5</sup>. These questions relate to whether the Investigator:

- wants to be represented at the hearing;
- wants to call relevant witnesses to give evidence to the Hearings Sub-Committee (If so, the Investigator should provide outlines or statements of the evidence their witnesses intend to give);
- wants any part of the hearing to be held in private; and
- wants any part of the investigation report or other relevant documents to be withheld from the public.

4.2.7 After the set time periods have expired (or after the Committee Clerk has received responses from both Parties if this is earlier), the Monitoring Officer will review the information received, and, after consultation with the Chair of the Hearings Sub-Committee, will set the date, time and place of the hearing.

4.2.8 In consultation with the Chair of the Hearings Sub-Committee the Monitoring Officer may also decide any issues which will help the Hearings Sub-Committee to determine the complaint. Such matters include:

- Identifying whether the subject Member disagrees with any of the findings of fact in the investigation report;
- Identifying whether those disagreements are likely to be relevant to any matter the hearing needs to decide;
- Identifying whether evidence about those disagreements will need to be heard during the hearing;
- Deciding whether there are any parts of the hearing that are likely to be held in private; and
- Deciding whether any parts of the investigation report or other documents should be withheld from the public prior to the hearing, on the grounds that they contain 'exempt' information.

4.2.9 In accordance with the decision of the Standards Committee<sup>6</sup>, where issues arise during the pre-hearing process which relate to decisions which are reserved to the Hearings Sub-Committee<sup>7</sup>, the Monitoring Officer will, in consultation with the Chair of the Hearings Sub-Committee, make preliminary decisions<sup>8</sup> on those matters, as follows:-

- whether the Hearings Sub-Committee consents to the subject Member being represented by a non-legally qualified representative;
- whether witnesses will be heard at the hearing;

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<sup>5</sup> The Chair will decide the set time in relation to each complaint, according to the relevant circumstances, but will be a minimum of 10 days.

<sup>6</sup> Minute 12 of the Standards Committee meeting held on 8<sup>th</sup> July 2009.

<sup>7</sup> As set out in Regulation 18(1) to (6) Standards Committee (England) Regulations 2008.

<sup>8</sup> These preliminary decisions will be presented to the Hearings Sub-Committee as recommendations at the commencement of the hearing for the Sub-Committee to make a formal decision. According to Article 12 of the Constitution the Monitoring Officer has a responsibility to provide support to the Standards Committee and its Sub-Committees.

- whether the Hearings Sub-Committee wishes to call any witnesses to attend who may help the Hearings Sub-Committee to determine the complaint;<sup>9</sup>
- whether the Hearings Sub-Committee is likely to refuse to hear evidence from any of the witnesses notified by either Party, and the reasons for this;<sup>10</sup>
- whether to send a request to either Party to provide by a set date such details, supplementary statement or access to documents as may be reasonably required for the determination of the complaint.

4.2.10 The subject Member will be advised of the Monitoring Officer's preliminary decision and the reasons for it prior to the meeting of the Hearings Sub-Committee.

4.2.11 The Hearings Sub-Committee will then be invited to formally consider these preliminary decisions at the beginning of the Hearing itself. The Hearings Sub-Committee is entitled to reject the Monitoring Officer's preliminary decision if they see fit.

4.2.12 Alternatively the Chair of the Hearings Sub-Committee has the discretion to convene a pre-hearing meeting of the Hearings Sub-Committee to decide such matters, which may be attended by the Parties, where the Chair considers this is necessary.

### **4.3 THE PRE-HEARING PROCESS SUMMARY**

4.3.1 The Monitoring Officer, in consultation with the Chair of the Hearings Sub-Committee will then prepare a pre-hearing process summary. The summary will contain the following information:

- The name of the relevant authority;
- The name of the subject Member;
- The name of the complainant (unless this has been withheld for whatever reason);
- The case reference numbers;
- The name of the Chair of the Hearings Sub-Committee;
- The name of the Monitoring Officer;
- The name of the investigator;
- The name of the Committee Clerk;
- The date the pre-hearing process was produced;
- The date, time and place of the hearing;
- A summary of the complaint;
- The relevant sections of the Code of Conduct;
- The findings of fact in the report that are agreed;
- The findings of fact in the report that are not agreed;
- Whether or not the subject Member or the Investigator will attend or be represented;

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<sup>9</sup> This may include the Complainant. The Committee cannot however order witnesses to appear or give evidence.

