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Jeff Hughes

*Head of Democratic and Legal
Support Services*

MEETING : STANDARDS SUB-COMMITTEE
VENUE : ROOM 27, WALLFIELDS, HERTFORD
DATE : THURSDAY 28 JANUARY 2016
TIME : 7.00 PM

PLEASE NOTE TIME AND VENUE

MEMBERS OF THE SUB-COMMITTEE

Councillors B Deering, G McAndrew and C Woodward

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DISCLOSABLE PECUNIARY INTERESTS

1. A Member, present at a meeting of the Authority, or any committee, sub-committee, joint committee or joint sub-committee of the Authority, with a Disclosable Pecuniary Interest (DPI) in any matter to be considered or being considered at a meeting:
 - must not participate in any discussion of the matter at the meeting;
 - must not participate in any vote taken on the matter at the meeting;
 - must disclose the interest to the meeting, whether registered or not, subject to the provisions of section 32 of the Localism Act 2011;
 - if the interest is not registered and is not the subject of a pending notification, must notify the Monitoring Officer of the interest within 28 days;
 - must leave the room while any discussion or voting takes place.
2. A DPI is an interest of a Member or their partner (which means spouse or civil partner, a person with whom they are living as husband or wife, or a person with whom they are living as if they were civil partners) within the descriptions as defined in the Localism Act 2011.
3. The Authority may grant a Member dispensation, but only in limited circumstances, to enable him/her to participate and vote on a matter in which they have a DPI.

4. It is a criminal offence to:

- fail to disclose a disclosable pecuniary interest at a meeting if it is not on the register;
- fail to notify the Monitoring Officer, within 28 days, of a DPI that is not on the register that a Member disclosed to a meeting;
- participate in any discussion or vote on a matter in which a Member has a DPI;
- knowingly or recklessly provide information that is false or misleading in notifying the Monitoring Officer of a DPI or in disclosing such interest to a meeting.

(Note: The criminal penalties available to a court are to impose a fine not exceeding level 5 on the standard scale and disqualification from being a councillor for up to 5 years.)

Audio/Visual Recording of meetings

Everyone is welcome to record meetings of the Council and its Committees using whatever, non-disruptive, methods you think are suitable, which may include social media of any kind, such as tweeting, blogging or Facebook. However, oral reporting or commentary is prohibited. If you have any questions about this please contact Democratic Services (members of the press should contact the Press Office). Please note that the Chairman of the meeting has the discretion to halt any recording for a number of reasons, including disruption caused by the filming or the nature of the business being conducted. Anyone filming a meeting should focus only on those actively participating and be sensitive to the rights of minors, vulnerable adults and those members of the public who have not consented to being filmed.

AGENDA

1. Appointment of Chairman

To appoint a Chairman for this meeting.

2. Apologies

To receive any apologies for absence.

3. Chairman's Announcements

To receive any Chairman's announcements.

4. Declarations of Interest

5. Minutes (Pages 7 - 16)

To approve the Minutes of the meeting held on 24 November 2016.

6. Urgent Business

To consider such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration and is not likely to involve the disclosure of exempt information.

7. Exclusion of the Press and Public

To move that under Section 100 (A) (4) of the Local Government Act 1972 the press and public be excluded from the meeting during the discussion of items 8 - 10 on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 1 of Part I of Schedule 12A of the said Act:

It is for the Sub-Committee to determine whether or not these items should be considered in public and the reports made available for public information. Until a decision is taken, please regard these reports as confidential.

8. Complaint in respect of Brickendon Liberty Parish Councillors Kotting and Lambie (Pages 17 - 42)
9. Complaint in respect of (Former) Much Hadham Parish Councillors Bannerman, Baxter and Key (Pages 43 - 82)
10. Complaint in respect of District Councillor J Cartwright (Pages 83 - 122)
11. Urgent Business

To consider such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration.

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MINUTES OF A MEETING OF THE
STANDARDS SUB-COMMITTEE HELD IN
THE ROOM 27, WALLFIELDS, HERTFORD
ON TUESDAY 24 NOVEMBER 2015, AT
2.00 PM

PRESENT: Councillor B Deering (Chairman)
Councillors G McAndrew and C Woodward

ALSO PRESENT:

Councillors A Alder and K Crofton

OFFICERS IN ATTENDANCE:

Jeff Hughes	- Head of Democratic and Legal Support Services
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ALSO IN ATTENDANCE:

Philip Copland	- Independent Person
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16 APPOINTMENT OF CHAIRMAN

RESOLVED – that Councillor B Deering be appointed
Chairman for this meeting of the Standards Sub-
Committee.

17 MINUTES

RESOLVED – that the Minutes of the meeting of the
Standards Sub-Committee held on 24 November 2015
be confirmed as a correct record and signed by the
Chairman.

18 EXCLUSION OF THE PRESS AND PUBLIC

The Sub-Committee considered whether or not to pass a
resolution to exclude the press and public from the meeting

during the discussion of the items recorded at Minutes 19 to 22 below on the grounds that they involved the likely disclosure of exempt information as defined in provisions of the Local Government Act 1972.

The Sub-Committee also considered whether or not to make the associated reports publically available.

The Sub-Committee determined not to exclude the press and public from the meeting during the discussion of the matters recorded at Minutes 19 to 22 below and to make the associated reports publically available.

RESOLVED – that the press and public be not excluded from the meeting during the discussion of the matters recorded at Minutes 19 to 22 below and the associated reports be made publically available.

19 COMPLAINT IN RESPECT OF DISTRICT COUNCILLOR
J CARTWRIGHT

The Sub-Committee considered a report by the Monitoring Officer on a complaint against Councillor J Cartwright alleging that he had breached the Authority's Code of Conduct.

The Sub-Committee noted the detail of the complaint and the content of subsequent 'e'-mails submitted by the complainant regarding both the allegation, subsequent "twitter" activity by Councillor Cartwright and the need for openness in the complaints procedure. The Sub-Committee also noted the content of an 'e'-mail message from one of the individuals identified by the complainant.

The Monitoring Officer confirmed that, having consulted the Independent Person, he did not consider the complaint could be resolved informally.

The Monitoring Officer invited the Sub-Committee to consider the complaint against the (published) assessment criteria of the Authority's Complaints Procedure.

The Sub-Committee retired to a separate room to consider the

complaint.

After careful consideration of the complaint in consultation with the Independent Person and taking into account the Council's assessment criteria, the Sub-Committee determined that the allegation made be referred to the Monitoring Officer for investigation – such investigation ideally to be completed as soon as possible (the Sub-Committee suggested two weeks).

RESOLVED – that after careful consideration of the complaint in consultation with the Independent Person and taking into account the Council's assessment criteria, the allegation made against Councillor J Cartwright be referred to the Monitoring Officer for investigation – such investigation ideally to be completed as soon as possible (the Sub-Committee suggested two weeks).

20 COMPLAINTS IN RESPECT OF MUCH HADHAM PARISH COUNCILLORS S BANNERMAN, A BAXTER AND I HUNT

The Sub-Committee considered a report by the Monitoring Officer on complaints received alleging that Much Hadham Parish Councillors S Bannerman, A Baxter and I Hunt had breached their Authority's Code of Conduct.

The Monitoring Officer tabled a copy of Much Hadham Parish Council's Code of Conduct.

The Sub-Committee noted the detail of each complaint and the evidence provided by each complainant in support of their allegations.

The Monitoring Officer confirmed that, having consulted the Independent Person, he did not consider the complaints could be resolved informally.

The Monitoring Officer invited the Sub-Committee to consider each complaint individually against the (published) assessment criteria of the Authority's Complaints Procedure.

The Sub-Committee retired to a separate room to consider each complaint.

After careful consideration of the complaint made by Mrs S Wetherall against Parish Councillor S Bannerman, in consultation with the Independent Person and taking into account the Council's assessment criteria, the Sub-Committee determined that no further action be taken as the subject had already made an apology to the complainant. The Sub-Committee noted the complainant's suggested remedy. It expressed a view that transparency in all forms of government was an important principle. Insofar as it fell within the Sub-Committee's remit, the Monitoring Officer was requested to notify Much Hadham Parish Council of its view that all concerned with the issue at the heart of the complaint ("the pavilion project") should ensure full transparency in relation to the associated decision making processes and financial activities. The Sub-Committee considered that the Clerk, as the proper officer of the parish council, had a particular responsibility to ensure that the activities of the Authority were fully transparent to all parishioners.

After careful consideration of the complaint made by Mrs M O'Neill against Parish Councillor S Bannerman, in consultation with the Independent Person and taking into account the Council's assessment criteria, the Sub-Committee determined that no further action be taken as the local resident identified had received an apology from the subject. The Sub-Committee noted the complainant's suggested remedy. It expressed a view that transparency in all forms of government was an important principle. Insofar as it fell within the Sub-Committee's remit, the Monitoring Officer was requested to notify Much Hadham Parish Council of its view that all concerned with the issue at the heart of the complaint ("the pavilion project") should ensure full transparency in relation to the associated decision making processes and financial activities. The Sub-Committee considered that the Clerk, as the proper officer of the parish council, had a particular responsibility to ensure that the activities of the Authority were fully transparent to all parishioners.

After careful consideration of the complaint made by Mrs A

Farmer against Parish Councillors S Bannerman and A Baxter, in consultation with the Independent Person and taking into account the Council's assessment criteria, the Sub-Committee determined that the allegations be referred to the Monitoring Officer for investigation. The Sub-Committee noted the evidence submitted regarding a meeting of the Parish Council held on 6 October 2015. It was evident that the debate at this meeting became heated. The Monitoring Officer was requested to notify the Parish Council that the Sub-Committee would encourage all persons involved with that Authority and the pavilion project to conduct meetings in a moderate and mutually respectful manner. Whoever was chairing meetings should use that office to achieve this objective. The Sub-Committee further noted the complainant's suggested remedy. It expressed a view that transparency in all forms of government was an important principle. Insofar as it fell within the Sub-Committee's remit, the Monitoring Officer was requested to notify Much Hadham Parish Council also of its view that all concerned with the issue at the heart of the complaint ("the pavilion project") should ensure full transparency in relation to the associated decision making processes and financial activities. The Sub-Committee considered that the Clerk, as the proper officer of the parish council, had a particular responsibility to ensure that the activities of the Authority were fully transparent to all parishioners.

After careful consideration of the complaint made by Dr A Baxter against Parish Councillor I Hunt, in consultation with the Independent Person and taking into account the Council's assessment criteria, the Sub-Committee determined that no further action be taken as insufficient detailed evidence was provided on the actual statement made by the subject member at the identified meeting of Much Hadham Parish Council. The Sub-Committee noted the complainant's suggested remedy. It expressed a view that transparency in all forms of government was an important principle and noted the entitlement of elected representatives to call for transparency and accountability in relation to the expenditure of the public's money. Insofar as it fell within the Sub-Committee's remit, the Monitoring Officer was requested to notify Much Hadham Parish Council of its view that all

concerned with the issue at the heart of the complaint (“the pavilion project”) should ensure full transparency in relation to the associated decision making processes and financial activities and be welcoming of questions, whether from residents or councillors, designed to elicit transparency. The Sub-Committee considered that the Clerk, as the proper officer of the parish council, had a particular responsibility to ensure that the activities of the Authority were fully transparent to all parishioners. Further, all members of an Authority should treat their fellow members with respect and, where meetings become heated, a Chairman’s discretion be exercised to call for a temporary adjournment to facilitate further debate in a moderate and calm manner. The Sub-Committee agreed to request the Monitoring Officer to offer to provide training to Much Hadham Parish Councillors on the provisions of their code of conduct, particularly as they apply to debate at meetings of the Authority.

RESOLVED – that (A) no further action be taken, for the reasons now detailed; in respect of the complaints made by Mrs Wetherall and Mrs O’Neill against Parish Councillor S Bannerman and Dr A Baxter against Parish Councillor I Hunt;

(B) the complaint made by Mrs Farmer against Parish Councillors S Bannerman and A Baxter be referred to the Monitoring Officer for investigation, and

(C) the Monitoring Officer be requested:

- (1) to offer to provide training to Much Hadham Parish Councillors on the provisions of their code of conduct, particularly as they apply to debate at meetings of the Authority, and
- (2) to notify Much Hadham Parish Council that the Sub-Committee considered that all concerned with the issue at the heart of the complaint (“the pavilion project”) should ensure full transparency in relation to the associated decision making processes and financial activities and be welcoming of questions, whether from residents or

councillors, designed to elicit transparency.

21 **COMPLAINT IN RESPECT OF DISTRICT COUNCILLOR
D ANDREWS**

The Monitoring Officer submitted a report reminding the Sub-Committee that, at its meeting held on 10 September 2015, it had considered eight complaints against Councillor D Andrews alleging that he had breached the Authority's Code of Conduct.

In respect of seven of the eight complaints, the Sub-Committee had agreed that no further action be taken.

The Monitoring Officer, in accordance with the Sub-Committee's instructions, submitted information on any connection between Councillor Andrews and Riversmead Housing Association as identified in the remaining complaint.

The Sub-Committee noted the evidence provided by the complainant to support the assertion of a relationship between the Association and Councillor D Andrews that included a statement from a third party.

The Monitoring Officer reported that the Regional Director of Riversmead Housing Association had advised that, to the best of his knowledge, the only connection that Councillor Andrews had with the Association related to his role as a District/County Councillor in areas where his organisation owned/managed/developed homes. The Sub-Committee noted the Regional Director's comments concerning a possible link between an officer of the Association and Councillor Andrews through their joint involvement with the Community Voluntary Body for East Hertfordshire (CVBEH).

After careful consideration of the complaint and supplementary information provided by the complainant and Monitoring Officer regarding an alleged relationship between the subject and Riversmead Housing Association and in consultation with the Independent Person and taking into account the Council's assessment criteria and the approved process for dealing with complaints, the Sub-Committee

agreed that no further action be taken as no evidence has been provided that supports the assertion of an inappropriate relationship nor bias on the part of the subject. The Sub-Committee commented that the role of a councillor was such that it was to be expected that they would know community stakeholders and would act appropriately.

RESOLVED – that after careful consideration of the complaint and supplementary information provided by the complainant and Monitoring Officer regarding an alleged relationship between the subject (Councillor D Andrews) and Riversmead Housing Association and in consultation with the Independent Person and taking into account the Council's assessment criteria and the approved process for dealing with complaints, no further action be taken as no evidence has been provided that supports the assertion of an inappropriate relationship nor bias on the part of the subject.

22 COMPLAINT IN RESPECT OF DISTRICT COUNCILLOR K CROFTON

The Monitoring Officer submitted a report reminding the Sub-Committee that, at its meeting held on 30 June 2015, it had considered a complaint alleging that Councillor K Crofton had breached the Authority's Code of Conduct.

The Sub-Committee had agreed to defer consideration of the complaint to allow the complainant to particularise their previous relationship with Councillor Crofton and that which he had had with an immediate family member in order for it to form a view on its relevance to the complaint.

At its meeting held on 10 September 2015, the Sub-Committee had considered the further information provided by the complainant regarding the family relationships identified. The Sub-Committee determined to obtain Councillor Crofton's comments on the latest information supplied by the complaint and, accordingly, deferred consideration of the complaint.

The Sub-Committee viewed the (relevant element of the) webcast of the Development Management Committee

meeting that formed part of the complaint against Councillor Crofton.

It considered the further points submitted by the complainant regarding his allegation against Councillor Crofton. The complainant had also requested an opportunity to respond to any submission made by Councillor Crofton.

The Sub-Committee noted the content of the Monitoring Officer's report now submitted.

After careful consideration of the complaint and supplementary evidence provided by the complainant and the subject and having viewed the web cast of the meeting identified, and in consultation with the Independent Person and taking into account the Council's assessment criteria, the Sub-Committee determined that no further action be taken as the complaint was not considered sufficiently serious to warrant investigation.

RESOLVED – that after careful consideration of the complaint and supplementary evidence provided by the complainant and the subject and having viewed the web cast of the meeting identified, and in consultation with the Independent Person and taking into account the Council's assessment criteria, no further action be taken as the complaint is not considered sufficiently serious to warrant investigation.

The meeting closed at 4.50 pm

Chairman

Date

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EAST HERTS COUNCIL

STANDARDS SUB-COMMITTEE – 28 JANUARY 2016

REPORT BY MONITORING OFFICER

COMPLAINT IN RESPECT OF BRICKENDON LIBERTY PARISH COUNCILLORS S KOTTING AND LAMBIE

WARD(S) AFFECTED: NONE

Purpose/Summary of Report

- To consider a code of conduct complaint in respect of Brickendon Liberty Parish Councillors L Kotting and J Lambie.

