

PRIVATE AND CONFIDENTIAL

Councillor R Barnbrook

Legal & Democratic Services
Civic Centre
Dagenham
RM10 7BNReference: NC/CC/MC9/08
Date: 9 July 2009

Dear Councillor Barnbrook

Re: Complaint MC9/08

I acknowledge receipt of your email of yesterday updating me on the position as to your preparations for the hearing of 21 July 2009.

It remains the case that neither I, nor any one in my Legal team, have heard from your legal representative, nor received from him the required information, despite reminders and attempted phone calls.

You now say that you are uncertain whether Mr. Barnes can attend the hearing on 21 July and are waiting for clarification from him. This is an unacceptable state of affairs. Your representative has had ample time to respond with the requested information, or at the very least to make contact to explain any difficulties he may have in attending the hearing on 21 July.

The position is that the Standards Committees of Barking and Dagenham Council and of the Greater London Authority are due to convene jointly on 21 July to hear the case against you. If you are saying that you or your representative cannot attend the hearing I would ask that you make a formal request for a postponement, with reasons, and indicate what dates you would be available.

If I hear nothing further by midday on Monday 13 July 2009, the Standards Committees will convene on 21 July and will need to decide how to proceed. That will be their decision and they may decide to adjourn to a new date or to proceed in your absence. Even if you do attend the hearing without having submitted the further information we have been seeking from you and produce new evidence, the Standards Committees may choose not to allow you to introduce it at that late stage. The result would be that the Standards Committees reach their decisions on the basis of information already before them. (I would of course place before them all correspondence which has passed between us on this matter including your email of 8 July so they can make an informed decision.)

Clearly it is far more preferable to have your full co operation before the hearing. Whilst we appreciate that you may have had some difficulties, it is also unacceptable to keep holding out the promise of information which is then not actually provided. I therefore urge you, yet again, to get Mr. Barnes to make contact as a matter of urgency to clarify your position.

Yours sincerely

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Monitoring Officer
(on behalf of the Monitoring Officer of the Greater London Authority also)

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