<sup>10</sup> The Party will be able to make representations about this to the Committee at the beginning of the hearing, provided that the Party has notified the Committee Clerk at least 10 days before the hearing that they intend to do so.

- The names of any witnesses who will be asked to give evidence (subject to the power of the Hearings Sub-Committee to make a ruling at the hearing); and
- An outline of the proposed procedure for the hearing.

4.3.2 The summary will be sent to everyone involved in the hearing (including the Parties, and the Members of the Hearings Sub-Committee) at least 10 days before the proposed date of the hearing.

## **GENERAL POINTS REGARDING THE HEARING SUB-COMMITTEE MEETING**

### **4.4 FAILURE TO ATTEND THE HEARING**

4.4.1 If either Party fails to attend a hearing, the Committee will consider whether there is sufficient reason for the failure.

4.4.2 If the Committee does not consider that there is sufficient reason, it will consider the complaint and make a determination in the Party's absence. The Committee shall consider any representations submitted by the Party in writing before making any determination in the Party's absence.

4.4.3 If the Committee does consider there is sufficient reason, it will adjourn the hearing to another date.<sup>11</sup>

### **4.5 RECORDING THE HEARING**

4.5.1 It will be normal practice for hearings by the Hearings Sub-Committee to be taped as a matter of course, and the agenda for the hearing will indicate that the proceedings may be taped. It will be the duty of the Chair to inform all parties involved at the start of the hearing that the hearing is being tape recorded.

4.5.2 Access to the tapes will be controlled by the Monitoring Officer<sup>12</sup>. Tapes will be kept by the Monitoring Officer for 2 months from the date of the hearing and will then be erased, except in the event of an appeal in which case the tapes will be retained until the final outcome of the case is known.

### **4.6 LEGAL REPRESENTATION AND ADVICE**

4.6.1 The subject Member may be represented or accompanied during the meeting by a solicitor, counsel, or, with the permission of the Hearings Sub-Committee, another person.

4.6.2 The Monitoring Officer will usually act as the legal advisor to the Hearings Sub-Committee for the hearing. The Hearings Sub-Committee may take legal advice, in private if necessary, from its Legal Advisor at any time during the hearing or while they are considering the outcome. The substance of any legal advice given to the Sub-Committee should be shared with the Parties attending the hearing.

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<sup>11</sup> This is subject to the Committee complying with the requirement that the hearing takes place within three months of the date when the Investigator issued the final report or when the Monitoring Officer received the report from the ESO.

<sup>12</sup> Access will be provided where required in accordance with the Data Protection Act 1998, or where necessary in relation to an appeal to the Adjudication Panel.

## **4.7 ADJOURNING THE HEARING**

- 4.7.1 The Hearings Sub-Committee will aim to complete a hearing in one sitting or in consecutive sittings.
- 4.7.2 The Hearings Sub-Committee may at any stage prior to the conclusion of the hearing adjourn the hearing<sup>13</sup> and require the Investigator to seek further information or undertake further investigation<sup>14</sup> on any specified point. The Hearings Sub-Committee may not adjourn the hearing on more than one occasion under this paragraph.
- 4.7.3 The Hearings Sub-Committee may at any stage prior to the conclusion of the hearing into a final report issued by an ESO, adjourn the hearing and make a written request to the ESO that the matter be referred back to the ESO for investigation. Any such request must set out the Committee's reasons for making it.<sup>15</sup>
- 4.7.4 The Hearings Sub-Committee shall comply with any direction given by the ESO in response to such a request. Where the ESO directs that the Committee should continue to deal with the complaint, the hearing must be held within three months of the direction.

