This leaflet can be obtained in alternative formats, e.g. in braille, large print, on audio tape, or e-mail by contacting the Council on telephone:

01727 819344 or 819345

The District Council Offices textphone number is **01727 819570.** The service is for customers with a hearing impairment.

এই লিফলেটে যে তথ্য দেওয়া হয়েছে যদি আপনি আরও বুঝার সাহায্য চান তবে ফোন্ করুন Telephone: 01727 866100

اگر آپکو یہاں دی گئی معلومات کو سمجھنے میں کسی مدد کی ضرورت ہے تو براہ کرم فون نمبر پر رابطہ کریں

Telephone: 01727 866100

St Albans City and District Council
St Peter's Street
St Albans AL1 3JE
Telephone: 01727 866100

www.stalbans.gov.uk

St Albans CITY AND DISTRICT

Planning Advisory Leaflet

St Albans CITY AND DISTRICT

INTERVIEW UNDER CAUTION

This leaflet explains what an *interview under caution* is, why you have been asked to attend and what happens next.

Why have you been asked to attend this interview?

You have been asked to attend this interview because:

- there are grounds for investigating a breach of the Regulations under the Town and Country Planning Act 1990;
- a criminal offence may have been committed.

This does not mean that the Council believes you are guilty and will prosecute you. It means that the evidence we have suggests you may have committed an offence.

The interview gives you the opportunity to explain what happened, although if evidence emerges during the interview that you have committed an offence, you may be prosecuted.

Do you have to attend the interview?

- No you do not have to attend the interview.

However, if you do not attend an interview we can still take further action, such as prosecuting you in the criminal courts.

Can someone attend the interview with you?

- Yes, anyone who is **not** connected with the investigation can attend. This could be a friend or relative.
- A friend or relative cannot speak on your behalf, ask questions or advise you at all during the course of the interview. **Please note:** we do not have child-care facilities and the interview cannot take place if you have a dependent child with you at the interview.
- You may have a solicitor or legal advisor with you at the interview. You can appoint a solicitor or legal advisor yourself, or the Citizen's Advice Bureau may be able to help you. Your solicitor or legal advisor can speak on your behalf at the interview.
- If you have severe hearing difficulties or English is not your first language (and you have difficulty in understanding and answering in English), we will provide a translator.

Who will interview you?

Normally you will be interviewed by one or two officers from the Council's planning enforcement section. These officers are specially trained to conduct interviews under caution.

Sometimes we carry out joint investigations with other agencies. If there has been a joint investigation in your case, you may be interviewed by an officer from the Council and an officer from the other agency. If so, this will be made clear to you at the interview.

What happens at the interview?

When you enter the interview room, two cassette tapes will be unsealed from their packaging in front of you and placed in a tape recorder. The tape recorder will then be switched on and will start to record the interview.

Before asking you any questions, our officers will inform you of certain points. They will:

- say that the interview is being recorded;
- say that the interview is being conducted in accordance with the Police and Criminal Act 1984 and a copy of the Codes of Practice for the Act is available for you to consult;
- caution you (that you do not have to say anything but it may harm your defence if you do not mention when questioned something which you later rely on in Court, and that anything you do say may be given in evidence);
- inform you of your rights (that you are not under arrest, that you free to leave the interview at any time, and that you may seek legal advice at any time);
- say why you have been asked to attend the interview.

You will then be asked questions about the alleged breach. Our officers need not accept the first answer you give but must try to establish the truth about what has happened.

At the end of the interview:

- ❑ You will be asked to sign a paper seal that will be used to seal one of the tapes. This will be kept securely in case it is needed in Court.
- ❑ The second copy of the tape will be a working copy to which the Council or the Police may listen. Both copies of the tape are protected against tampering.
- ❑ If you are charged or informed that you will be prosecuted, a copy of the tape will be supplied to you, or your solicitor or legal advisor if you have one, as soon as practicable.
- ❑ You will be given a form to fill in, which explains how you can have access to a copy of the tape.

Are you satisfied?

If things go wrong, members of the public and employees can complain. You can complain directly to:

- ❑ a local councillor;
- ❑ the Head of Service or more formally through the Council's complaints procedure.

Details are available from the Council Offices or from our website: www.stalbans.gov.uk.

Where to get help and advice

This leaflet gives basic advice and is a general guide. If you have a question that is not answered in this leaflet, or if you want more advice, please contact us:

Planning Enforcement
St Albans City and District Council
St Peters Street
St Albans, Hertfordshire AL1 3JE
Telephone: 01727 819346
Fax: 01727 845658
Email: planning@stalbans.gov.uk
Website: www.stalbans.gov.uk

Other organisations that provide help and advice

Citizens Advice Bureau, St Albans

64 London Road
St Albans
Hertfordshire AL1 1NG
Telephone: 01727 855269

Citizens Advice Bureau, Harpenden

First Floor
Harpenden Town Hall
Leyton Road
Harpenden
Hertfordshire AL5 2LX
Telephone: 01582 769387

This advisory leaflet is intended to be a helpful and useful source of information and not binding on any party. The Council offers no guarantee or warranties concerning the accuracy of the information supplied.

Produced by St Albans City and District Council
Issued October 2007. PH32(a)