1.0 Background

- 1.1 The Monitoring Officer has received a complaint alleging that Brickendon Liberty Parish Councillors Kotting and Lambie breached their Council's Code of Conduct.

2.0 Report

- 2.1 Council has agreed a procedure for considering complaints.
- 2.2 In accordance with that procedure, the Sub-Committee will consider the complaint and decide what action to take.
- 2.3 In appropriate cases, the Monitoring Officer may seek to resolve the complaint informally, without the need for a formal investigation. Having consulted the Independent Person, it is not considered that the complaint can be resolved informally.
- 2.4 Complaints are considered in accordance with the Standards Complaints assessment criteria set out in Appendix 2 of the Complaints Procedure (**Essential Reference Paper 'B'**)

3.0 The Complaints

3.1 The complaint is set out in the complaint form and accompanying documents that form **Essential Reference Papers 'C'**.

4.0 Procedure

4.1 A copy of the Council's complaints procedure is contained in **Essential Reference Paper 'B'**.

3.0 Implications/Consultations

3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

Contact Officer: Jeff Hughes - Monitoring Officer - 01279 502170
jeff.hughes@eastherts.gov.uk

Report Author: Jeff Hughes - Monitoring Officer

ESSENTIAL REFERENCE PAPER 'A'

IMPLICATIONS/CONSULTATIONS

Contribution to the Council's Corporate Priorities/ Objectives (delete as appropriate):	People This priority focuses on enhancing the quality of life, health and wellbeing of individuals, families and communities, particularly those who are vulnerable.
Consultation:	The Independent Person has been consulted.
Legal:	The procedures are in accordance with relevant legislation.
Financial:	None
Human Resource:	None
Risk Management:	The case should be determined in accordance with the legislation having regard to the relevant guidance.

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Complaints Procedure

1.0 Context

- 1.1 These “Arrangements” set out how you may make a complaint that an elected or co-opted Member of this authority (or of a Town or Parish council within its area) has failed to comply with the Councillors’ Code of Conduct, and sets out how the authority will deal with allegations of a failure to comply with the Councillors’ Code of Conduct.
- 1.2 Under Section 28(6) and (7) of the Localism Act 2011, the Council must have in place “arrangements” under which allegations that a Member or co-opted Member of the authority (or of a Town or Parish council within the authority’s area), or of a Committee or Sub-Committee of the authority, has failed to comply with Code of Conduct can be investigated and decisions made on such allegations.
- 1.3 Such arrangements must provide for the authority to appoint at least 1 Independent Person, whose views must be sought by the authority before it takes a decision on an allegation which it has decided shall be investigated, and whose views can be sought by the authority at any other stage, or by a Member (or a Member or co-opted Member of a Town or Parish council) against whom an allegation has been made.

2.0 The Code of Conduct

- 2.1 The Council has adopted a Code of Conduct for Councillors, which is available for inspection on the authority’s website and on request from Reception at the Council Offices.
- 2.2 Each Town and Parish Council is also required to adopt a Code of Conduct. If you wish to inspect a Town or Parish Council’s Code of Conduct, you should inspect any website operated by the Town or Parish Council and request the Town or Parish Clerk to allow you to inspect the Town or Parish Council’s Code of Conduct.

3.0 Making a complaint

- 3.1 If you wish to make a complaint, please write or email to:

The Deputy Monitoring Officer - Jeff Hughes
East Herts Council
Council Offices
Wallfields

Pegs Lane
Hertford
SG13 8EQ

Tel: 01279 655261

- 3.2 The Monitoring Officer is a senior officer of the authority who has statutory responsibility for maintaining the register of Members' interests and who is responsible for administering the system in respect of complaints of Member misconduct.
- 3.3 In order to ensure that the Council has all the information which we need to be able to process your complaint, please complete and send us the complaint form, which can be downloaded from the authority's website, next to the Code of Conduct, and is available on request from the Reception at the Council Offices.
- 3.4 Please provide the Council with your name and a contact address or email address, so that we can acknowledge receipt of your complaint and keep you informed of its progress. If you want to keep your name and address confidential, please indicate this in the space provided on the complaint form. The Monitoring Officer will consider your request and if granted we will not disclose your name and address to the Member against whom you make the complaint, without your prior consent.
- 3.5 The authority does not normally investigate anonymous complaints, unless there is a clear public interest in doing so.
- 3.6 The Monitoring Officer will acknowledge receipt of your complaint within 5 working days of receiving it, and will keep you informed of the progress of your complaint.
- 3.7 The Complaints Procedure Flowchart is annexed at Appendix 1 for your assistance. The Council will endeavour to deal with a complaint within 3 months.

4.0 Will your complaint be investigated?

- 4.1 The Monitoring Officer will review every complaint received and, may consult with the Independent Person before referring it to the Standards Sub-Committee
- 4.2 This decision will normally be taken within 28 working days of receipt of your complaint. Your complaint will be considered in accordance with the

Assessment Criteria annexed at Appendix 2. The Standards Sub-Committee will make a recommendation as to whether the complaint should be investigated. Where the Sub-Committee requires additional information in order to come to a decision, the Monitoring Officer may come back to you for such information, and may request information from the Member against whom your complaint is directed. Where your complaint relates to a Town or Parish Councillor, the Monitoring Officer may also inform the Parish Council of your complaint and seek the views of the Town or Parish Council before submitting it to the Sub-Committee.

- 4.3 In appropriate cases, the Monitoring Officer may seek to resolve the complaint informally, without the need for a formal investigation. Such informal resolution may involve the Member accepting that his/her conduct was unacceptable and offering an apology, or other remedial action by the authority. Where the Member or the authority make a reasonable offer of informal resolution, but you are not willing to accept the offer, the Sub-Committee will take account of this in deciding whether the complaint merits further investigation.
- 4.4 If your complaint identifies criminal conduct or breach of other regulation by any person, the Monitoring Officer has the power to call in the Police or other regulatory agencies.

5.0 How is the investigation conducted?

- 5.1 The Council has adopted a procedure for the investigation of misconduct complaints, which is attached as Appendix 3 to these arrangements.
- 5.2 If the Council decides that a complaint merits further investigation, the Council may appoint an Investigating Officer, who may be another senior officer of the authority, an officer of another authority or an external investigator. The Investigating Officer or Monitoring Officer will decide whether he/she needs to meet or speak to you to understand the nature of your complaint and so that you can explain your understanding of events and suggest what documents need to be seen, and who needs to be interviewed.
- 5.3 The Investigating Officer or Monitoring Officer will normally write to the Member against whom you have complained and provide him/her with a copy of your complaint, and ask the Member to provide his/her explanation of events, and to identify what documents he needs to see and who he needs to interview. In exceptional cases, where it is appropriate to keep your identity confidential or disclosure of details of the

complaint to the Member might prejudice the investigation, the Monitoring Officer can delete your name and from the papers given to the Member, or delay notifying the Member until the investigation has progressed sufficiently.

5.4 At the end of his/her investigation, the Investigating Officer or Monitoring Officer will produce a draft report ("the Investigation Report") and will send copies of that draft report, in confidence, to you and to the Member concerned, to give you both an opportunity to identify any matter in that draft report which you disagree with or which you consider requires more consideration.

5.5 Having received and taken account of any comments which you may make on the draft Investigation Report. Where an Investigating Officer has been appointed the Investigating Officer will send his/her final report to the Monitoring Officer.

6.0 What happens if the Investigating Officer or Monitoring Officer concludes that there is no evidence of a failure to comply with the Code of Conduct?

6.1 If an Investigating Officer has been appointed the Monitoring Officer will review the Investigating Officer's report and, if he is satisfied that the Investigating Officer's report is sufficient, the Monitoring Officer will write to you and to the Member concerned and to the Town or Parish Council, where your complaint relates to a Parish Councillor, notifying you that he is satisfied that no further action is required, and give you both a copy of the Investigation Final Report. The Monitoring Officer will then report to the Standards Sub-Committee which will make a decision based on the report.

6.2 If an Investigating Officer has been appointed and if the Monitoring Officer is not satisfied that the investigation has been conducted properly, he may ask the Investigating Officer to reconsider his/her report.

7.0 What happens if the Investigating Officer or Monitoring Officer concludes that there is evidence of a failure to comply with the Code of Conduct?

7.1 If an Investigating Officer has been appointed the Monitoring Officer will review the Investigating Officer's report and will then either send the matter for a hearing before the Standards Sub-Committee and in consultation with the Independent Person seek an informal resolution.

7.1.1 Informal Resolution

The Monitoring Officer may consider that the matter can reasonably be resolved without the need for a hearing. In such a case, he/she will consult with the Independent Person and with you as complainant and seek to agree what you may consider to be a fair resolution which also helps to ensure higher standards of conduct for the future. Such resolution may include the Member accepting that his/her conduct was unacceptable and offering an apology, and/or other remedial action by the authority. If the Member complies with the suggested resolution, the Monitoring Officer will report the matter to the Standards Committee and the Town or Parish Council for information, but will take no further action.

7.1.2 Hearing

If the Monitoring Officer considers that informal resolution is not appropriate, or the Councillor concerned is not prepared to undertake any proposed remedial action, such as giving an apology, then the Monitoring Officer will report the Investigation Report to the Sub-Committee which may conduct a hearing before deciding whether the Member has failed to comply with the Code of Conduct and, if so, whether to take any action in respect of the member.

The Council has agreed a procedure for hearing complaints, which is attached as Appendix 4 to these arrangements.

At the hearing, the Investigating Officer or the Monitoring Officer will present his/her report, call such witnesses as he/she considers necessary and make representations to substantiate his/her conclusion that the Member has failed to comply with the Code of Conduct. For this purpose, the Investigating Officer or Monitoring Officer may ask you as the complainant to attend and give evidence to the Sub-Committee. The Member will then have an opportunity to give his/her evidence, to call witnesses and to make representations to the Sub-Committee as to why he/she considers that he/she did not fail to comply with the Code of Conduct.

The Sub-Committee, with the benefit of any advice from the Independent Person, may conclude that the Member did not fail to comply with the Code of Conduct, and dismiss the complaint. If the Sub-Committee concludes that the Member did fail to comply with

the Code of Conduct, the Chairman will inform the Member of this finding and the Sub-Committee will then consider what action, if any, the Sub-Committee should recommend as a result of the Member's failure to comply with the Code of Conduct. In doing this, the Sub-Committee will give the Member an opportunity to make representations to the Sub-Committee and will consult the Independent Person, but will then decide what action, if any, to take in respect of the matter.

8.0 What action can the Standards Sub-Committee take where a Member has failed to comply with the Code of Conduct?

8.1 The Sub-Committee may decide to take action in respect of individual Members as may be necessary to promote and maintain high standards of conduct. Accordingly the Sub-Committee may consider:-

- 8.2 i. A formal letter to the Councillor found to have breached the code;
- ii. Formal censure by motion;
- iii. Removal by the authority of the Member from Committee(s) subject to statutory and constitutional requirements;
- iv. Press release or other appropriate publicity;

8.3 The Sub-Committee has no power to suspend or disqualify the Member or to withdraw Members' or special responsibility allowances.

9.0 What happens at the end of the hearing?

9.1 At the end of the hearing, the Chairman will state the decision of the Standards Sub-Committee as to whether the Member failed to comply with the Code of Conduct and as to any actions which the Sub-Committee resolves to take.

9.2 The Monitoring Officer will prepare a formal decision notice in consultation with the Chairman of the Sub Committee, and send a copy to you, to the Member and to the Town or Parish Council, making that decision notice available for public inspection.

10.0 Who are the Standards Sub-Committee?

10.1 It is a Sub-Committee comprising Independent Members.

10.2 If the Councillor complained about is a member of a Town or Parish Council a Town or Parish Councillor who is a member of the Standards Committee will also be invited to attend the Sub-Committee.

- 10.3 The Independent Person is invited to attend all meetings of the Sub-Committee and their views are sought and taken into consideration before the Sub-Committee takes any decision on whether the Member's conduct constitutes a failure to comply with the Code of Conduct and as to any action to be taken following a finding of failure to comply with the Code of Conduct.

11.0 Who is the Independent Person?

- 11.1 The Independent Person is a person who has applied for the post following advertisement of a vacancy for the post, and is appointed by a positive vote from a majority of all the Members of Council.

- 11.2 A person cannot be "independent" if he/she:

11.2.1 Is, or has been within the past 5 years, a member, co-opted member or officer of the authority;

11.2.2 *(Is or has been within the past 5 years, a member, co-opted member or officer of a parish council within the authority's area), or*

11.2.3 Is a relative or close friend, of a person within paragraph 11.2.1 or 11.2.2 above. For this purpose, a "relative" means:

11.2.3.1 Spouse or civil partner;

11.2.3.2 Living with the other person as husband and wife or as if they were civil partners;

11.2.3.3 Grandparent of the other person;

11.2.3.4 A lineal descendent of a grandparent of the other person;

11.2.3.5 A parent, sibling or child of a person within paragraphs 11.2.3.1 or 11.2.3.2; or

11.2.3.6 A spouse or civil partner of a person within paragraphs 11.2.3.3, 11.2.3.4 or 11.2.3.5; or

11.2.3.7 Living with a person within paragraphs 11.2.3.3, 11.2.3.4 or 11.2.3.5 as husband and wife or as if they were civil partners.

12.0 Revision of these arrangements

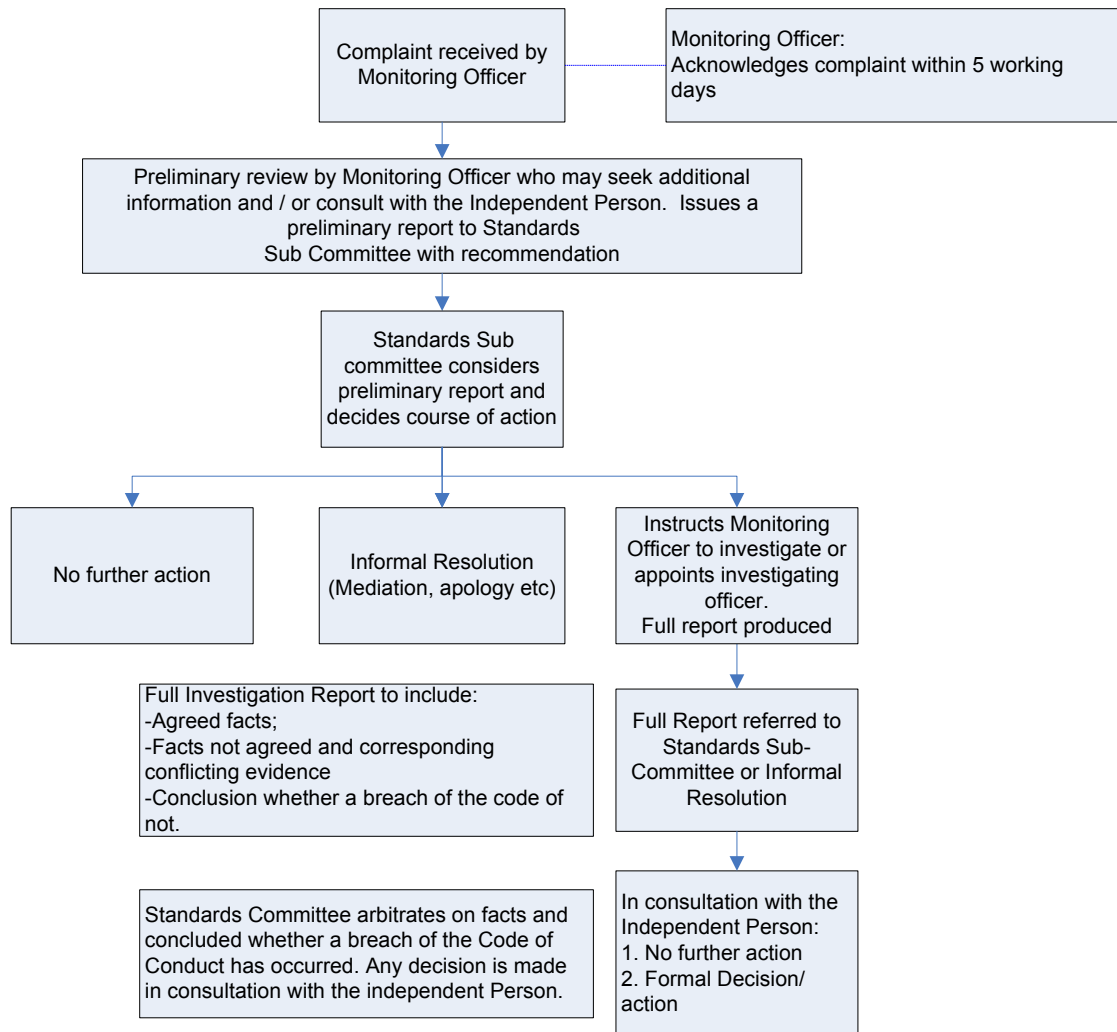
The Council may by resolution agree to amend these arrangements, and has delegated to the Chairman of the Sub-Committee the right to depart from these arrangements where he/she considers that it is expedient to do so in order to secure the effective and fair consideration of any matter.