## **STAGES OF THE HEARING**

### **4.8 STAGE 1: SETTING THE SCENE**

- 4.8.1 The Hearings Sub-Committee and its advisors will assemble in the hearing room<sup>16</sup>. At the start of the Hearing all parties present will be invited to enter the hearing room. The Chair will ensure that the Parties are formally introduced.
- 4.8.2 The Hearings Sub-Committee will consider whether to exclude the public from any parts of the hearing and which parts of the agenda are not to be made available for public inspection<sup>17</sup>. When doing so the Hearings Sub-Committee will have regard to the guidance from Standards for England on "Standards Committee Determinations".
- 4.8.3 The Hearings Sub-Committee will keep this issue under review throughout the hearing.
- 4.8.4 The Chair will explain how the Hearings Sub-Committee will run the hearing.

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<sup>13</sup> This is subject to the Committee complying with the requirement that the hearing takes place within three months of the date when the Investigator issued the final report or when the Monitoring Officer received the report from the ESO.

<sup>14</sup> Regulation 18(8) Standards Committee (England) Regulations 2008.

<sup>15</sup> Regulation 18(10) Standards Committee (England) Regulations 2008.

<sup>16</sup> At no time before, during or after the hearing, should either party be present or represented before the Committee without the other party being also present or represented, unless the other party has failed to attend and the Committee is discussing whether to proceed in his/her absence or has decided to proceed in his/her absence.

<sup>17</sup> In accordance with Regulation 8(6) Standards Committee (England) Regulations 2008. If evidence is heard in private, the Legal Advisor should warn those present not to mention that evidence during the public parts of the hearing, or outside the hearing.

#### **4.9 STAGE 2: PRELIMINARY PROCEDURAL ISSUES**

- 4.9.1 The Hearings Sub-Committee will invite the Parties to make representations about any issues or disagreements about how the hearing should continue, which have not been resolved during the pre-hearing process. This may include any preliminary decisions made by the Monitoring Officer in consultation with the Chair of the Hearings Sub-Committee.
- 4.9.2 The Hearings Sub-Committee will decide these issues or disagreements.

#### **4.10 STAGE 3: MAKING FINDINGS OF FACT**

- 4.10.1 After dealing with any preliminary issues, the Hearings Sub-Committee will consider whether or not there are any significant disagreements about the facts contained in the Investigator's Final Report.
- 4.10.2 If there is no significant disagreement about the facts, the Hearings Sub-Committee will move on to Stage 4 of the hearing.

##### **IF THERE IS DISAGREEMENT OVER THE FINDINGS OF FACT**

- 4.10.3 If there is a disagreement, the Hearings Sub-Committee will invite the Investigator to make any necessary representations to support the relevant findings of fact in the Final Report.
- 4.10.4 The Investigator may, with the agreement of the Hearings Sub-Committee, call any necessary supporting witnesses to give evidence.
- 4.10.5 The Hearings Sub-Committee may give the subject Member an opportunity to challenge any evidence put forward by any witness called by the Investigator.
- 4.10.6 The subject Member will then have the opportunity to make representations to support their version of the facts and, with the agreement of the Committee, may call any witnesses to give evidence.
- 4.10.7 The Hearings Sub-Committee may question any of the people involved or any witnesses and allow the Investigator to challenge any evidence put forward by witnesses called by the subject Member.
- 4.10.8 If the subject Member disagrees with most of the facts, the Hearings Sub-Committee may ask the Investigator to start by making representations about all the relevant facts, instead of discussing each fact individually.
- 4.10.9 If the subject Member disagrees with any relevant fact in the investigator's report, without having given prior notice of the disagreement, they must give good reasons for not mentioning it before the hearing. If the investigator is not present, the Sub-Committee will consider whether it would be in the public interest to continue in their absence.
- 4.10.10 After considering the subject Member's explanation for not raising the issue at an earlier stage, the Sub-Committee may then:

- Continue with the hearing, relying of the information in the investigator's report;
- Allow the subject Member to make representations about the issue, and invite the investigator to respond and call any witnesses, as necessary; or
- Postpone the hearing to arrange for appropriate witnesses to be present, or for the investigator to be present if they are not already.

4.10.11 The Sub-Committee will usually move to another room to consider the representation and evidence in private. The Hearings Sub-Committee will make findings in relation to the facts.

