



HILLINGDON

LONDON

Mr P Silverman
20 Kingsend
Ruislip
Middlesex
HA4 7DA

Ref: HD/JA/788

6 November 2009

Dear Mr Silverman

Re: Alleged misleading advice to Councillors

I am in receipt of your e-mails dated 2nd and 3rd November 2009, complaining about alleged misleading information provided to Hillingdon Councillors by two of my senior officers, Mr Raj Alagh and Mr Lloyd White. I have decided to respond to you personally in view of the very serious nature of your allegations.

Mr Alagh and Mr White have been appointed by the Council as Monitoring Officer and Deputy Monitoring Officer respectively and as such, they have responsibility for ensuring that all Members and officers of the Council act in accordance with a strict local and national ethical framework.

Both officers have had the responsibility for advising the Council in relation to the requirements of the Local Government and Public Involvement in Health Act 2007 to which you refer in some detail in your e-mail. Whilst you are at liberty to disagree with the interpretation of this complex piece of legislation, I am very concerned to note that you have alleged that both officers have misled Hillingdon Councillors. You have set out in some detail your own interpretation of the 2007 Act and I find it surprising that for someone who is not legally qualified, you appear to be confident that this is correct.

It has been brought to my attention that you sent a copy of your e-mails to every Member of the Council, apart from the Leader of the Council, who has specifically asked you to refrain from writing to him about this matter. It appears that your motive in doing so was to discredit Mr Alagh and Mr White and to cast doubts in the minds of Members who were

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called upon to make a decision in relation to new governance arrangements at last evening's Council meeting.

I have been advised that your allegations against Mr Alagh and Mr White can be construed as being defamatory. A defamatory statement is, inter alia, one which has been published to a third party with the intention of damaging a person in their office, profession or trade.

I would ask you to refrain from making any defamatory remarks about any of my officers in future. Indeed, it would be advisable for you to consult your own solicitor before committing to making statements which are actionable in a court of law.

You were present at the Council meeting yesterday evening when you heard for yourself that Members were in support of the report on the new governance arrangements and further, that they were satisfied with the advice which had been given by Mr Alagh and Mr White.

In the circumstances, I would urge you to desist from sending any further communications to any Members or officers of the Council in relation to this matter which I now consider to be closed. If you remain dissatisfied with the steps which the Council has taken, it is of course open to you to consider bringing a judicial review claim against it in the High Court.

Yours sincerely

A handwritten signature in black ink, appearing to read 'H. Dunnachie'.

HUGH DUNNACHIE
CHIEF EXECUTIVE
LONDON BOROUGH OF HILLINGDON