13.0 Appeals

- 13.1 There is no right of appeal for you as complainant or for the Member against a decision of the Monitoring Officer or of the Sub-Committee.
- 13.2 If you feel that the authority has failed to deal with your complaint properly, you can make a complaint to the Local Government Ombudsman.

APPENDIX 1

Complaints Procedure Flowchart



Preliminary tests:
Potential breach of the code?
What to do with it?
Assessment of public interest?
Decision within 28 working days of receipt
Or seek additional information as required prior to making a decision.
Independent Persons is consulted

Complaints which would not normally be referred for investigation:

1. The complaint is not considered sufficiently serious to warrant investigation; or
2. The complaint appears to be simply motivated by malice or is "tit-for-tat" or
3. The complaint appears to be politically motivated; or
4. It appears that there can be no breach of the Code of Conduct; for example, that it relates to the Councillor's private life or is about dissatisfaction with a Council decision; or
5. It is about someone who is no longer a Councillor
6. There is insufficient information available for referral; or
7. The complaint has not been received within 3 months of the alleged misconduct unless there are exceptional circumstances e.g. allegation of bullying, harassment etc.
8. The matter occurred so long ago that it would be difficult for a fair investigation to be carried out; or
9. The same, or similar, complaint has already been investigated and there is nothing further to be gained by seeking the sanctions available to the Council; or
10. It is an anonymous complaint, unless it includes sufficient documentary evidence to show a significant breach of the Code of Conduct.
11. Where the Member complained of has apologised and/or admitted making an error and the matter would not warrant a more serious sanction.

APPENDIX 2

STANDARDS COMPLAINTS ASSESSMENT CRITERIA

Complaints which would not normally be referred for investigation

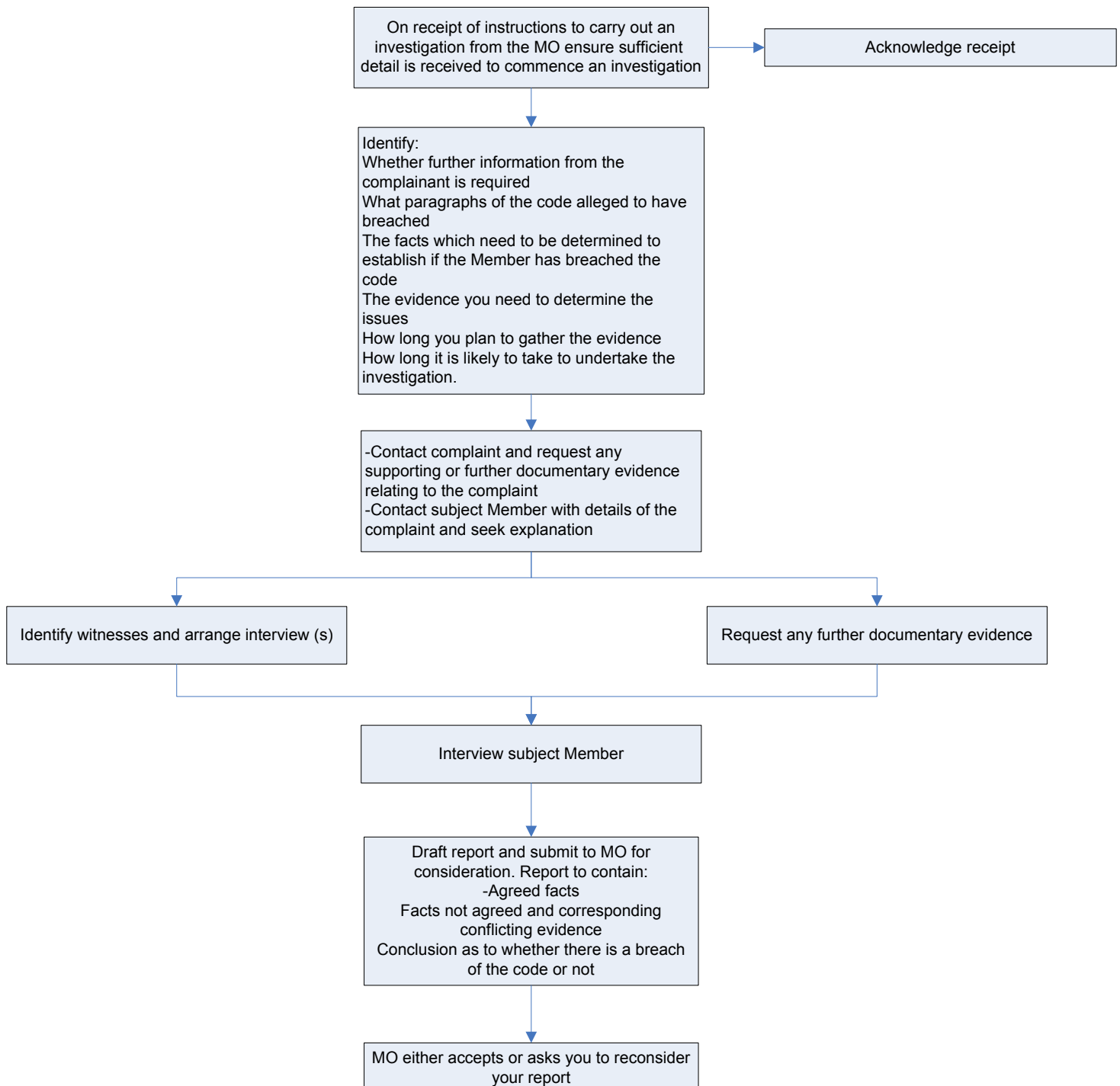
1. The complaint is not considered sufficiently serious to warrant investigation; or
2. The complaint appears to be simply motivated by malice or is “tit-for-tat”; or
3. The complaint appears to be politically motivated; or
4. It appears that there can be no breach of the Code of Conduct; for example, that it relates to the Councillor’s private life or is about dissatisfaction with a Council decision; or
5. it is about someone who is no longer a Councillor
5. There is insufficient information available for a referral; or
6. The complaint has not been received within 3 months of the alleged misconduct unless there are exceptional circumstances e.g. allegation of bullying, harassment etc.
7. The matter occurred so long ago that it would be difficult for a fair investigation to be carried out; or
8. The same, or similar, complaint has already been investigated and there is nothing further to be gained by seeking the sanctions available to the Council; or
9. It is an anonymous complaint, unless it includes sufficient documentary evidence to show a significant breach of the Code of Conduct.
10. Where the Member complained of has apologised and/or admitted making an error and the matter would not warrant a more serious sanction

APPENDIX 3

STANDARDS COMPLAINTS INVESTIGATION PROCEDURE

You should maintain a written record to demonstrate what was considered at the start of each investigation and plan how you intend to carry out the investigation, the paragraphs of the code that may have been breached, the facts you need to determine to establish, the evidence you will need, how you plan to gather the evidence and how long it will take to conclude your investigation. Remember there is no provision in the Localism Act 2011 for co-operation with your investigation.

A written Investigation Report will need to be prepared for consideration by the Council's Monitoring Officer.



Appendix 4

Complaints Standards Sub-Committee Procedure

<u>Item No.</u>	<u>Procedure</u>
1	<p><u>Quorum</u></p> <p>1.1. Three Members must be present throughout the hearing to form a quorum.</p> <p>1.2. The Sub-Committee shall elect a Chairman for the meeting</p>
2	<p><u>Opening</u></p> <p>2.1 The Chairman explains the procedure for the hearing and reminds all parties to turn off mobile phones.</p> <p>2.2 The Chairman asks all present to introduce themselves</p> <p>2.3 The Councillor will be asked whether they wish to briefly outline their position</p>
3	<p><u>The Complaint</u></p> <p>3.1 The Investigating Officer shall be invited to present their report including any documentary evidence or other material (and to call witnesses as required by the Investigating Officer). This report and documentary evidence must be based on the complaint made to the Council – no new points will be allowed.</p> <p>3.2 The Councillor against whom the complaint has been made (or their representative) may question the Investigating Officer upon the content of their report and any witnesses called by the Investigating Officer. (This is the Councillor's opportunity to ask questions arising from the Investigator's report and not to make a statement)</p> <p>3.3 Members of the Sub-Committee may question the Investigating Officer upon the content of their report and/or any witnesses called by the Investigating Officer</p>
4	<p><u>The Councillor's case</u></p> <p>4.1 The Councillor against whom the complaint has been made (or their representative) may present their case (and call any witnesses as required by the Councillor or their representative)</p>

	<p>4.2 The Investigating Officer may question the Councillor and/or any witnesses</p> <p>4.3 Members of the Sub-Committee may question the Member and/or any witnesses</p>
5	<p><u>Summing Up</u></p> <p>5.1 The Investigating Officer may sum up the Complaint</p> <p>5.2 The Member (or their representative) may sum up their case.</p>
6	<p><u>Decision</u></p> <p>6.1 Members of the Sub-Committee will deliberate in private to consider the complaint in consultation with the Independent Person prior to reaching a decision</p> <p>6.2 Upon the Sub-Committee's return the Chairman will announce the Sub-Committee's decision in the following terms:-</p> <p>6.2.1 The Sub-Committee decides that the Member has failed to follow the Code of Conduct or</p> <p>6.2.2 The Sub-Committee decides that the Member has not failed to follow the Code of Conduct</p> <p>6.2.3 The Sub-Committee will give reasons for their decision</p> <p>6.3 If the Sub-Committee decides that the Member has failed to follow the Code of Conduct the Panel will consider any representations from the Investigator and/or the Member as to:</p> <p>6.3.1 Whether any action should be taken and</p> <p>6.3.2 What form any action should take</p> <p>6.4 The Sub-Committee will then deliberate in private to consider what action if any should be taken in consultation with the Independent Person</p> <p>6.5 On the Sub-Committee's return the Chairman will announce the Sub-Committee's decision (in relation to a Parish Councillor a recommendation to the Parish Council)</p> <p>6.6 The Sub-Committee will consider whether it should make any recommendations to the Council or in relation to a Parish Councillor to the Parish Council with a view to promoting high standards of conduct among Members.</p>

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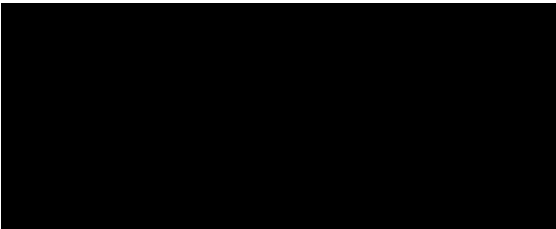


EAST HERTFORDSHIRE DISTRICT COUNCIL

COMPLAINT FORM : CODE OF CONDUCT FOR MEMBERS

A. Your details

1. Please provide us with your name and contact details. Anonymous complaints will only be considered if there is independent evidence to substantiate the complaint.

Title:	Mr
First name:	Adrian
Last name:	McNeece
Address:	
Contact telephone:	
Email address:	
Signature:	
Date of complaint:	27 November 2015

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

The following people may see this form:

- Monitoring Officer of the Council
- Standards Committee members
- Council's Independent Person(s)
- The subject member(s)
- the Parish Clerk (if applicable)

If you have serious concerns about your name and a summary, or details of your complaint being released, please complete **Section C** of this Form and also discuss your reasons or concerns with the Council's Monitoring Officer.

EAST HERTFORDSHIRE DISTRICT COUNCIL

Please tell us which complainant type best describes you:

- ☒ A member of the public
☐ An elected or co-opted Member of the Council
☐ An independent member of a Standards Committee
☐ A Member of Parliament
☐ A Monitoring Officer
☐ Other council employee, contractor or agent of the Council
☐ Other ()

2. Equality Monitoring Form - please fill in the attached form.

B. Making your complaint

3. Please provide us with the name of the Member(s) you believe have breached the Council's Code of Conduct:

Title	First name	Last name
Cllr	John	Lambie
Cllr	Leslie	Kotting
Clerk	John	Ingham

4. Please explain in this section (or on separate sheet(s)) what the Member is alleged to have 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, with dates / witnesses to substantiate the alleged breach.

It is also important that you provide all the evidence you wish to have taken into account. 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 or did to insult you.
- 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.

EAST HERTFORDSHIRE DISTRICT COUNCIL

- 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 or other relevant documentary evidence to support your allegation(s).

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

1. As a member of the public, and prior to my election as district councillor (Now resigned) for the Hertford Heath ward, I emailed the clerk and parish councillors of Brickendon Liberty parish council with a request for advice and guidance on how I can potentially become a member of Brickendon Liberty parish council. (Email Dated 20 March 2015 issued to Jeff Hughes on 12 August 2015).

On 24 March (Email dated 24 March issued to Jeff Hughes on 12 August 2015) I received an email from parish councillor John Lambie (Now Chair of BLPC) which sought in my view to intimidate me into NOT standing for election. He specifically stated ***'for the past year you have sought to undermine this council. My question therefore is why you wish to join a parish council for which you have such a low regard?'***

I view parish councillor Lambie's comments to have been inappropriate to a member of the public, and to have treated me with a lack of respect. His email comments above caused me to withdraw my interest in seeking a nomination to stand for Brickendon Liberty Parish council. I would have made this complaint much earlier, but I was unaware until very recently that parish councils are also subject to the members code of conduct.

2. Additionally, in relation to parish councillors Kotting, Lambie and parish clerk John Ingham. I recently became aware of the existence of a letter sent by Brickendon Liberty Parish council to the then EHDC Cllr Charles Rowley (Chair of Hertford & Stortford Conservative Association) dated 20 March 2015. This letter sent by John Ingham as clerk on behalf of Brickendon Parish council sought to clearly malign and damage my reputation as a member of the public, and as a candidate in the eyes of the recipient(s). I do not make any allegations against ex parish councillors Linda Ashley, Michele Laybourn or Anne Downes, as they no longer sit on the parish council. Mr Ingham as clerk should have advised the members that the 20 March letter would breach the members code of conduct, but never the less it was issued regardless.

Notwithstanding the inflammatory and colourful use of language throughout, the letter is a maliciously motivated attempt to undermine my character in the most despicable and unacceptable manner.

From The Code of Conduct Essential reference paper 'B';

EAST HERTFORDSHIRE DISTRICT COUNCIL

Page 3 - Dealing with representations or enquiries from residents, members of our communities and visitors fairly, appropriately and impartially.

Page 4 - Always treating people with respect, including the organisations and public I engage with and those I work alongside.

(Continue on separate sheet(s), as necessary)

EAST HERTFORDSHIRE DISTRICT COUNCIL

C. Confidentiality of complainant and the complaint details

Only complete this next section if you are requesting that your identity is kept confidential

5. In the interests of fairness and in compliance with the rules of natural justice, we believe Members who are complained about have a right to know who has made the complaint and the substance of the allegation(s) made against him / her. We are, therefore, unlikely to withhold your personal details or the details of your complaint unless you have good reasons to believe that you have justifiable grounds, for example:
- to believe you may be victimised or harassed by the Member(s) against whom you are submitting a written complaint (or by a person associated with the same); or
 - may receive less favourable treatment from the Council because of the seniority of the Member against whom you are submitting a written complaint in terms of any existing Council service provision or any tender / contract that you may have or are about to submit to the Council.

Please note that requests for confidentiality or requests for suppression of the personal and complaint details will not automatically be granted. The Assessment Sub-Committee will consider the request alongside the substance of your complaint and the Monitoring Officer will then contact you with the decision. If your request for confidentiality is not granted, we will usually allow you the opportunity, if you so wish, of withdrawing your complaint.

However, it is important to understand that - in exceptional circumstances, where the matter complained about is very serious - we may proceed with an investigation (or other action) and may have no choice but to disclose your personal and complaint details, because of the allegation(s) made, even if you have expressly asked us not to.

Please provide us with details of why you believe we should withhold your name and/or the details of your complaint:

N.B. I am happy for my name to be known in relation to this matter.