4.10.12 On their return to the hearing room, the Chair will announce the Sub-Committee's findings of fact.

#### **4.11 STAGE 4: DID THE SUBJECT MEMBER FAIL TO FOLLOW THE CODE OF CONDUCT?**

4.11.1 The Hearings Sub-Committee shall consider whether or not, based on the facts it has found, the subject Member has failed to follow the Code.

4.11.2 The subject Member will be invited to give relevant reasons why the Sub-Committee should decide they have not failed to follow the Code.

4.11.3 The Sub-Committee will then consider any verbal or written representations from the investigator.

4.11.4 The Sub-Committee may, at any time, questions anyone involved on any point they raise on their representations.

4.11.5 The subject Member will be invited to make any final relevant points.

4.11.6 The Hearings Sub-Committee will then move to another room to consider the representations and decide whether or not the subject Member has failed to follow the Code.

4.11.7 Once a conclusion has been reached, the Chair will announce the Hearings Sub-Committee's decision as to whether or not the subject Member has failed to follow the Code.

4.11.8 Where the Hearings Sub-Committee decides that the subject Member has not failed to follow the Code, the Sub-Committee can move on to decide whether it should make any recommendations to the authority in accordance with Stage 6 of this procedure.



## 4.12 STAGE 5: DECISION TO APPLY A SANCTION

4.12.1 If the Sub-Committee decides that the subject Member has failed to follow the Code, it will consider any verbal or written representations from the Investigator and the subject Member about:-

- whether or not the Committee should impose any sanction;
- what form any sanction should take.

4.12.2 The Hearings Sub-Committee may question the investigator and subject Member, and take legal advice, to make sure they have the information they need in order to make an informed decision. The Hearings Sub-Committee will also have regard to any advice issued by the Adjudication Panel for England and Standards for England within their guidance on “Standards Committee Determinations”.

4.12.3 The Hearings Sub-Committee will then deliberate in private to consider whether to impose a sanction in the subject Member and, if so, what the sanction should be. The Hearings Sub-Committee can impose any one or a combination of the following:

- Censure of the subject Member.
- Restriction for a period not exceeding six months of the subject Member’s access to the premises of the authority or the subject Member’s use of the Council’s resources, provided that:
  - those restrictions are reasonable and proportionate to the nature of the breach; and
  - they do not unduly restrict the subject Member’s ability to perform the functions of a Councillor.
- Partial suspension of the subject Member for a period not exceeding six months.
- Suspension of the subject Member for a period not exceeding six months.
- That the subject Member to submit a written apology in a form specified by the Hearings Sub-Committee.
- That the subject Member to undertake such training as the Hearings Sub-Committee specifies.
- That the subject Member participates in such conciliation as the Hearings Sub-Committee specifies.
- Partial suspension of the subject Member for a period not exceeding six months or until such time as the subject Member has met either of the following restrictions:
  - They have submitted a written apology in the form specified by the Hearings Sub-Committee.
  - They have undertaken such training or have participated in such conciliation as the Hearings Sub-Committee specifies.
- Suspension of the subject Member for a period not exceeding six months or until such time as the subject Member has met either of the following restrictions:
  - They have submitted a written apology in the form specified by the Hearings Sub-Committee.
  - They have undertaken such training or have participated in such conciliation as the Hearings Sub-Committee specifies.

4.12.4 Suspension or partial suspension<sup>18</sup> will normally start immediately after the Hearings Sub-Committee has made its decision. However if the Hearings Sub-Committee chooses, the sanction may start at any time up to six months following its decision. This may be appropriate if the sanction would otherwise have little effect on the subject Member, for example, in the case of a suspension where there are no authority meetings which the subject Member would normally attend during this period. The Hearings Sub-Committee would also confirm the consequences, if any, for any allowances the subject Member may be receiving.

4.12.5 The Hearings Sub-Committee will retire to consider whether to impose a sanction, and will also decide how much of the information which it has considered should be made available for public inspection after the announcement of its decision in public.<sup>19</sup>

4.12.6 The Chair will announce the Hearings Sub-Committee's decision.

#### **4.13 STAGE 6: RECOMMENDATIONS TO THE AUTHORITY**

4.13.1 The Hearings Sub-Committee will go on to consider any verbal or written representations from the Investigator about whether or not the Committee should make any recommendations to the Authority, with a view to promoting high standards of conduct among Members.

