
From: Will Friend <friend.northdown@btinternet.com>
Sent: 30 August 2011 08:46
To: cllr-Thomas King
Cc: TDC scr; Harvey Patterson; Laura Sandys MP; Roger Gale MP; sue.mcgonigal@thanet.gov.uk; cllr-Robert.Bayford@thanet.gov.uk
Subject: Scrutiny meeting 30 08 11 Agenda Item 4, Annex 1

cc Leader TDC, MP's , Chief Exec. TDC, Mon. Off. TDC. , To be circulated to all members of Scrutiny committee.

Dear Chairman,

I note that you are being asked to 'sign off ' the CHWP decisions referred to cabinet at the meeting of 23rd June 2011 in Item 4, Annex 1 , regarding the Northdown Coach House, now published on the council's website.

It appears that the meeting, of the 23rd June, did not have a quorum of disinterested members. Those present who were not colleagues of the Coach House Tenant within the South Thanet Conservative Party were forced to declare an interest in being associates of mine ! I am not the one in dispute with the council, or in breach of the terms of my lease , or in breach of the covenants on any publically owned properties. I am only one of the 2000 petitioners and legal beneficiaries of the covenants, put in place for the benefit of those living on Palm Bay Estate, or Northdown Estate land.

For 25 years the leaseholder has abused democratic processes as a councillor (in the early 90's) and as a member of South Thanet Conservatives, to intimidate his opponents. I have chiefly been in the firing line, as the primary beneficiary of the covenants on the coach house, and as owner of the private road at East Northdown, however anyone and everyone else perceived by Mr. Miles as potentially standing in his way of his property interests have also been victimized in the same way, including planning officers, leaders of the council, local solicitors, nieghbours, members of my family and many others.

I complained of this intimidation and harassment to the chief executive in 2006. In response to this the planning enforcement investigations into Mr. Miles 50 or so complaints against me were referred to an independent review and brought to a conclusion after a 5 year investigation costing me over £50,000 in consultancy fees.

At the close of these investigations I, with the support of Roger Gale, referred these matters to the LAO. The council responded that it had undertaken the review and had adopted a new policy on vexatious complaints. The council further set up the Coach House working party to investigate the compliance with the terms of the lease and covenants.

The LAO advised that my concerns over the support given by members of the STCP for Mr.Miles in his campaign of harassment of me and TDC officers, in overturning officers planning recommendations, and in advocating a policy of asset disposals , (by which Mr. Miles could have acquired the freehold of the Coach House), was a matter for the Standards board. Thus far , I have preferred to allow TDC and STCP to put their own houses in order by letting the CHWP process run its course to a lasting conclusion.

The CHWP has established that the lessee is in breach of the terms or the coach house lease, the building has fallen into disrepair and and the museum has not materialized. As the coachman's flat , intended for use by a curator, has not been occupied recently, the whole area has been vulnerable to vandalism and further delapidation. The CHWP granted a six month extension to the lessee to be bring the CH into use as a museum (for a minimum of a hundred days a year) by the 1st April 2011. A further six months has elapsed without the terms being implemented. The CHWP has therefore advocated that legal action be initiated forthwith, having given the lessee ample further opportunity to comply.

The cabinet at its meeting of the 23 June 2011 has noted this advice , but failed to act on it. The meeting was conducted by members of the STCP, self professed friends and associates of the lessee. Others present were prevented from taking part in the debate.

Only now is the Lessee to be served notice giving a further period in which to be allowed to comply with the terms of the 1986 lease.

Only if he fails to do so is a legal opinion to be sought as to the chances of successful eviction proceedings .

Such proceedings are only to be commenced if the chances of success are deemed to be sufficiently great. (in whose opinion ?)

The matter is to be left to the discretion of officers. The minutes conclude 'There is no need for council involvement in this matter'

This is not reasonable or acceptable. Firstly the council is legally responsible and liable to the public to ensure the covenants on this public building are complied with. The CHWP must see this matter through to a conclusion- either compliance (although this is unlikely) or eviction.

Secondly, Mr. Miles' history of intimidation and malicious allegations against members and officers is such that TDC is ducking its role as a responsible employer, if it leaves the final decisions to officers to pursue. The matter must be referred back to the CHWP until a final legally acceptable conclusion is reached.

If the matter is simply kicked back into the long grass in the hope that it will go away, this issue will remain indefinitely, as a running sore that blights and interferes with the efficient and due processes of democratic government, as it has for the past 25 years. Lack of action will confirm the public's belief that TDC does not have the will or resources to enforce the terms of such agreements that it holds with developers, lessees or concessioners, such as Mr. Miles, unless they present a sufficiently soft target.

Mr. Miles is in clear breach of the terms of the lease, as such he will be liable for the council's costs if he challenges eviction action. Furthermore he is fully responsible for the repair and maintenance of the building, and so will be liable for the costs of dilapidations.

Since the CHWP meeting of September 2010, I have personally have been threatened with 2 cases of court action for libel and damages by Mr. Miles. He has made allegations to the police against a whole host of councillors (many of whom had not heard of the Coach House!) and other petitioners. Further allegations have been made to the monitoring officer against non South Thanet conservatives and opposition councillors serve or attending the June cabinet meeting.

For the above reasons I urge, members across the political divide and members of the scrutiny committee to see these matters through to a final and just conclusion.

yours sincerely William Friend.

Note: All the supporting evidence for the observations in this letter/ e-mail are held by the monitoring officer.