(Continue on separate sheet(s), as necessary)

EAST HERTFORDSHIRE DISTRICT COUNCIL

D. Remedy sought

7. Please indicate the remedy or remedies you are looking for or hoping to achieve by submitting this complaint.

It is my hope that Mr Lambie, Mr Kotting, and Mr Ingham can apologise for their lack of respect, inappropriate comments and impartiality in their correspondence and dealings with me in their letter of 20 March, and also in the case of Mr Lambie, additionally in his email to me of 24 March. I would consider that a public apology, minuted at the first available Brickendon Liberty Parish council meeting would be most suitable and appropriate. Along with a signed personal letter from each individual named. Plus a press release apology to the local media outlets.

(Continue on separate sheet(s), as necessary)

E. Additional information

8. Complaints must be submitted in writing. This includes fax and electronic submissions. Frivolous, vexatious and politically motivated tit-for-tat complaints are likely to be rejected.
9. In line with the requirements of the Disability Discrimination Act 1995, we can make reasonable adjustments to assist you if you have a disability that prevents you from making your complaint in writing. We can also help if English is not your first language.
10. If you need any support in completing this form, please contact the Monitoring Officer as soon as possible.

Monitoring Officer Contact details:

The Monitoring Officer – Simon Drinkwater
East Herts Council
Wallfields
Pegs Lane
Hertford
SG13 8EQ

EAST HERTFORDSHIRE DISTRICT COUNCIL

Monitoring Form – Local Assessments of Complaints Standards Committee - Assessment Sub Committee

Working towards equal opportunities

East Hertfordshire District Council is committed to a policy of equality of opportunity in both employment and service provision. We seek to ensure that no person receives less favorable treatment on the grounds of gender, race, or ethnic origins, marital status, disability, age, sexual orientation, family responsibilities, religion, trade union involvement or political belief or is disadvantaged by conditions or requirements which cannot be shown to be justifiable.

White	Mixed	Asian	Black	Chinese or other ethnic group
White British	White and Black	Indian	Caribbean	
White Irish	Caribbean	Pakistani	African	
Any other White background	White and Black African	Bangladeshi	Any other Black background	
<input checked="" type="checkbox"/>	Any other mixed background <input type="checkbox"/>	Any other Asian background <input type="checkbox"/>	<input type="checkbox"/>	Chinese <input type="checkbox"/>
				Other <input type="checkbox"/>

*Categories used are those utilised by the Office of Population Censuses and Surveys

Do you have a physical or mental impairment which has a substantial and long term adverse effect on your ability that you wish to declare under the Disability Discrimination Act?

Yes ☐ No ☒

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EAST HERTS COUNCIL

STANDARDS SUB-COMMITTEE – 28 JANUARY 2016

REPORT BY MONITORING OFFICER

COMPLAINT IN RESPECT OF FORMER MUCH HADHAM PARISH COUNCILLORS S BANNERMAN, A BAXTER AND R KEY

WARD(S) AFFECTED: NONE

Purpose/Summary of Report

- To consider code of conduct complaint in respect of former Much Hadham Parish Councillors Anthony Baxter, Selina Bannerman and Richard Key.

1.0 Background

- 1.1 The Monitoring Officer has received a complaint alleging that former Much Hadham Parish Councillors Baxter, Bannerman and Key breached their Council's Code of Conduct.

2.0 Report

- 2.1 Council has agreed a procedure for considering complaints.
- 2.2 In accordance with that procedure, the Sub-Committee will consider the complaint and decide what action to take.
- 2.3 In appropriate cases, the Monitoring Officer may seek to resolve the complaint informally, without the need for a formal investigation. Having consulted the Independent Person, it is not considered that the complaint can be resolved informally.
- 2.4 Complaints are considered in accordance with the Standards Complaints assessment criteria set out in Appendix 2 of the Complaints Procedure (**Essential Reference Paper 'B' in previous agenda item**).

3.0 The Complaint

- 3.1 The complaint is set out in the complaint form and accompanying documents that form **Essential Reference Paper 'C'**.

4.0 Procedure

- 4.1 A copy of the Council's complaints procedure is contained in **Essential Reference Paper 'B' in the previous agenda item.**

3.0 Implications/Consultations

- 3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

Contact Officer: Jeff Hughes - Monitoring Officer - 01279 502170
jeff.hughes@eastherts.gov.uk

Report Author: Jeff Hughes - Monitoring Officer

ESSENTIAL REFERENCE PAPER 'A'

IMPLICATIONS/CONSULTATIONS

Contribution to the Council's Corporate Priorities/ Objectives (delete as appropriate):	People This priority focuses on enhancing the quality of life, health and wellbeing of individuals, families and communities, particularly those who are vulnerable.
Consultation:	The Independent Person has been consulted.
Legal:	The procedures are in accordance with relevant legislation.
Financial:	None
Human Resource:	None
Risk Management:	The case should be determined in accordance with the legislation having regard to the relevant guidance.

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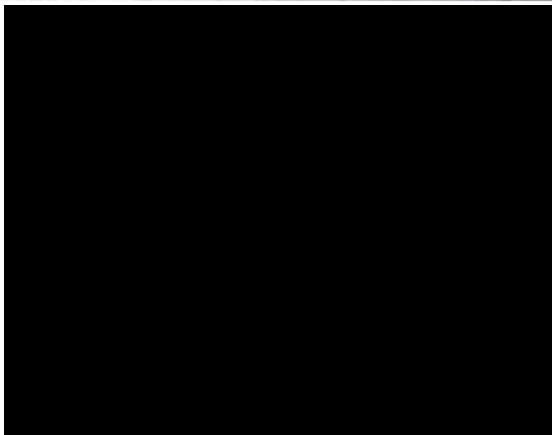


EAST HERTFORDSHIRE DISTRICT COUNCIL

COMPLAINT FORM : CODE OF CONDUCT FOR MEMBERS

A. Your details

1. Please provide us with your name and contact details. Anonymous complaints will only be considered if there is independent evidence to substantiate the complaint.

Title:	Mr
First name:	Neil
Last name:	Clarke
Address:	
Contact telephone:	
Email address:	
Signature:	
Date of complaint:	

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

The following people may see this form:

- Monitoring Officer of the Council
- Standards Committee members
- Council's Independent Person(s)
- The subject member(s)
- the Parish Clerk (if applicable)

If you have serious concerns about your name and a summary, or details of your complaint being released, please complete **Section C** of this Form and also discuss your reasons or concerns with the Council's Monitoring Officer.

EAST HERTFORDSHIRE DISTRICT COUNCIL



Please tell us which complainant type best describes you:

- ☒ A member of the public
- ☐ An elected or co-opted Member of the Council
- ☐ An independent member of a Standards Committee
- ☐ A Member of Parliament
- ☐ A Monitoring Officer
- ☐ Other council employee, contractor or agent of the Council
- ☒ Other (Chair Much Hadham Village Hall Management Committee)

2. Equality Monitoring Form - please fill in the attached form.

B. Making your complaint

3. Please provide us with the name of the Member(s) you believe have breached the Council's Code of Conduct:

Title	First name	Last name
Cllr	Anthony	Baxter
Cllr	Selina	Bannerman
Cllr	Richard	Key

4. Please explain in this section (or on separate sheet(s)) what the Member is alleged to have 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, with dates / witnesses to substantiate the alleged breach.

It is also important that you provide all the evidence you wish to have taken into account. 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 or did to insult you.
- 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.

EAST HERTFORDSHIRE DISTRICT COUNCIL

- 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 or other relevant documentary evidence to support your allegation(s).

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

This complaint covers events and correspondence over a period of several months. It concerns the conduct of Much Hadham Parish Cllrs Baxter, Bannerman and Key. Cllr Key has I understand now resigned from his position – but you may still consider him responsible for his behaviour whilst in office.

Their behaviour has in my view failed to reach the required standards in relation to their objectivity, accountability, openness and for Cllrs Baxter and Bannerman as the Parish Council Chair and Deputy – leadership. In particular I would note the item in the code of conduct – “Always treating people with respect, including the organisations and public I engage with and those I work alongside.”

My own relationship with the Village Hall Committee and the Parish Council has been fairly recent, but my understanding is that the relationship between the two organisations has not been a good one. The Parish Council owns the Village Hall on Trust, but has contributed minimally over the years to the maintenance of the building – leaving the Village Hall Management Committee to raise charitable funds to pay for essential repairs to the building, as well as for improvements and embellishments. Both relationships and the building have suffered as a result of the absence of a joint approach.

Since retiring from work I have been doing some work to modernise some of facilities in the hall, and reviewing various aspects of the building including general maintenance, maintenance of gas, fire and electrical appliances, internal decoration etc. One concern which came to light concerned the external soffit boards, bargeboards and guttering. Some of this was leaking, and in places the fascia boards were clearly rotting. (See appendix 1). Rather than go down the route of repairing and re-decorating I agreed with the Village Hall Committee – which included Cllr Liversage – to get estimates for the cost of replacing all (except the most ornate) barge boards, soffits and gutters. This strategy was reported to the Parish Council by Cllr Liversage. A service specification was drawn up, and estimates obtained. The lowest tender was accepted by the Village Hall Management Committee. The details of this application were then reported to the Parish Council at its meeting on the 19th May 2015 and the item (19) supported. Details of the application were subsequently requested and a report including photographs, service specification and estimates were forwarded on 12th June for Parish Council records. Arrangements were made with the contractor to commence work during the school summer holidays.

EAST HERTFORDSHIRE DISTRICT COUNCIL

At the end of June Cllr Key requested a meeting. His attitude from the outset was aggressive and dismissive. He was adamant that the fascia boards did not need replacement – merely minor repair. Clearly we had different views on this. Our plan was to replace all the fascia board, soffits, gutters and downpipes to create a decoration free and maintenance free environment which should then need minimal attention for a minimum of 15 - 20 years. As the contractor had already been briefed, Cllr Key agreed to urgently provide an alternative quotation. Clearly the alternate strategy would require periodic repair and painting to protect the woodwork. Cllr Key agreed to this but almost immediately changed tack (appendix 2).

Despite our requests for a documented and costed alternative strategy we have since been subjected to a series of disparaging remarks and statements – essentially accusing us of managerial and financial incompetence. The e-mail from Anthony Baxter (appendix 3) does not take a collegiate so much as a big brother approach – not helped by several clear factual errors (notably the Village Hall Management Committee accounts are presented to and signed off by the Parish Council on an annual basis – and they have a representative on the VMHC – so there is no reason for them to be unaware of our expenditure or to be able to challenge this wherever appropriate).

By the 21st July neither Cllr Baxter nor Cllr Key had provided any documentary evidence to support the contention that their approach was financially sound (see appendix 4). A quotation was finally obtained – dated the 21st July – and sent to us on the 22nd (appendices 5 and 6) with an e mail from Cllr Bannerman. The quotation was for replacement of a small section of guttering, and for plastic cladding of the fascia boards. This approach is only recommended if the fascia boards are in good condition. The quote for this was £33.60 per metre. We have 180 metres of guttering – total thus £5,040 + £365 net. However the price was clearly a lower specification (which we had rejected) and did not include the cost of any gutters or downpipes which required replacement following removal and attempted re-fitting (the gutters and downpipes are generally at least 28 years old so quite brittle). Not a quote that provided huge savings! We note that this contractor was used by the Parish Council to repair the gutter and the eventual price had risen from £365 to £468.

What was disgraceful was that Cllr Key took it on himself at this point – clearly with the support of Cllr Bannerman (see appendix 6) though with no request or agreement from the VMHC- to contact our contractor. This resulted in considerable distress for ourselves, and the contractor (Mr Rivett) who complained to Cllr Baxter about the way he was spoken to by Cllr Key (appendix 7). I have not been informed of the outcome of this complaint. Cllr Bannerman's e mail gives an interesting insight into the plans of the Parish Council to take a lead co-ordinating role across a number of organisations within the Parish. Sadly this has consistently felt more like a takeover bid than an offer of joint working.

EAST HERTFORDSHIRE DISTRICT COUNCIL

It was also at this time that another issue had arisen. Movement of a floor in the Green Room (the smaller meeting room) indicated a possible problem with wet rot in floor joists. Instead of contacting the VPMC to investigate this jointly Cllr Bannerman commissioned a builder to make a hole in the floor to examine the state of the underlying timbers. It was clearly implied that this was the result of negligence by the Village Hall Management Committee and an e-mail was sent from Cllr Baxter demanding urgent repair. At this point the acting Chair of the VPMC – Peter Appleton – resigned this position – as a direct result of the high-handedness from these Parish Council Members. I was elected as the new Chair of the Committee.

A meeting was held between the VPMC and Cllrs Baxter, Key and Bannerman on the 24th July to try to move things forward. A number of decisions were made (see appendix 8). It was agreed that the VPMC project around the fascia boards etc. would not proceed, and the PC would lead on repairs to the Green Room and fascias – and could approach the VPMC for appropriate assistance. There was no indication that the PC did not agree my account of the meeting.

At the beginning of September we were copied into an e-mail from Cllr Bannerman (appendix 10) stating that the VH (Village Hall Management Committee) would be paying for the floor, but the Parish Council would seek to assist with obtaining grants from East Herts. There had been no discussion, no request and certainly no agreement that we would be, or would be able, to assist in this way. This approach is extremely concerning. It disregards the budgetary responsibilities of the Parish Council as well as the financial responsibilities of the VPMC. It demonstrates a fundamental lack of respect – essentially making a request for £10,000 by copying another organisation into an e-mail that says they will be paying. The e-mail also raises questions about the financial operations of Much Hadham PC. A decision appears to have been made at an executive level (Cllrs Bannerman and Baxter as Chair and Deputy?) that the Parish Council would not fund this repair, and would “ask” the Village Hall Management Committee to do so. The fact that Cllr Bannerman was informing other councillors of this indicates it was not a subject raised at full council.

I wrote to Cllr Baxter on the 4th September asking for a 1:1 meeting to discuss this apparently hasty action from Cllr Bannerman. His response appears to have been to copy my e-mail to her. After several e-mails a meeting was called to resolve issues on the 14th September 2015 between Cllrs Bannerman and Baxter, and Peter Appleton (now VPMC Treasurer) along with myself (appendix 12). The responsibilities of the VPMC were explained in detail, confirmation was given that the East Herts grant had been applied for, and cautions raised about the ability of VPMC to meet the range of demands we are currently facing – together with concerns that there are restrictions on how charitable funds can properly be used. Various structural and maintenance issues were identified and Selina offered to lead on the development of a comprehensive structural assessment and maintenance/development programme. The possibility of an application for assistance with the funding from VPMC was left open – where this could be shown

EAST HERTFORDSHIRE DISTRICT COUNCIL

to be an enhancement. The gents' toilet was identified for attention, and it was suggested the VHMC invite Cllr Bannerman to sit on their Committee.

Notes on this meeting were circulated on the 20th September (see appendix 13). No response was afforded to this e-mail so one might be forgiven for understanding it to be an agreed record of the meeting.

On the 8th November I wrote to Cllr Baxter asking if there was any news (appendix 14). Cllr Baxter responded the same day and, with no apparent apology for the difficulties being caused for the Village Hall Management Committee, essentially back-tracked on all the agreements we had reached – and left the Hall Management Committee to get on with arranging and funding all repairs and drawing up a schedule for future maintenance. The Village Hall Management Committee was left to sort out the problem and we still had not had the courtesy of a request!

The final appendix (15) shows a number of e-mails following my challenge to the Parish Council decision not to assist with the Hall Floor issue. Again there was no apology for going back on previous agreements, nor for not offering any assistance. Worse there were inaccuracies which patently misrepresented the true situation. *"The guttering and the fascias have been repaired (thanks to the efforts of former Cllr Key) where the damage was greatest. This repair cost under £500 which was significantly under the amount of money to be spent (£10,000) by the Village Hall committee based on your work schedule. This change of plan which saved over £9,500 of unnecessary works and tax payers money was thanks to Cllr Bannerman and former Cllr Key."*

While the wrought iron section of gutter has been replaced the fascias have not been repaired and are deteriorating – putting the under-lying timbers at risk. The claim that £9,500 of unnecessary work has been avoided is a disrespectful nonsense. Cllr Baxter should also be aware that VHMC funds do not belong to the tax payer. As a charity we are responsible and accountable for the use of funds – but not to the tax payer as such.

I will not respond to the inaccuracies of the final rudeness from former Cllr Key but do note with concern that it was evidently endorsed and re-circulated by Cllr Baxter. Whilst he may well argue that his comments were just a joke he needs to know that not everyone is laughing – and this sort of thing is neither clever nor the sort of behaviour we should expect from someone in public office.