#### **4.14 STAGE 7: MAKING THE FINDINGS PUBLIC AT THE HEARING**

4.14.1 The Chair will verbally confirm the Hearings Sub-Committee's decision, with reasons, in public at the end of the hearing. Where practicable a written summary of the decision will be provided on that day<sup>20</sup>.

4.14.2 The Committee Clerk will where possible prepare the full written hearing decision in draft on the day of the hearing.

#### **4.15 THE HEARING DECISION**

4.15.1 The Hearings Sub-Committee shall within 10 days, or as soon as reasonably practicable, take reasonable steps to give written notice of its findings and the reasons for the findings to:

- the subject Member;
- the ESO (if relevant);
- the Investigator
- the Standards Committee;
- the Standards Committee of any other authority concerned<sup>21</sup>;
- any Parish Council concerned; and
- the Complainant.

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<sup>18</sup> Periods of suspension or partial suspension set by a standards committee do not count towards the six month limit for absences from local authority meetings, after which a member would normally be removed from office under section 85 of the Local Government Act 2000.

<sup>19</sup> The Standards Committee Media Protocol will be followed in relation to any dealings with the media about the Complaint.

<sup>20</sup> If it is not practicable to provide a short written decision on the day of the hearing then it will be provided within 3 days of the hearing.

<sup>21</sup> where at the time of the complaint, the Member was a member of another authority

4.15.2 The Hearing decision shall contain the following information and will be written having regard to the guidance in “Standards Committee Determinations” issued by Standards for England:

- a summary of the Complaint;
- the relevant section or sections of the Code of Conduct;
- a summary of the evidence considered and representations made;
- the findings of fact, including the reasons for them;
- the finding as to whether or not the Member failed to follow the Code of Conduct, including the reasons for that finding;
- the sanctions imposed, if any, including the reasons for any penalties; and
- the right of appeal, including details of the postal and website address for the Adjudication Panel. The appeal form produced by the Adjudication Panel (which can be downloaded from the website) will be attached to the decision.

4.15.3 The Committee Clerk shall also arrange for a summary of the finding to be published in one or more newspaper circulating in the area of the Authority<sup>22</sup> and if considered appropriate by the Committee on the website of any authority concerned or in any other publication, except where the Committee has found that the subject Member had not failed to comply with the Code of Conduct, and the subject Member asks for the summary not to be published.

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<sup>22</sup> In accordance with Regulation 20 of the Standards Committee (England) Regulations

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**LEEDS CITY COUNCIL**

**HEARINGS SUB-COMMITTEE  
REFERENCE 0910005**

**ALLEGATION AGAINST COUNCILLOR PAULEEN GRAHAME  
OF FAILURE TO COMPLY WITH THE CODE OF CONDUCT  
OF LEEDS CITY COUNCIL**

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**WITNESS STATEMENT OF  
COUNCILLOR PETER GRUEN**

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**I, COUNCILLOR PETER GRUEN**, of Leeds City Council, Civic Hall, Calverley Street, Leeds LS1 1UR will say as follows:

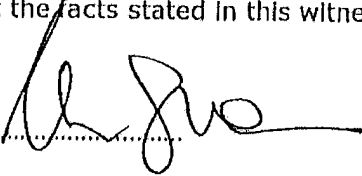
1. I make this statement from facts and matters in my own knowledge.
2. I am a member of Leeds City Council, representing the Cross Gates and Whinmoor Ward. I am also the Chair of the North Whinmoor Forum and the Chair of Aire Valley Homes.
3. I am aware that an allegation has been made against Councillor Pauleen Grahame, relating to a telephone call which Councillor Grahame made to the Swarcliffe Housing Office on 7 July 2009. I was interviewed during the investigation into that allegation.
4. I know that Councillor Grahame has had [REDACTED] As the Chair of Aire Valley Homes, I can confirm that [REDACTED]
5. [REDACTED]
6. [REDACTED]
7. [REDACTED]

[REDACTED]