Apologies that this is somewhat lengthy – but I felt that a detailed understanding of the background was important. I have been turned down for financial assistance by other organisations – this is not the end of the world - but I have never faced the level of disrespect, and rudeness experienced from these councillors.

Peter Appleton - the treasurer of Much Hadham Village Hall Management Committee is aware of this complaint and has indicated his agreement to provide further information if required. His e mail is – [REDACTED]

EAST HERTFORDSHIRE DISTRICT COUNCIL

C. Confidentiality of complainant and the complaint details

Only complete this next section if you are requesting that your identity is kept confidential

5. In the interests of fairness and in compliance with the rules of natural justice, we believe Members who are complained about have a right to know who has made the complaint and the substance of the allegation(s) made against him / her. We are, therefore, unlikely to withhold your personal details or the details of your complaint unless you have good reasons to believe that you have justifiable grounds, for example:

- to believe you may be victimised or harassed by the Member(s) against whom you are submitting a written complaint (or by a person associated with the same); or
- may receive less favourable treatment from the Council because of the seniority of the Member against whom you are submitting a written complaint in terms of any existing Council service provision or any tender / contract that you may have or are about to submit to the Council.

Please note that requests for confidentiality or requests for suppression of the personal and complaint details will not automatically be granted. The Assessment Sub-Committee will consider the request alongside the substance of your complaint and the Monitoring Officer will then contact you with the decision. If your request for confidentiality is not granted, we will usually allow you the opportunity, if you so wish, of withdrawing your complaint.

However, it is important to understand that - in exceptional circumstances, where the matter complained about is very serious - we may proceed with an investigation (or other action) and may have no choice but to disclose your personal and complaint details, because of the allegation(s) made, even if you have expressly asked us not to.

Please provide us with details of why you believe we should withhold your name and/or the details of your complaint:

N.A.

(Continue on separate sheet(s), as necessary)

EAST HERTFORDSHIRE DISTRICT COUNCIL

D. Remedy sought

6. Please indicate the remedy or remedies you are looking for or hoping to achieve by submitting this complaint.

- In my view the councillors concerned should issue a public apology to the Village Hall Management Committee for the way these matters have been conducted. This should be formally minuted and reported on the PC website.
- To be fair I do wish to note that Cllr Bannerman has already apologised to us for her part in things early in September and her subsequent involvement may have been limited.
- The Councillors concerned appear to deal with Parish Council finances in an executive manner, and may require training to ensure that they adopt appropriate procedures which ensure that budgets and grant applications are set and agreed openly based on clear evidence, and not behind closed doors, on the basis of unreasoned prejudice or at the changeable whim of the chair or deputy. It would have been good if we had been invited to discuss our situation with the full council.
- Training may also be helpful in relation dealing with complaints. An understanding of the conciliation approach adopted in these processes could be very helpful for these individuals in helping them understand why they get the responses from people and other organisations that they do.
- Should former Councillor Key seek office again complaints against him should - if they have not been addressed - be considered as unfinished business.

(Continue on separate sheet(s), as necessary)

E. Additional information

8. Complaints must be submitted in writing. This includes fax and electronic submissions. Frivolous, vexatious and politically motivated tit-for-tat complaints are likely to be rejected.
9. In line with the requirements of the Disability Discrimination Act 1995, we can make reasonable adjustments to assist you if you have a disability that prevents you from making your complaint in writing. We can also help if English is not your first language.
10. If you need any support in completing this form, please contact the Monitoring Officer as soon as possible.

EAST HERTFORDSHIRE DISTRICT COUNCIL

Monitoring Officer Contact details:

The Monitoring Officer – Simon Drinkwater
 East Herts Council
 Wallfields
 Pegs Lane
 Hertford
 SG13 8EQ

EAST HERTFORDSHIRE DISTRICT COUNCIL

Monitoring Form – Local Assessments of Complaints Standards Committee - Assessment Sub Committee

Working towards equal opportunities

East Hertfordshire District Council is committed to a policy of equality of opportunity in both employment and service provision. We seek to ensure that no person receives less favorable treatment on the grounds of gender, race, or ethnic origins, marital status, disability, age, sexual orientation, family responsibilities, religion, trade union involvement or political belief or is disadvantaged by conditions or requirements which cannot be shown to be justifiable.

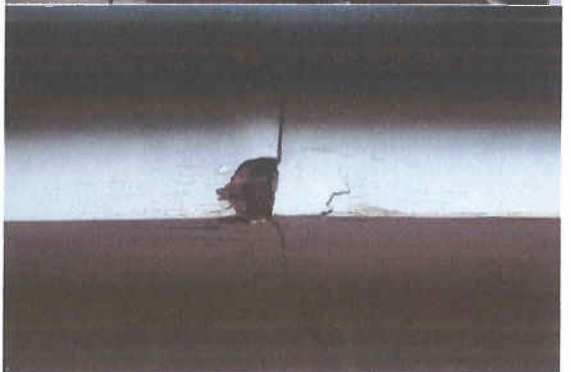
White	Mixed	Asian	Black	Chinese or other ethnic group
White British	White and Black	Indian	Caribbean	
White Irish	Caribbean	Pakistani	African	
Any other White	White and Black	Bangladeshi	Any other Black	
background	African	Any other Asian	background	Chinese
<input checked="" type="checkbox"/>	Any other mixed	background	<input type="checkbox"/>	Other <input type="checkbox"/>
	background	<input type="checkbox"/>		

*Categories used are those utilised by
the Office of Population Censuses and
Surveys

Do you have a physical or mental impairment which has a substantial and long term adverse effect on your ability that you wish to declare under the Disability Discrimination Act?

Yes ☐ No ☒

Appendix 1



From: Sue Clarke [REDACTED]
Sent: 10 July 2015 21:26
To: JANET LIVERSAGE
Cc: Peter Appleton; Tony Baxter; Richard Key; Selina Bannerman
Subject: Re: Works

Hi! I have to say I remain unconvinced that the repair works required can be executed at a viable cost. The project proposed would deal with the immediate repairs and future proof this area of structural maintenance for the next 15 to 20 years at least.

To withdraw from the agreement we have with Rivetts without having a costed alternative feels irresponsible - particularly as it took months to secure 3 acceptable quotations for the works and we could easily end up having to start this whole process again if the rub down, repair where necessary, and repaint option does not prove to be as cheap as people are hoping.

The agreement last week was that the Parish Council would look for one (rough) estimate for the repairs to give us an idea of whether this approach does make financial sense. As this hasn't yet happened I am very reluctant to recommend we withdraw from the commitment made by the Village Hall Committee. As an alternative perhaps Peter can help us with information on the cost of the last external redecoration of the hall? - which though dated and covering elements not covered in the current works may give us a 'ball park' figure?

I agree that the Parish Council and the Hall Committee should work closer together, but I would suggest that if the Parish Council wishes to dictate how the Hall Committee uses its own funds it should do so in a timely manner, and provide a costed alternative? Otherwise there seems little value in having a Hall Committee? The Parish Council could manage the hall directly? This would indeed clarify issues of responsibility and accountability?

Neil Clarke

On 10 Jul 2015 19:57, JANET LIVERSAGE [REDACTED] wrote:

Dear Neil and Sue,

Richard Key is organising for a company to look at the gutters for the area which is in urgent need of attention.

He remains adamant that the boards and gutters should have attention, but are not in need of replacement. I have to agree about most of this except on the side that has the metal gutters. It really needs sorting there and before the winter.

We really need to organise a meeting between the Parish council reps and the Village Hall committee to realize a programme of repairs and maintenance. It has been noted that the Gents toilets need replacing, but there may be even more urgent works.....of course the fabric of the building comes first to ensure that it is water tight, safe etc.

I believe it would be best to cancel the proposed works to the boards and gutters and then meet up to go through things very thoroughly so that a priority list may be drawn up and auctioned.

I know that this will make you sigh and I understand the time that has passed since this work was first mooted, but it is important to make good decisions together so that we are supporting the same goal....which is always the best for the village. As we are all Much Hadham residents we want to be sure that the best decisions are made and then we go forward together to create a great facility of the village hall, with pride for our community.

I do hope that you agree with this sentiment. If you would like me to contact the company I can do so, but you felt that you were happy to do this. Let me know if you have changed your mind.

Let's get together really soon. Does anyone have a suggestion of a date or dates??

Regards

jan

[Sent from Yahoo Mail for iPad](#)

From: Anthony Baxter [REDACTED]
Sent: 20 July 2015 22:20
To: Peter and Sylvie; Neil and Sue Clarke
Cc: Selina Bannerman; IANFT LIVERSAGE [REDACTED]
[REDACTED]

Subject: RE: Village Hall repairs

Dear Mr Appleton,

Thank you for your two e-mails.

The management of the Village Hall is clearly a current source of concern for the Parish Council. There are several issues that need to be resolved. This resolution will be achieved when the Village Hall committee and the PC enter a meaningful dialogue about these issues.

The Village Hall is an amenity that is held in trust for the Parish by the PC and managed by the VHC. It has only been in recent times that the PC has been afforded sight of the VH accounts and been involved in debate over the management of the fabric of this amenity.

I understand there is a meeting of the VHC on Wednesday to discuss various matters. I have not seen the agenda but could I ask that you discuss the following:

- 1) Parking management for the rear of the Village Hall. There really needs to be a fair and equitable solution to the problem of unauthorised parking which is affecting neighbours of the VH, the use of the VH and indeed the village itself.
- 2) The current state of affairs regarding the repairs (fascias, soffits, guttering etc.) to the VH which it seems are unnecessary and costly. I believe Cllr Richard Key has proposed an alternative, more realistic and less costly solution.
- 3) A review should be carried out on the previous repairs to the VH. A lot of Parish money has been spent on the VH but the Hall itself is still in need of a lot of remedial work (e.g. the men's toilets) to bring it up to modern day standards. There is also a concern that there is an immediate need for structural repair to the sub floor of the Green room where damage to the sub floor has occurred from water ingress due to damaged guttering. We have commenced an investigation into the extent of the damage. The PC is at a bit of a loss as to what exactly has been spent on the VH in the recent past and why.
- 4) A plan that identifies what needs to be done to the VH to bring it up to date (an asset management and maintenance plan) and make it a more valued amenity to generate funds for the village. I would suggest and expect this to be done through a sub-committee of VH and PC members.
- 5) As you put in your e-mail, the viability of the VH committee as it is currently constituted should be discussed.

I look forward to hearing about your deliberations in due course.

With regard to your comments about the front of the VH parking, I reiterate what I said in my previous e-mail which was that the PC has resolved to put two planters at each end of the parking space. These will be maintained (stocked, watered etc.) by the PC. The middle bays will be available for ambulance, disabled and emergency vehicles. I would expect that catering vehicles would use the rear car park.

I note than in an e-mail you sent to Cllr Liversage you said that her presence at the Wednesday VHC meeting was not required as the VHC wanted to hold their meeting *in camera*. I would ask you to reconsider this request. Cllr

Liversage has my and the entire PC's confidence and she will faithfully represent the PC's position which is not unreasonable.

The PC very much values the Village Hall as an amenity for use for all villagers and the PC appreciates that a lot of effort and hard work has gone into its management over many years. Previous PC's have in a sense left the VHC to 'get on with it' without being directly involved. The increase in financial scrutiny of village amenities by local councils and Government together with a desire by the current PC to make the most of our assets means that maintaining the *status quo* is no longer an option. I appreciate that recent PC communications have caused a degree of angst amongst the VHC, you have said that we are being 'heavy handed and not having a clue about the VH' but I should point out that as PC, we are obliged to take responsibility for all Parishioners assets including the VH, pavilion, the recreation ground etc. This PC is taking its responsibilities in such matters very seriously.

We are at your disposal to help improve the VH and manage the asset as best we can for all villagers.

I am happy to meet with you personally to discuss all options.

I will be forwarding this e-mail to the whole VHC when I have their addresses.

Yours sincerely

Tony Baxter

Dr Anthony D. Baxter
Chair MHPC

From: Peter and Sylvie [REDACTED]
Sent: 14 July 2015 15:36
To: Neil and Sue Clarke [REDACTED]
Cc: Anthony Baxter [REDACTED] Selina Bannerman [REDACTED] JANET LIVERSAGE [REDACTED]
[REDACTED]

Subject: Re: Village Hall repairs

Dear Mr Baxter

Further to the reply which you have received to this email from Neil Clarke may I also point out that when we have caterers for a function at the hall the front of the hall is reserved for the caterers vehicles so that they have easy access to the kitchens. As these are invariably long they park sideways across the front of the hall by prior arrangement so how do you anticipate that we should deal with them in the future if there are flower containers?

Perhaps it would be better if you spoke to the management committee before making any further decisions on how to block this off.

Could you also please confirm who will be responsible for the cost of stocking, maintaining and watering these throughout the year.

Yours sincerely

From: Neil and Sue Clarke [REDACTED]
Sent: 21 July 2015 22:00
To: 'Tony Baxter' [REDACTED]
[REDACTED]
Cc: 'Selina Bannerman'; [REDACTED]
Subject: RE: FW: Village Hall repairs

Dear Dr Baxter,

I would be grateful if you could find out whether we have had any quotes on the proposal from Richard Key that we should repair the soffit boards, barge boards and gutters (on both levels of the building), and re-paint the boarding? Without this we are not in a position to decide whether this "make do and mend" approach would actually be cost efficient? Richard thought the work could be done for £2,000 – and whilst I expressed my view that this maybe highly optimistic - we did agree to suspend the agreement with Rivetts to undertake a replacement programme in UPVC until this option has been explored. When we met on the 5th July Richard agreed to get a quote for this approach within a week if possible?

When we recently spoke to Rivetts about the issue they made 3 points:—

- i. They have removed the project from their schedule to start in the next 3 to 4 weeks.
- ii. That they have already purchased the materials for this job (so some compensation may be required if we do not go ahead), and
- iii. That the alternative approach suggested may actually cost as much as the replacement programme (and obviously contain no "future-proofing" element).

I suspect that the joist damage in the Green Room may be from the ground up rather than from the roof down as there was no internal sign of dampness running down the walls – but regardless it will need urgent attention both internally and externally. What is also clear is that where there are leaking gutters and rotten soffits it will not be helpful to delay the work through another winter. We had deliberately scheduled the soffit, barge-board and gutter work for the summer holidays when hopefully the weather would be good, and importantly the hall usage would be at a minimum. Due to the last minute intervention of the Parish Council (on a project that has been discussed and with minutes sent regularly to the Parish Council since September 2014) this time scale will not now be possible.

To re-iterate we are happy to consider a costed alternative approach to the soffit replacement strategy we have proposed – but in the absence of this a claim that the work could be done in a different way and far more economically – which is not then evidenced – simply puts a spanner in the works and makes it very difficult for us to know how to proceed. So it would be very helpful to know whether in fact a quotation for the work is available?

Personally I actively welcome the involvement of the Parish Council in developing a maintenance and improvement plan for the Village Hall – but I have to say the tone of much of the recent correspondence has felt extremely negative and, frankly, rather patronising. Whilst constructive criticism should never be denied, people who voluntarily give up their time to help co-ordinate the activities in the hall, roll up their sleeves to help with repair work, and who raise voluntary sector funds to help maintain the fabric of the building should be treated with respect – (even if they are less than perfect in all their dealings). Sadly this is not currently coming across in the correspondence.

Neil Clarke

P. J. ROOFING CONTRACTORS

STEVEN HUMPHREY 07850 348620
TONY LEWIS 07970 060196

VAT No: 986 0437 88



Appendix 5

P. J. Roofing, Arcroft Yard,
Marsh Lane, Ware SG12 9QL

Telephone: 01920 460848
Fax: 01920 460990
www.PJroofing.com



21st July 2015

Dear Sirs,

RE : Village Hall

We thank you for your enquiry and have pleasure in quoting the following:

Item 1

To remove existing cast iron gutter and clear from site. Supply and fix black plastic half round gutter to match existing forming all necessary corners and outlet details allowing 20 lm.

Complete for: £365.00 net/£73.00 vat

Total : £438.00

Item 2

To remove all gutters and set aside for re-use. Supply and fix white plastic cap it fascia over existing timbers re-fix existing guttering, leaving job clean and tidy on completion.

Complete for: £28.00 + Vat per lm/ £5.60 vat

Total : £33.60 per lm

Vat to be charged at current standard rate.

If we can be of any further assistance please do not hesitate to contact us.

Yours faithfully,

PJ Roofing Contractors.