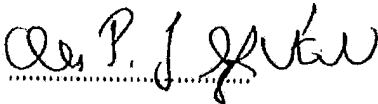
8. I chaired the meeting of the North Whinmoor Forum meeting on 6 July 2009 and Councillor Grahame was amongst those who attended. Councillor Grahame knew that I was annoyed that no officer from Alre Valley Homes attended that meeting. However, I would be very surprised if Councillor Grahame had decided to contact the Swarcliffe Housing Office with the specific intention of complaining about this. Councillor Grahame knows that as the Chair of the North Whinmoor Forum, I would have expected to follow up any such concerns. In the same way, I would expect Councillor Grahame to contact officers to follow up any concerns that she might have about matters relating to the Cross Gates Forum, which she chairs and I believe that she would be surprised if I were to do so. I accept that Councillor Grahame might have felt it appropriate to comment on the concern about lack of attendance at the North Whinmoor Forum if this came up in conversation with an officer but I would not expect her to contact an officer with the main purpose of discussing this.

I believe that the facts stated in this witness statement are true.

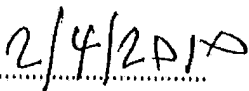
Signed: .....



Name: .....



Date: .....



**Subject Member Information Form: Councillor Pauleen Grahame**

**Table B: Evidence**

**Schedule of e-mail correspondence regarding case work**

	<b>Document</b>
1.	E-mail correspondence sent to Christina Pye at Weightmans on 12 November 2009, concerning [REDACTED]
2.	E-mail correspondence sent to Christina Pye at Weightmans on 12 November 2009, concerning [REDACTED]
3.	E-mail correspondence sent to Christina Pye at Weightmans on 12 November 2009, concerning [REDACTED]
4.	E-mail correspondence sent to Christina Pye at Weightmans on 12 November 2009, concerning [REDACTED]



**Hardy, Clare**

**From:** Pauleen.Grahame@leeds.gov.uk  
**Sent:** 22 February 2010 09:30  
**To:** Hardy, Clare  
**Subject:** Fw: phone message [REDACTED]

Cllr Pauleen Grahame  
Secretary to the Labour Group  
Chair of Central and Corporate Scrutiny Committee  
[REDACTED]

----- Forwarded by Pauleen Grahame/MEM/LCC on 22/02/2010 09:29 -----  
**Pauleen Grahame/MEM/LCC**

12/11/2009 14:03

**To** Christina Pye  
**cc**  
**Subject** Fw: phone message [REDACTED]

Cllr Pauleen Grahame  
Secretary to the Labour Group  
Chair of Central and Corporate Scrutiny Committee  
[REDACTED]

----- Forwarded by Pauleen Grahame/MEM/LCC on 12/11/2009 14:02 -----  
**Pauleen Grahame/MEM/LCC**

25/08/2009 12:10

**To** Peter Gruen  
**cc**  
**Subject** Fw: phone message [REDACTED]

Dear Peter,

Would you please phone [REDACTED] to speak about her case.

Best wishes Pauleen

Cllr Pauleen Grahame  
Secretary to the Labour Group  
Chair of Central and Corporate Scrutiny Committee  
[REDACTED]

----- Forwarded by Pauleen Grahame/MEM/LCC on 25/08/2009 12:09 -----  
**Katie Loney/CED/LCC**

04/08/2009 12:53

**To** Pauleen.Grahame/MEM/LCC@Leeds\_City\_Council  
**cc**  
**Subject** Fw: phone message [REDACTED]

03/03/2010



Hi Cllr Grahame

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED] called to speak to you. She asked if you could please call her as she would like to speak to you re her progress with her housing situation, she says she has been upgraded to a three bedroom priority, [REDACTED]  
[REDACTED]

Thanks

Katie

----- Forwarded by Katie Leney/CED/LCC on 04/08/2009 12:46 -----

Katie Leney/CED/LCC

To Pauleen Grahame/MEM/LCC

cc

23/06/2009 14:20

Subject Fw: phone message [REDACTED]

Hi Cllr Grahame,

[REDACTED] said that you asked her to let you know if [REDACTED]  
[REDACTED]

Thanks

Katie

----- Forwarded by Katie Leney/CED/LCC on 23/06/2009 14:16 -----

Katie Leney/CED/LCC

To Pauleen Grahame/MEM/LCC

cc

10/06/2009 14:11

Subject Fw: phone message [REDACTED]