From: Selina Bannerman [REDACTED]
Sent: 22 July 2015 15:40
To: Neil and Sue Clarke
Cc: Tony Baxter; [REDACTED] Peter and Sylvie; wendyduncan11
[REDACTED] Annica Farley;
[REDACTED]
[REDACTED] John; Michael
Subject: Village Hall repairs and ongoing works.
Attachments: VillageHall.pdf; Untitled attachment 00147.htm; CORC.pdf; Untitled attachment 00150.htm

Dear Neil

Tony is away on business and has asked me to respond as he is stuck until later tonight by which time you will have had your meeting.

Thank you for your email . We appreciate that some of these emails may seem like a bolt out of the blue but much of this has been discussed over the past year or so at the PC meetings and requests for accounts and car parking have been minuted as well.

There is no intention on the part of the PC to insult or belittle the members of the VH committee, in fact quite the opposite. We are, just like yourselves, all volunteers who also take pride and care in our Parish otherwise we wouldn't put ourselves in the position that we do of donating huge chances of time whilst all of us have full time jobs. We are all coming from the same position as yourselves in giving our time for the good of the village and the Parish to ensure it remains viable and protected for coming generations.

We are also well aware and supportive of the huge amount of effort that goes into running these things and are feeling somewhat under the cosh ourselves. In this regard we are all in the same boat and we have previously stated that your dedication and time is admired and has never been in question. The only difference for the PC is that we are legally obliged to look after and maintain the assets of the Parishioners that we own them on their behalf. It puts us in a position of Landlord and thats not often a popular role.

As Tony mentioned in his email we are coming under much stricter scrutiny and have much we need to answer for regarding our group assets. When we gained a new Parish Council and Tony and I were voted Chair and Vice-Chair, we decided that one of the essential items was to get a proper list of assets and be able to report on the state of these and the work that would need to be carried out in the future, immediate repairs etc. As you suggest a rolling maintenance programme is most definitely required.

Perhaps in the past there has been a lack of communication between the PC and the VH and the minutes of both committees have been left to speak for themselves. Perhaps this approach could be much improved by a meeting with a few of you and the Pavilion Committee so that we can help each other. The Pavilion Committee was established as a subsection of the PC and consists of myself, John Carey , Mike Keough and Richard Key. We are all experienced in building and

Law. We feel we have a lot of the skill sets needed to put a programme together as well as being able to market the Parish assets.

We think that what maybe most helpful to all of us is to have a single group responsible for all the assets. We would like you to consider the idea of having the members of the PavCom together with some members from the VH committee, to devote ourselves to managing the properties. This way we can reduce the work needed to be done by all of us and have a viable and transparent rolling programme of works. We could also include the Village Hall under the marketing and booking system that we are setting in place for the Pavilion.

The three rental spaces are all very different and offer very different things suiting a wider variety of people. I explained to a parishioner at the last PC meeting, that some who will book the Pavilion would never have looked at the village hall but would have gone out of the village and visa versa, The ideal situation is to offer three areas that would suit everyone for whatever their size or purpose. The Pavilion has no kitchen and is small but ideal for anyone wanting some outdoor space... others want a confined space for children without fear of them leaving the building. Others like the dancers need a proper floor etc etc .

(As for catering i have been to many venues where the caterers have had to travel further than the kitchen from the back door. In a real state of no option we can always move the planters if we really have to. I have had flowers outside my front door as has most of the High street including Rogers house and they have never been stolen or vandalised. I can assure you that i will not allow them to go to ruin.)

Most other Parish Council sites include all their buildings that are for hire under one banner - we now have two different groups running this and we think it would benefit all the buildings to be grouped under one Web page on the PC website and Facebook. I know that Wendy Duncan has worked extremely hard on taking all these bookings and she could work with Annica on the new system if she wished. Its a internet based site which means that people can book and pay on line and see the diary whilst they are doing so. Deposits are taken and returned in the same way.

Roger Miller is the caretaker of the Pavilion also so we have much in the way of overlapping and would seem sensible to consolidate our energy and time and work together.

Regarding the work quote ...

Its approximately £400 for the guttering at the corner which has the greatest requirement . We appreciate that you had considered the rolling repairs to be done in the summer months, and this is no way a like for like quote, but its a lot of unnecessary work that has been quoted for by Rivetts - they have undertaken to do works that are not necessary - i don't in any way mean to sound offensive but its a fact and given the reaction of that company to threaten a law suit they are obviously very annoyed at this big chunk of work coming their way. However, What has just happened is common practise and they are seriously over reacting. PJ Roofing or another would do the required work but with a different specification. Most of this is joinery work.

Firstly no one undertakes to do a contract that size without a signature. Never on verbal say so and expect a binding contract. Secondly the materials ordered can always be cancelled unless they are bespoke and prepaid. The type of work, i am assuming would not have required any bespoke parts or timber so anything else was off the shelf and is refundable. I have had to do this on several occasions and the suppliers are used to it.

Richard has spoken to them and i would be glad to as well. My background is Law and building and Mike is our resident Lawyer for BP. We would be glad to explain to Rivetts why there are no compensation charges to be made in light of the fact there is no contract. Verbal in building never counts. I might add as well, that they were given over a fortnights warning that this was to be cancelled, i believe.

So please let me assure you that nothing we are referring to either in works or parking at the front of the building is personal . It's us trying to do our job responsibly and within our obligations as Councillors whose role it is to maintain and protect the parishioners property. We have a couple of companies that are known to either Richard or I that are very capable in this area of work and would be able to do the work required before winter comes.

We understand your frustration at having spent a year getting quotes and surveys done etc for us to put the brakes on it but i am sure you see that it was never too late to be more effective and that, with hindsight, we should have got more involved and helped out more in the first place. We have three new Councillors and we have fresh energy and eyes on the committees which are now working very effectively. We wish to work with you and extend all the services we can to create a more cohesive working group going forward.

Fyi the first quote for the works needed on the floor in the hall is to remove and replace and circa £10k. I am seeking another local building quote.

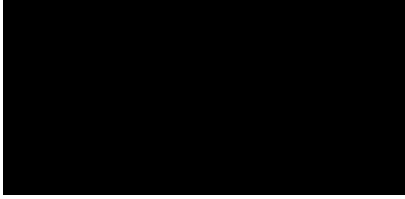
Would you be available to meet this weekend ? i am away on the 29th for two weeks . Perhaps Richard, Tony , Mike and I would be available Friday evening and Saturday and Sunday sometime to form a cohesive response to Rivetts ?

Kindest Regards

Selina

Our Ref: 14-729
22 July 2015

Mr A Baxter



Dear Mr Baxter

Re: Roofline at Much Hadham Village Hall – Mr R Kay

I visited the above site on 29 September 2014 and met a Mr Clark. I was instructed to supply an estimate for the renewal of fascias, soffits and where possible barge boards in PVC-ue, along with new guttering and down-pipe.

I sent out the estimate on 6 October 2014, copy enclosed and received a verbal order for the carrying out of the work at a site meeting on 12 May this year. Starting dates were also discussed and we agreed for around the end of July. I duly ordered the required materials, for which I have an invoice and proceed to programme the labour job in.

A week or so ago I received a phone call from Mrs Clark saying that the job had to be put on hold due to the fact that the Parish Council were questioning various aspects of the job. I explained the consequences of each point raised and agreed to wait for the result of discussions.

I today received a phone call from an extremely rude Richard Kay who claims to be a Parish Councillor and seemed to have some kind of agenda towards me. He raised points regarding the replacement rather than capping existing boards and I explained various reasons as to why capping is bad practice. I found his tone and manor very offensive, untrusting and totally unnecessary. I also find it hard to believe Mr Kay has managed to find himself in a position of representing a village such as Much Hadham.

Just for the record, I have had some 35no years' experience in roofline work and over 40no years in roofing in general. I run a very reputable company with a god name for standard of work and honest advice and I do not appreciate someone like this questioning my integrity.

I will be considering my invoice and will forward it when I'm ready.

Thank you for your time.

Yours sincerely

From: Neil and Sue Clarke [REDACTED]
Sent: 28 July 2015 10:16
To: 'Tony Baxter'
Cc: 'Selina Bannerman'; 'Peter and Sylvie' [REDACTED]
Subject: RE: Village Hall repairs and ongoing works.
Attachments: VH repair1.jpg; VH repair2.jpg; VH repair 3.jpg; VH repair 4.jpg; VH repair 5.jpg; VH repair 6.jpg; VH repair 7.jpg; VH repair 8.jpg; VH repair 9.jpg; VH repair 10.jpg

Dear Dr Baxter,

Many thanks to you and your colleagues for sparing us your time on Friday. As you yourself commented meeting face to face can be far more effective than relying solely on e mails. Our view was that the meeting was positive and constructive and went a long way towards repairing the chronically weak relationship between our organisations. I hope we can build on this over the weeks and years to come.

Clearly we didn't keep formal notes of the meeting, but my understanding is that we agreed a course of action with regards both the key issues on the agenda:

1. The Parish Council has undertaken an investigation into the depression on the floor in the Green Room. The underlying timbers appear to have been affected by wet rot over a number of years – there appear to be indications that some dampness was present when the current floor was laid in the 1980s. The leaking gutter has probably increased the process in recent times causing saturation of the ground around the foundations. There is some doubt about whether there was a damp-proof course fitted when the building was constructed, and whilst there are 2 air-bricks below the floor level these may be inadequate to give good ventilation. The whole of the wooden floor (there is a concreted section adjacent to the kitchen) will need to be replaced. The Parish Council agreed to take responsibility for this work as the PC is responsible for the structure of the Village Hall. Grants will be sought from East Herts Council to assist with the work, and estimates are being obtained for the work. The Village Hall Committee has offered to assist with consideration of other issues around this room such as improved furnishings (e.g. perhaps a projector screen?) to make it more suitable for the range of organisations who use this facility.
2. Soffits, bargeboards and gutters. We had a long discussion about this. Much of the woodwork does remain in good condition, and it was agreed that full replacement is not essential at the present time. The Parish Council clearly feels that repairing is the most cost effective approach at the present. The Parish Council do not consider the offer from the Village Hall Committee to fund a full replacement of soffits, bargeboards and gutters to be an effective use of "public" (that is charitable) money, so this offer has not been accepted. The Parish Council will take responsibility for the external repairs. A brief tour of the building was undertaken to highlight the areas where the woodwork will require attention.

Following the meeting there are a number of areas which I suggest we need to look at:

1. Safety of the Green Room. The advice appears to be that it is not safe to use this room. There are a number of groups who have booked this room over coming weeks – notably the team responsible for Busy Week. Do we need to put a full bar on people using the room – or can this safely be a partial restriction – for example ensuring that heavy use by sports or dance groups does not take place? Leading up to the Village Fete the room is used for storage? Would this be acceptable?
2. Clearly we are only at the point of getting estimates for the work – but if the Green Room is to be out of action for a period it will be helpful as soon as possible to provide hall users with this information and enable them to consider alternative arrangements.
3. In relation to the woodwork repairs I have taken some snaps of the areas we looked at on Friday. Essentially these were taken going around the hall from the car park in anti-clockwise order. I hope they are helpful when looking at quotations for the work. The final one of the upper elevation shows a loose roof slate. There was also a broken roof slate outside the main hall door when I went to take the photos today.

From: [REDACTED]
Sent: 04 September 2015 17:08
To: [REDACTED]
Cc: Selina Bannerman; Tony Baxter; Neil and Sue Clarke; Mary Byrne; Peter and Sylvie
Subject: Re: Parking at the Village Hall

That's correct Ian - we don't have funding already - we can apply for the capital grant upto £8 k but in that it's a 10k job the most they would give is 50% of that . Also the deadline for that is Monday and with the Fete and the pavilion and all the trades away on holiday it was difficult to get anything sorted in time .

So yes, the intention is that the VH pay and we try to help them recover some of the cost through a grant. Also the room when it's finished with an oak floor will hopefully encourage further bookings and we will start helping to market the village hall on our Pc website and FB page.

My understanding is that 10k had been set aside for the guttering so the money is available for repairs - the guttering and the other repairs can be done at the same time as the floor .
Hope this helps.

Kind regards
Selina

Sent from my iPhone

On 4 Sep 2015, at 13:26, <ianhunt@muchhadhamparishcouncil.co.uk>
<ianhunt@muchhadhamparishcouncil.co.uk> wrote:

Selina

Just to be clear, what is the source of funding for the floor? Is it from the VH reserves, with the hope that subsequently it will be recovered by a grant from EHC, or do we have a grant agreed already?

Regards

Ian

From: selinabannerman@muchhadhamparishcouncil.co.uk [REDACTED]
Sent: 04 September 2015 12:52
To: <ianhunt@muchhadhamparishcouncil.co.uk> <ianhunt@muchhadhamparishcouncil.co.uk>
Cc: Tony Baxter [REDACTED]; Selina Bannerman
<selinabannerman@muchhadhamparishcouncil.co.uk>; Neil and Sue Clarke [REDACTED];
Mary Byrne [REDACTED] Peter and Sylvie [REDACTED]
Subject: Re: Parking at the Village Hall

Thank you Ian .

We should send that letter so its on record to all the estate agents in BS and Ware . Then it's recorded that they have been told that this is not the case.

Meanwhile when I finish with the pavilion next week I will arrange with Peter Appleton to get the moveable planters in place at the front .

From: Neil [REDACTED]
Sent: 04 September 2015 20:33
To: [REDACTED]
Cc: [REDACTED]
Subject: Fwd: RE: Parking at the Village Hall
Attachments: Untitled attachment 00081.txt

Hi Tony,

I have to say I find this correspondence very disappointing. It is very presumptive and shows little understanding of how organisations work effectively with one another.

If the Parish Council wishes to gain financial assistance from the Village Hall Committee we would expect a request to be made? For expenditure of this level we would normally expect 3 quotes. If you want us to proceed with less we will check with the Charity Commission whether we should proceed on this basis.

Most grants are not made retrospectively. Do we have any verbal or written agreement from East Herts that they will reimburse the £5k? Will the Parish Council be making a financial contribution?

As it stands Selina appears to be looking to commit £10k of our funds on the basis of ccing us into some emails?

It would be helpful if the 2 of us could meet up please to look at a way forward? I'm away until Monday evening, but could meet up on Tuesday evening if you're free then? If not perhaps after the VH committee meeting on the Thursday.

Thanks,
Neil

----- Forwarded message -----

From: ianhunt@muchhadhamparishcouncil.co.uk

Date: 4 Sep 2015 18:32

Subject: RE: Parking at the Village Hall

To: selinabannerman [REDACTED]

Cc: 'Tony Baxter' [REDACTED] 'Neil and Sue Clarke' [REDACTED], 'Mary Byrne' <[REDACTED]> Peter and Sylvie [REDACTED]

> Very good – thank you.

>

>

>

> Ian

>

>

>

> **From:** selinabannerman [REDACTED]

> **Sent:** 04 September 2015 17:08

> **To:** <ianhunt@muchhadhamparishcouncil.co.uk>

<ianhunt@muchhadhamparishcouncil.co.uk>

> **Cc:** Selina Bannerman <selinabannerman@muchhadhamparishcouncil.co.uk>; Tony Baxter [REDACTED] Neil and Sue Clarke [REDACTED] Mary Byrne [REDACTED] Peter and Sylvie [REDACTED]

> **Subject:** Re: Parking at the Village Hall

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> That's correct Ian - we don't have funding already - we can apply for the capital grant upto £8 k but in that it's a 10k job the most they would give is 50% of that . Also the deadline for that is Monday and with the Fete and the pavilion and all the trades away on holiday it was difficult to get anything sorted in time .

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> Kind regards

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> Selina

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>> Selina

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>>

>>

>>

>> Regards

Notes on the Meeting between Much Hadham Parish Council representatives and Much Hadham Village Hall Management Committee Representatives.

14th September 2015

1. Those present:

Tony Baxter – Chair, Much Hadham Parish Council

Selina Bannerman – Deputy-Chair, Much Hadham Parish Council

Neil Clarke – Chair, Much Hadham Village Hall Management Committee

Peter Appleton – Treasurer, Much Hadham Village Hall Management Committee

2. Clarification was made concerning the responsibilities of the Parish Council and the Village Hall Management Committee (VHMC) concerning repairs and improvements to the Hall. It was agreed that, as the owners of the building, the Parish Council has primary responsibility for structural repairs to the hall. Whilst the Village Hall Management Committee has an income from lettings which may be used for structural works, this income is limited and is invariably used up to cover running costs (gas, electricity, water, cleaning etc.)
3. The grant for assistance with the costs of Green Room floor repairs has been submitted to East Herts Council. Indications are that this will be viewed favourably, but the outcome will not be known until October.
4. The Village Hall Management Committee can then be approached for a financial contribution towards these works. A number of considerations were discussed in this respect:
 - i. The VHMC has a responsibility to members and the Charity Commissioners to account for funds. A sufficiently detailed request which will satisfy future accountability and auditing requirements makes life easier for all concerned.
 - ii. As the VHMC does not have primary responsibility for structural works, any additionality within the project (e.g. the improved flooring proposed for the Green Room) should be highlighted as this clearly comes within the remit of the VHMC.
 - iii. Cautions were raised about the funding available. Lettings income has been limited with the Drama Group not having a May production, and using the Church for its Autumn Production. It was also pointed out that where hall funds have been obtained for specific purposes (notably from

From: Neil and Sue Clarke [REDACTED]
Sent: 20 September 2015 11:59
To: 'Tony Baxter'; selinabannerman [REDACTED] 'Peter and Sylvie'; 'Anthony Baxter'
Subject: Village Hall Meeting
Attachments: Notes of the Meeting Sept 2015.docx

May thanks for making time available to meet up last week. I've run off some notes from what I felt was a helpful and constructive meeting. Please let me know if there are any errors or omissions from the key points of discussion.

Many thanks,

Neil Clarke
[REDACTED]

From: Neil and Sue Clarke [REDACTED]
Sent: 08 November 2015 22:19
To: 'Tony Baxter'
Cc: selinabannerman [REDACTED] 'Peter and Sylvie'; 'Anthony Baxter'; 'JANET LIVERSAGE'; ianhunt@muchhadhamparishcouncil.co.uk; 'Penny Taylor'; alexyoung@muchhadhamparishcouncil.co.uk; justingodfrey@muchhadhamparishcouncil.co.uk; mikekeogh@muchhadhamparishcouncil.co.uk
Subject: RE: Village Hall Meeting
Attachments: Notes of the Meeting Sept 2015.docx

Hi Tony,

Further to our meeting in September, can you please up-date me on progress?

1. With regards the Green Room Floor – have we had formal notice from E Herts that a grant has been agreed? What contribution will the Parish Council be making? Will an application for assistance be made to the Village Hall Management Committee? We meet on the 10th December and it will be helpful to have details of any request at least a week before the meeting as there are a number of items of expenditure we would wish to consider (including redecoration of the Green Room after the floor has been replaced, and purchase of some new chairs specifically for this room). We will need to know all the demands on the budget at this point in order to be able to determine what can or cannot be afforded.
2. We discussed the need for a thorough review of the structure of the building (including the various drainage issues). It was agreed that a structural survey would be conducted by members of the Parish Council with the intention of enabling us to develop a long/medium term maintenance/improvement programme for the hall. Can you tell us if there has been any progress on this please? Is it possible to put a timetable on this?

Many thanks in anticipation of your help.

Neil Clarke
Chair Much Hadham Village Hall Management Committee.

From: Neil and Sue Clarke [REDACTED]
Sent: 20 September 2015 11:59
To: 'Tony Baxter'; 'selinabannerman [REDACTED] 'Peter and Sylvie'; 'Anthony Baxter'
Subject: Village Hall Meeting

May thanks for making time available to meet up last week. I've run off some notes from what I felt was a helpful and constructive meeting. Please let me know if there are any errors or omissions from the key points of discussion.

Many thanks,

Neil Clarke
[REDACTED]

From: Tony Baxter [REDACTED]
Sent: 08 November 2015 23:08
To: Neil and Sue Clarke
Cc: Selina Bannerman; Peter and Sylvie; Anthony Baxter; JANET LIVERSAGE;
<ianhunt@muchhadhamparishcouncil.co.uk>; Penny Taylor; Alex Young; Ian
Devonshire
Subject: Re: Village Hall Meeting

Dear Neil,

Thank you for your e-mail.

I have good news and bad news for you.

The good news is that we have received notification of a grant from EHC for just over £5000 to repair the Green Room floor - thanks to the fundraising efforts of Richard Key.

The bad news is Richard Key, Mike Keogh and Justin Godfrey have resigned from the Parish Council and there may be at least two other resignations at the December PC meeting. Their resignations are regrettable and unfortunate but entirely understandable given the climate of hostility and the total lack of appreciation due to those Councillors who have worked very hard on behalf of the Parish by other foolish and utterly selfish members of our community. I am sure you know what and who I mean.

I am by no means certain whether the next PC meeting will be quorate and therefore able to sanction any PC funds to support this project. I therefore suggest given the parlous state of the floor in the Green Room, the Village Hall Committee allocate the rest of the funds needed for repair from their own resources. Cllr Bannerman estimated that this would cost about £10,000 from a quote she received so you would need to find about £5,000 from your reserves. I doubt Cllr Bannerman would be willing to assist you given current circumstances and I would be grateful if you could relay to the rest of your Committee that the blame for this situation rests entirely on the people (mentioned above) who have sought to destabilise the PC to the detriment of the users of the Village Hall and indeed the rest of the Parish. As Chairman of the PC I would advise you that you should quickly take advantage of the grant awarded and make the necessary repairs (preferably through a reputable builder outside of the community after receipt of the requisite 3 quotes) as soon as possible.

With regard to your second point, the good offices of the PC members who were willing to help the VH are now closed due the reasons mentioned before. Again as Chairman of the PC, I would urge you to complete the structural review as soon as possible using your own resources and present these to the Dec or Jan PC meeting.

The VH is the biggest financial asset under the responsibility of the PC and I will be keeping a very close and beady eye on its upkeep on behalf of future generations of users.

I am of course available to assist you in the above matters and am very willing to discuss the matter further.

Best wishes

Tony Baxter
Chairman MHPC

On Sun, Nov 8, 2015 at 10:19 PM, Neil and Sue Clarke <nclarke167@aol.com> wrote:

From: Anthony Baxter [REDACTED]
Sent: 15 November 2015 21:48
To: Richard Key; Neil and Sue Clarke; 'Tony Baxter'
Cc: 'Selina Bannerman'; 'Peter and Sylvie'; 'JANET LIVERSAGE';
ianhunt@muchhadhamparishcouncil.co.uk; 'Penny Taylor'; 'Alex Young'; 'Ian
Devonshire'; Mike Keogh
Subject: RE: Village Hall Meeting

Dear Richard,

You posed a question.

"Why Mr Clarke is still trying to start this unnecessary and hugely expensive project I do not know."

You might say this. I couldn't possibly comment.

Tony

Dr Anthony D. Baxter
Chairman MHPC
[REDACTED]

From: Richard Key [REDACTED]
Sent: 15 November 2015 19:43
To: Neil and Sue Clarke <nclarke167@aol.com>; Anthony Baxter [REDACTED] 'Tony Baxter'
[REDACTED]
Cc: 'Selina Bannerman' [REDACTED] Peter and Sylvie [REDACTED]
'JANET LIVERSAGE' [REDACTED]; ianhunt@muchhadhamparishcouncil.co.uk; 'Penny Taylor'
[REDACTED] 'Alex Young' <alexyoung@muchhadhamparishcouncil.co.uk>; 'Ian Devonshire'
<Ian.Devonshire@eastherts.gov.uk>; Mike Keogh <mikekeogh@muchhadhamparishcouncil.co.uk>
Subject: Re: Village Hall Meeting

Dear Tony,

The pictures Mr Clarke attached to his email show mostly flaking paint, 95% of the timber and guttering is sound. Fact

Why Mr Clarke is still trying to start this unnecessary and hugely expensive project I do not know.

The fact is the Green Floor is rotten, the gents toilet stinks and has not been really be updated since I was a child and the general appearance of the building is shabby.

The Much Hadham Village Hall needs professional people maintaining it, at the moment it seems that there is the potential for continued poor decision making and poor return for village funds.

Kind Regards

Richard Key

From: Neil and Sue Clarke [REDACTED]
Sent: 14 November 2015 22:37
To: 'Anthony Baxter'; 'Tony Baxter'
Cc: 'Selina Bannerman'; 'Peter and Sylvie'; 'JANET LIVERSAGE'; ianhunt@muchhadhamparishcouncil.co.uk; 'Penny Taylor'; 'Alex Young'; 'Ian Devonshire'; Richard Key
Subject: RE: Village Hall Meeting

Dear Tony,

Thank you for the e mail below. I note that it does now contain a formal request for financial assistance with the Green Room Floor repairs. I will circulate this e mail to the organisations represented on the Village Hall Management Committee to be considered at the next meeting.

I would be grateful if you could forward the quotations we have been told have been obtained, along with the service specification for the work (if indeed one was produced).

I am afraid the Parish Council's management of the repairs to the fascias and gutters does not inspire confidence. We have been told for months that our proposal to replace gutters, soffits and barge boards with UPVC was unnecessarily costly. However, at no time has the Parish Council been able to provide a costed alternative. The replacement of a small section of guttering at a cost of nearly £500 goes nowhere near addressing the problems. Please note the attached photographs sent to you in my e mail of the 26th July 2015 which showed areas then needing repair. As far as I can see none of these have been attended to in the repairs undertaken to date, and all will be deteriorating further as water ingress continues.

The performance of the Parish Council in this whole matter has been woeful. On several occasions some Parish Councillors have been rude, patronising and disrespectful to the Village Hall Management Committee and indeed to our contractor. In my view this has amounted to inappropriate conduct by a statutory authority, and this continues in your e mail below. I have tried to be patient, trying to maintain a positive relationship with the Parish Council, but at this point it becomes very difficult to see any reason for not making a formal complaint. I think you have left me with little choice.

Neil Clarke
Chair Much Hadham Village Hall Management Committee.

From: Anthony Baxter [REDACTED]
Sent: 14 November 2015 14:36
To: Neil and Sue Clarke; 'Tony Baxter'
Cc: 'Selina Bannerman'; 'Peter and Sylvie'; 'JANET LIVERSAGE'; ianhunt@muchhadhamparishcouncil.co.uk; 'Penny Taylor'; 'Alex Young'; 'Ian Devonshire'; Richard Key
Subject: RE: Village Hall Meeting

Dear Neil,

Thank you for your message of support - it is much appreciated.

However to address your points. The current Parish Council has, after many years of previous Councils inactivity with the Village Hall, taken the view that the Parish Council should have some influence of the maintenance of its

primary assets. This was actually suggested by former District Cllr Carver in 2013. We (You, Mr Appleton, Mr Duncan, Cllrs Bannerman and Key and myself) have met to discuss two recent issues - the guttering and fascias; and the Green Room floor. The guttering and the fascias have been repaired (thanks to the efforts of former Cllr Key) where the damage was greatest. This repair cost under £500 which was significantly under the amount of money proposed to be spent (£10,000) by the Village Hall committee based on your work schedule. This change of plan which saved over £9,500 of unnecessary works and tax payers money was thanks to Cllr Bannerman and former Cllr Key.

The Green Room floor which is rotten no secure over needs as we all agree to be repaired. Cllr Bannerman managed to secure a grant of £5000 toward this repair and it should be stated that this grant was given to the VH at the expense of the application being presented for the Pavilion due to the fact that only one application is allowed to be made to EHDC per annum. We felt that the Green room repair was of greatest priority and benefit to the Parishioners.

You say the PC is abdicating its financial responsibility to the VH. Nothing could be further from the truth and smacks of opportunism. The PC has not committed any monies to the VH this year - it is not in any budget and any proposed spend has not been agreed the PC which it would be required to give.

When we met, we agreed that in future, the PC would exert some influence and assistance towards the repairs to the fabric of the VH building and support future maintenance. This is why I have asked you to come up with a Schedule of Works plan for the VH which should be presented to the PC for consideration and possible inclusion in the 2016 and beyond budget. I again ask you to comply with this request. Cllr Bannerman has offered to help with this process should you wish.

Coming back to the Green room repairs I formally request that the VH committee sanction spending from their own reserves to make the difference of the cost of the repair excluding the grant of about £5000. The monies saved from the unnecessary guttering / fascias project will more than covered this amount. Could you please provide me with an up to date statement of VH accounts so that the PC can understand the financial position of the VH.

The PC agree wholeheartedly with you that the PC should take more financial responsibility for its own assets which include the Pavilion, the Recreation ground and the Village Hall and also other assets. We hope you and the VH committee work with the PC Council in future in a coordinated fashion to set reasonable objectives to better maintain the VH asset than has historically been the case on behalf of all Parishioners.

Yours sincerely

Tony Baxter
Chairman MHPC

[REDACTED]

From: Neil and Sue Clarke [REDACTED]
Sent: 10 November 2015 19:19
To: 'Tony Baxter' [REDACTED]
Cc: 'Selina Bannerman' [REDACTED]; 'Peter and Sylvie' [REDACTED]
Anthony Baxter [REDACTED]; 'JANET LIVERSAGE' [REDACTED]
ianhunt@muchhadhamparishcouncil.co.uk; 'Penny Taylor' [REDACTED]; 'Alex Young'
<alexyoung@muchhadhamparishcouncil.co.uk>; 'Ian Devonshire' <Ian.Devonshire@eastherts.gov.uk>
Subject: RE: Village Hall Meeting

Dear Tony,

Page 78

I'm sorry to hear that the Parish Council has had these problems. Sadly too few people in our community seem to recognise that it is only people who do anything who make mistakes. Some go beyond this general lack of grace by making personal attacks.

I certainly have no wish to add to your woes, but....

The response from the Parish Council is very disappointing. Having made it clear to us that the Parish Council has primary responsibility for the structural maintenance of the Hall, the council now appears to be abdicating financial responsibility for the repairs to the Green Room floor. We had at the meeting on September 15th raised a number of issues about any request from the Parish Council for financial assistance with the repairs. These points appear to have been disregarded.

1. A number of considerations were discussed in this respect:

i. The VHMC has a responsibility to members and the Charity Commissioners to account for funds. A sufficiently detailed request which will satisfy future accountability and auditing requirements makes life easier for all concerned.

ii. As the VHMC does not have primary responsibility for structural works, any additionality within the project (e.g. the improved flooring proposed for the Green Room) should be highlighted as this clearly comes within the remit of the VHMC.

iii. Cautions were raised about the funding available. Lettings income has been limited with the Drama Group not having a May production, and using the Church for its Autumn Production. It was also pointed out that where hall funds have been obtained for specific purposes (notably from the Recreation Trust) it may be necessary to seek agreement from the donors to use the funds for a different purpose.

iv. The weather on fete day was miserable for the second year running. Whilst people did very well in the circumstances, the grant available will inevitably not be as favourable as might otherwise have been the case

It is positive that East Herts have made a grant towards the works, but this does not absolve the Parish Council from financial responsibility. It should be noted that the Hall Management Committee could have made the application as it has previously. When the Council Tax precept for 2015/16 was discussed at the Parish Council Meeting on the 17th November 2014 it was agreed to keep the rate very low (lower than Sawbridgeworth, Buntingford, Bishops Stortford, Ware, and Hertford) on the basis that the Parish Council had a balance on its general fund in excess of £20,000, and no increase was required. Looking at expenditure by the Parish Council – even after paying for some new guttering – the Parish Council has still spent far more on bus shelters than it has on the Village Hall. (I have incidentally no problem with the expenditure on the bus shelters).

We will discuss the request from the Parish Council for financial assistance towards the cost of Green Room repairs at our next meeting. In the meantime we would be grateful if you would forward copies of the 2 quotations obtained, along with a copy of the service specification against which they were obtained.

Many thanks,

Neil Clarke

Chair Much Hadham Village Hall Management Committee.

PS I had a look at the guttering repair which looks fine (albeit it was dry at the time!). The rot on some of the bargeboards and soffits appears to be getting worse though. Is there any plan to repair these and/or paint them before the full ravages of winter? I am concerned that rot may spread to underlying roof timbers.

From: Tony Baxter [REDACTED]
Sent: Sunday, November 8, 2015 11:08 PM
To: Neil and Sue Clarke
Cc: Selina Bannerman; Peter and Sylvie; Anthony Baxter; JANET LIVERSAGE;
<ianhunt@muchhadhamparishcouncil.co.uk>; Penny Taylor; Alex Young; Ian Devonshire
Subject: Re: Village Hall Meeting

Dear Neil,
Thank you for your e-mail.
I have good news and bad news for you.

The good news is that we have received notification of a grant from EHC for just over £5000 to repair the Green Room floor - thanks to the fundraising efforts of Richard Key.