Hi Cllr Grahame,

[REDACTED] called again this afternoon. I explained to her that she needs to [REDACTED]  
[REDACTED]

Thanks

Katie

----- Forwarded by Katie Leney/CED/LCC on 10/06/2009 14:09 -----

Katie Leney/CED/LCC

To Pauleen Grahame/MEM/LCC

cc

10/06/2009 10:12

Subject Fw: phone message [REDACTED]

Hi Cllr Grahame,

[REDACTED]

03/03/2010

[REDACTED]  
Kevin from St Gregory's Centre called to let you know that [REDACTED] had left her details (name, number, address) with him to pass onto you yesterday. That was the only message he wanted to pass on.

Thanks  
Katie

----- Forwarded by Katie Leney/CED/LCC on 10/06/2009 10:10 -----

Katie Leney/CED/LCC

To Pauleen Grahame/MEM/LCC  
cc  
Subject Re: phone message [REDACTED] [Link](#)

08/06/2009 14:30

Hi Cllr Grahame,

[REDACTED]  
I spoke to [REDACTED] and she says she [REDACTED]  
[REDACTED]  
[REDACTED]. She said she was planning to come to see you at your surgery tommorrow evening to update you on the situation.

Thanks  
Katie

Pauleen Grahame/MEM/LCC

To Katie Leney/CED/LCC@Leeds\_City\_Council  
cc  
Subject Re: phone message [REDACTED] [Link](#)

08/06/2009 12:28

dear Katie ,

would you please check if [REDACTED] has had any help.

Best wishes  
Cllr Pauleen Grahame  
Secretary to the Labour Group  
Chair of Health Scrutiny Committee  
[REDACTED]

Katie Leney/CED/LCC

To Pauleen Grahame/MEM/LCC@Leeds\_City\_Council  
cc  
Subject Re: phone message [REDACTED] [Link](#)

13/05/2009 09:27

03/03/2010

Hi Cllr Grahame

[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED] called to speak to you this morning. She called because she has seen a house she is interested in, the address of which is-

[REDACTED]

She has put a bid on this house for the second time, however she is worried this wont be successful, as her priority status will not change until Monday when she is due to have a meeting with Outreach. She wondered if you could please put a good word in for her, as she must leave her current property on the 16th June and would like to be sorted with new accomodation before then.

Thanks  
Katie

Katie Leney/CED/LCC

21/04/2009 14:45

To Pauleen Grahame/MEM/LCC  
cc  
Subject Re: phone message [REDACTED] [Link](#)

Hi Cllr Grahame,

[REDACTED] of [REDACTED] [REDACTED] called again this afternoon. She would like to speak to you as soon as possible re the letter she received from her landlord, as it says that her house has been put up for sale and she needs to be sorted out with somewhere else within four weeks. She is not sure what action to take next.

Thanks  
Katie

Katie Leney/CED/LCC

20/04/2009 11:33

To Pauleen Grahame/MEM/LCC  
cc  
Subject phone message [REDACTED]

Hi Cllr Grahame,

[REDACTED]  
[REDACTED]

03/03/2010

[REDACTED]

This lady called to speak to you this morning. She would like you to call her, she has just received an eviction letter from her landlord and would like your advice on what she is to do next.

Thanks  
Katie

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2

Hardy, Clare

From: Pauleen.Grahame@leeds.gov.uk  
Sent: 22 February 2010 09:28  
To: Hardy, Clare  
Subject: Fw: phone message [REDACTED]

Cllr Pauleen Grahame  
Secretary to the Labour Group  
Chair of Central and Corporate Scrutiny Committee  
[REDACTED]

----- Forwarded by Pauleen Grahame/MEM/LCC on 22/02/2010 09:27 -----

Pauleen Grahame/MEM/LCC

12/11/2009 13:57

To Christina Pye  
cc  
Subject Fw: phone message [REDACTED]

Dear Christina,

[REDACTED]

Cllr Pauleen Grahame  
Secretary to the Labour Group  
Chair of Central and Corporate Scrutiny Committee  
[REDACTED]

----- Forwarded by Pauleen Grahame/MEM/LCC on 12/11/2009 13:53 -----

Pauleen Grahame/MEM/LCC

13/05/2009 11:19

To Karen Shaw/AVHL/LCC  
cc  
Subject Re: Fw: phone message [REDACTED] [Link](#)

thank you Karen.

Cllr Pauleen Grahame  
Secretary to the Labour Group  
Chair of Health Scrutiny Committee  
[REDACTED]

Karen Shaw/AVHL/LCC

To Pauleen Grahame/MEM/LCC@Leeds\_City\_Council

03/03/2010

13/05/2009 11:02

cc  
Subject Re: Fw: phone message [redacted] [Link](#)

Hello

[redacted]

I have spoken to [redacted] regarding the garden at [redacted] ?? He says that he will contact you regarding this so you will have to let me know if he does.

Regards

Karen  
Karen Shaw  
Tenancy Management Officer  
[redacted]  
w: [www.avhleeds.org.uk](http://www.avhleeds.org.uk)

Aire Valley Homes Leeds, Navigation House, 8 George Mann Road, Leeds, LS10 1DJ.  
Aire Valley Homes Leeds Ltd is a company wholly owned by Leeds City Council

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3

Hardy, Clare

From: Pauleen.Grahame@leeds.gov.uk

Sent: 22 February 2010 09:34

To: Hardy, Clare

Subject: Fw: [REDACTED]

Cllr Pauleen Grahame  
Secretary to the Labour Group  
Chair of Central and Corporate Scrutiny Committee  
[REDACTED]

----- Forwarded by Pauleen Grahame/MEM/LCC on 22/02/2010 09:33 -----

Pauleen Grahame/MEM/LCC

To Christina Pye

cc

12/11/2009 14:15

Subject Fw: [REDACTED]

[REDACTED]

Cllr Pauleen Grahame  
Secretary to the Labour Group  
Chair of Central and Corporate Scrutiny Committee  
[REDACTED]

----- Forwarded by Pauleen Grahame/MEM/LCC on 12/11/2009 14:13 -----

Pauleen Grahame/MEM/LCC

To Suzanne Leary/AVHL/LCC

cc Peter Gruen

03/09/2009 16:05

Subject Re: [REDACTED] LEEDS [Link](#)

Thank you very much

Best wishes  
Cllr Pauleen Grahame  
Secretary to the Labour Group  
Chair of Central and Corporate Scrutiny Committee  
[REDACTED]

Suzanne Leary/AVHL/LCC

To Pauleen Grahame/MEM/LCC@Leeds\_City\_Council

cc

03/09/2009 16:01

Subject [REDACTED]

03/03/2010

Hello

With regards the above named. I have placed this application on the nomination list for the Yorkshire Housing Newbuild in the Swarcliffe Area.

I hope this information is sufficient.

Suzanne

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4

Hardy, Clare

From: Pauleen.Grahame@leeds.gov.uk  
Sent: 22 February 2010 09:37  
To: Hardy, Clare  
Subject: Fw: Information

Cllr Pauleen Grahame  
Secretary to the Labour Group  
Chair of Central and Corporate Scrutiny Committee  
[Redacted]

----- Forwarded by Pauleen Grahame/MEM/LCC on 22/02/2010 09:35 -----  
Pauleen Grahame/MEM/LCC

To Christina Pye  
cc  
Subject Fw: Information

12/11/2009 14:18

Cllr Pauleen Grahame  
Secretary to the Labour Group  
Chair of Central and Corporate Scrutiny Committee  
[Redacted]

----- Forwarded by Pauleen Grahame/MEM/LCC on 12/11/2009 14:17 -----  
Pauleen Grahame/MEM/LCC

To Kevin Vaughan/AVHL/LCC, Janice Brown/AVHL/LCC, Karen Shaw/AVHL/LCC, Peter Gruen/MEM/LCC

09/09/2009 14:06

cc  
Subject Information

Dear Kevin,

[Redacted]

Cllr Pauleen Grahame  
Secretary to the Labour Group  
Chair of Central and Corporate Scrutiny Committee  
[Redacted]

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03/03/2010

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