The bad news is Richard Key, Mike Keogh and Justin Godfrey have resigned from the Parish Council and there may be at least two other resignations at the December PC meeting. Their resignations are regrettable and unfortunate but entirely understandable given the climate of hostility and the total lack of appreciation due to those Councillors who have worked very hard on behalf of the Parish by other foolish and utterly selfish members of our community. I am sure you know what and who I mean.

I am by no means certain whether the next PC meeting will be quorate and therefore able to sanction any PC funds to support this project. I therefore suggest given the parlous state of the floor in the Green Room, the Village Hall Committee allocate the rest of the funds needed for repair from their own resources. Cllr Bannerman estimated that this would cost about £10,000 from a quote she received so you would need to find about £5,000 from your reserves. I doubt Cllr Bannerman would be willing to assist you given current circumstances and I would be grateful if you could relay to the rest of your Committee that the blame for this situation rests entirely on the people (mentioned above) who have sought to destabilise the PC to the detriment of the users of the Village Hall and indeed the rest of the Parish. As Chairman of the PC I would advise you that you should quickly take advantage of the grant awarded and make the necessary repairs (preferably through a reputable builder outside of the community after receipt of the requisite 3 quotes) as soon as possible.

With regard to your second point, the good offices of the PC members who were willing to help the VH are now closed due the reasons mentioned before. Again as Chairman of the PC, I would urge you to complete the structural review as soon as possible using your own resources and present these to the Dec or Jan PC meeting.

The VH is the biggest financial asset under the responsibility of the PC and I will be keeping a very close and beady eye on its upkeep on behalf of future generations of users.

I am of course available to assist you in the above matters and am very willing to discuss the matter further.

Best wishes

Tony Baxter

Chairman MHPC

On Sun, Nov 8, 2015 at 10:19 PM, Neil and Sue Clarke [REDACTED] wrote:
Hi Tony,

Further to our meeting in September, can you please up-date me on progress?

1. With regards the Green Room Floor – have we had formal notice from E Herts that a grant has been agreed? What contribution will the Parish Council be making? Will an application for assistance be made to the Village Hall Management Committee? We meet on the 10th December and it will be helpful to have

details of any request at least a week before the meeting as there are a number of items of expenditure we would wish to consider (including redecoration of the Green Room after the floor has been replaced, and purchase of some new chairs specifically for this room). We will need to know all the demands on the budget at this point in order to be able to determine what can or cannot be afforded.

2. We discussed the need for a thorough review of the structure of the building (including the various drainage issues). It was agreed that a structural survey would be conducted by members of the Parish Council with the intention of enabling us to develop a long/medium term maintenance/improvement programme for the hall. Can you tell us if there has been any progress on this please? Is it possible to put a timetable on this?

Many thanks in anticipation of your help.

Neil Clarke

Chair Much Hadham Village Hall Management Committee.

From: Neil and Sue Clarke [mailto: [REDACTED]]
Sent: 20 September 2015 11:59
To: 'Tony Baxter' [REDACTED]; 'Peter and Sylvie'; 'Anthony Baxter'
Subject: Village Hall Meeting

May thanks for making time available to meet up last week. I've run off some notes from what I felt was a helpful and constructive meeting. Please let me know if there are any errors or omissions from the key points of discussion.

Many thanks,

Neil Clarke

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EAST HERTS COUNCIL

STANDARDS SUB-COMMITTEE – 28 JANUARY 2016

REPORT BY MONITORING OFFICER

COMPLAINT IN RESPECT OF DISTRICT COUNCILLOR J CARTWRIGHT

WARD(S) AFFECTED: PUCKERIDGE

Purpose/Summary of Report

- To consider a code of conduct complaint in respect of District Councillor J Cartwright.

1.0 Background

- 1.1 The Monitoring Officer received a complaint alleging that District Councillor J Cartwright breached the Council's Code of Conduct.

2.0 Report

- 2.1 Council has agreed a procedure for considering complaints.

- 2.2 In accordance with that procedure, the Sub-Committee, at its meeting held on 24 November 2015, considered the complaint and determined to refer it for investigation.

- 2.3 The Monitoring Officer appointed an Investigating Officer.

- 2.4 The Investigating Officer's report can be found at **Essential Reference Paper 'C'**. A copy of this report has been sent to both the subject member and the complainant.

3.0 Investigating Officer's Report

- 3.1 The Investigating Officer has concluded that, in all the circumstances of this case, there has been a failure to comply with the Members' Code of Conduct.

- 3.2 The Investigating Officer highlights that the facts of the case were not disputed. They centred on twitter comments by Councillor Cartwright directed at two individuals.

- 3.3 The Investigating Officer took account of Councillor Cartwright's mitigating comments – as detailed in paragraph 5.3 of his report.
- 3.4 The allegation falls within the Code of Conduct, the relevant terms of which are noted at paragraph 3 as follows:

Always treating people with respect, including the organisations and public I engage with and those I work alongside.

- 3.5 The Investigation officer concludes that Cllr Cartwright's conduct failed to comply with the Members' Code of Conduct in that the comment he made on twitter on 29 October 2015 failed to treat those involved in the twitter exchange with respect.

4.0 Recommended action

- 4.1 In relation to the finding of a breach the Sub-committee must hold a hearing (see **Essential Reference Paper 'B'** in preceding agenda item for hearing procedure). The Investigating Officer will be in attendance at this meeting to present his report and the subject member will have the opportunity to present his case.

- 4.1 In so far the report makes a finding of breach, if, after a hearing, that finding is upheld by the Standards Sub-Committee, it will consider the following actions:

- A formal letter to the Councillor found to have breached the code;
- Formal censure by motion;
- Removal by the authority of the Member from Committee(s) subject to statutory and constitutional requirements;
- Press release or other appropriate publicity;
- Request an apology by the Member

5.0 Implications/Consultations

- 5.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

Contact Officer: Jeff Hughes – Monitoring Officer – 01279 655261
jeff.hughes@eastherts.gov.uk

Report Author: Jeff Hughes

ESSENTIAL REFERENCE PAPER 'A'

IMPLICATIONS/CONSULTATIONS

Contribution to the Council's Corporate Priorities/ Objectives (delete as appropriate):	People This priority focuses on enhancing the quality of life, health and wellbeing of individuals, families and communities, particularly those who are vulnerable.
Consultation:	The Independent Person has been consulted.
Legal:	The procedures are in accordance with relevant legislation.
Financial:	None
Human Resource:	None
Risk Management:	The case should be determined in accordance with the legislation having regard to the relevant guidance.

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East Hertfordshire District Council

**REPORT OF AN INVESTIGATION INTO Alleged Breach of the Members
Code of Conduct by George Robertson appointed by Monitoring Officer
for East Hertfordshire District Council INTO ALLEGATIONS
CONCERNING COUNCILLOR J CARTWRIGHT**

DATE: 12 January 2016

CONTENTS

- 1. Executive Summary**
- 2. Councillor Cartwrights official details**
- 3. The relevant legislation and protocols**
- 4. The evidence gathered**
- 5. Summary of material facts**
- 6. Reasoning as to whether there have been failures to comply with the Code of Conduct**
- 7. Finding**

Appendix A Schedule of evidence taken into account

1 Executive summary

1.1 Allegations

The complaint is that that Councillor J Cartwright breached the Members Code when making comments on his twitter account on the 29th October 2015 referring to a number of individuals as ‘thick’ and ‘illiterate’. It is alleged that the Councillors behaviour breached the requirement to ‘always treat people with respect’.

I have investigated the complaint made and in doing so have reviewed the evidence produced by the complainant and the responses provided by Councillor Cartwright.

1.2 Finding

My finding is that there has been a breach of the Members Code of Conduct.

2 Councillor J Cartwright’s official details

2.1 Elected to District Council in May 2015. Chairman of Standon Parish Council

2.2 Serves on Corporate Business Scrutiny and Audit Committees.

3. The relevant legislation and protocols

The relevant clause in the Members Code is contained in Clause 3 Other – ‘Always treating people with respect, including the organisations and public I engage with and those I work alongside.’

4. The evidence gathered

4.1 I have taken account of the written evidence of the complainant Adrian McNeece and the responses from Councillor Cartwright

5. Summary of the material facts

5.1 The facts forming the background to the complaint are to a large extent not in dispute. The complainant refers to comments made by Councillor James Cartwright on his twitter account made at 15.19 hrs on 29 October 2015 namely ‘[@davebromage@ScotRamsay@StortSkeptic@galdam](#) 27% no religion, [#thick](#) and [# illiterate](#) “.

5.2 The comment was made during exchanges on twitter following consideration of a motion proposed by the complainant and former Councillor Adrian McNeece to discontinue Christian prayers prior to meetings of the District Council. The comment appears to be aimed at a number of individuals including journalist Mr Dave Bromage, and Mr Scot Ramsey.

5.3 Councillor Cartwright does not dispute the content of the tweet nor that it was aimed at Mr Bromage and Mr Ramsey nor indeed that he intended to accuse them of being 'thick' and 'illiterate'. In his defence Councillor Cartwright points to a stream of abusive comment directed at local members following the defeat of the motion to end prayers. He claims;

' My comments were directed at three members of the public (only) who were providing deeply offensive remarks aimed at myself and ALL EH councillors involved in the vote regarding prayers .

In defending the words used he claims;

' I have apologised to any other person / member of the public who were misled by these three trouble makers in making it appear as if the hash-tags I used (#Pathetic #Illiterate and #Thick) were directed at atheists in general. They were clearly not, but at these three individuals only.

In the context of these exchanges, these three descriptions were factually accurate and appropriate descriptions of these individuals.

#Pathetic - dictionary definition - miserably inadequate (or feeble, woeful, sorry, poor, pitiful, lamentable, deplorable, miserable, wretched, contemptible, despicable, inadequate, meagre, paltry, insufficient, negligible, insubstantial, unsatisfactory, worthless)

I maintain many of these attributes were accurate when considering the attitude of these three people towards myself and fellow councillors, especially the ones highlighted by myself above

#Illiterate - you will notice in one of the tweets they used the word "there" meaning "they are" and they failed to acknowledge many of the arguments I put forward, dictionary definition is "unable to read or write"

#Thick (in this context) meaning "of low intelligence, stupid" - when presented some factual statistics they repeatedly added up the numbers incorrectly to augment their case."

5.4 I have attempted to discover in the interest of fairness the abusive tweets referred to by Councillor Cartwright and confirmed with him that he has no record of any such abusive material originating from those

individuals which he has characterised as 'thick', 'illiterate' and 'pathetic'.

6 Reasoning as to whether there have been failures or not to comply with the Code of Conduct

6.1 I must now consider whether by his actions Councillor Cartwright failed to comply with the Members Code of Conduct.

6.2 The term Cllr used by Councillor Cartwright on his twitter account when describing himself and the nature of the twitter discussion make it clear that Councillor Cartwright was acting as a representative of the Council when using twitter in these exchanges. The Member Code of Conduct and in particular the requirement to 'treat people with respect' applies to the exchanges that took place following the vote on the motion to cease prayers. For disrespect to be shown the comments made have to be such that, when viewed objectively they are considered to be a personal attack or slight on an individual, or individuals.

6.3 Provocation which might explain the use of language such as 'thick' or 'illiterate' in exchanges between members of the public cannot excuse such use by Councillors. The Members Code requires a higher standard of behavior on the part of Councillors.

6.4 The attempt to justify the use of such language by reference to dictionary definitions is not helpful. Even if the language used were accurate it can nevertheless be disrespectful.

6.5 I understand that Councillor Cartwright did not attend the Members training session on social media. This is regrettable. A brief review of examples of Guidance to Members on line on the subject of the dangers of social media discloses warnings such as 'Don't enter in to unhelpful online arguments; remember all of your followers and friends will be witnessing this on line .Ignore people or block them if they persist in vexatious comment'.

One mans vexatious comment is another's reasonable comment and Members need to avoid being drawn in to heated exchanges on social media during which the quality of comment deteriorates.

7 Finding

7.1 My finding in all the circumstances of this case is that there has been a failure to comply with the Members Code in that the comment made on twitter on the 29 October 2015 failed to treat those involved in the twitter exchange with respect.

Appendix A

Schedule of evidence taken into account

Case No:

Core documents

Doc No	Description
1	Allegation
2	Relevant E mails
3	Members Code



COMPLAINT FORM : CODE OF CONDUCT FOR MEMBERS

A. Your details

1. Please provide us with your name and contact details. Anonymous complaints will only be considered if there is independent evidence to substantiate the complaint.

Title:	Mr
First name:	Adrian
Last name:	McNeece
Address:	<div style="background-color: black; width: 100%; height: 100%;"></div>
Contact telephone:	
Email address:	
Signature:	
Date of complaint:	2 November 2015

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

The following people may see this form:

- Monitoring Officer of the Council
- Standards Committee members
- Council's Independent Person(s)
- The subject member(s)
- the Parish Clerk (if applicable)

If you have serious concerns about your name and a summary, or details of your complaint being released, please complete **Section C** of this Form and also discuss your reasons or concerns with the Council's Monitoring Officer.

EAST HERTFORDSHIRE DISTRICT COUNCIL

Please tell us which complainant type best describes you:

- ☒ A member of the public
- ☐ An elected or co-opted Member of the Council
- ☐ An independent member of a Standards Committee
- ☐ A Member of Parliament
- ☐ A Monitoring Officer
- ☐ Other council employee, contractor or agent of the Council
- ☐ Other ()

2. Equality Monitoring Form - please fill in the attached form.

B. Making your complaint

3. Please provide us with the name of the Member(s) you believe have breached the Council's Code of Conduct:

Title	First name	Last name
Cllr	James	Cartwright

4. Please explain in this section (or on separate sheet(s)) what the Member is alleged to have 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, with dates / witnesses to substantiate the alleged breach.

It is also important that you provide all the evidence you wish to have taken into account. 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 or did to insult you.
- 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.

EAST HERTFORDSHIRE DISTRICT COUNCIL

- 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 or other relevant documentary evidence to support your allegation(s).

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

I am complaining about Cllr James Cartwright's comments on his Twitter account page made at 15.19hrs on 29 October 2015. Specifically, he published a tweet stating;

"@davebromage @ScotRamsay @StortSkeptic @galdam 27% no religion. #thick and #illiterate"

His comments were inappropriate to members of the public, and he has treated non-religious members of the public with a cavalier lack of respect. His comments suggesting that people of no religion are **thick** and **illiterate** could not be designed to be more offensive or discriminating. He has shocked and offended myself and others who hold secular or atheist views.

His comments came less than 24 hours after the council defeated a motion to end the saying of prayers (Christian) by the council on council premises. Given that the council defeated the motion by 42 votes to 5, prompting my resignation as a councillor. I view Cllr Cartwright's comments to be provocative, offensive and disrespectful. His comments were made at a very sensitive time, following a debate on the exclusion of religious observance at East Herts District council.

I was offended, and other residents of East Herts were offended. I would be happy to provide names, and contact details if necessary. However I trust my complaint is sufficient to warrant an investigation and review of Cllr Cartwright's errant conduct

I refer to The Code of Conduct ESSENTIAL REFERENCE PAPER 'B';

Page 1 – Introductory declaration subscribed to by all members

As a member or co-opted member of East Hertfordshire District Council I have a responsibility to represent the community and work constructively with our staff and partner organisations to secure better social, economic and environmental outcomes for all.

In accordance with the Localism Act provisions, when acting in this capacity I am committed to behaving in a manner that is consistent with the following principles to achieving best value for our residents and maintain public confidence in this authority.

EAST HERTFORDSHIRE DISTRICT COUNCIL

ACCOUNTABILITY: Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

Page 3 - Dealing with representations or enquiries from residents, members of our communities and visitors fairly, appropriately and impartially.

Page 4 – Behaving in accordance with all our legal obligations, alongside any requirements contained within this authority's policies, protocols and procedures, including on the use of the authorities resources.

Page 4 - Always treating people with respect, including the organisations and public I engage with and those I work alongside.

EAST HERTFORDSHIRE DISTRICT COUNCIL

C. Confidentiality of complainant and the complaint details

Only complete this next section if you are requesting that your identity is kept confidential

5. In the interests of fairness and in compliance with the rules of natural justice, we believe Members who are complained about have a right to know who has made the complaint and the substance of the allegation(s) made against him / her. We are, therefore, unlikely to withhold your personal details or the details of your complaint unless you have good reasons to believe that you have justifiable grounds, for example:
- to believe you may be victimised or harassed by the Member(s) against whom you are submitting a written complaint (or by a person associated with the same); or
 - may receive less favourable treatment from the Council because of the seniority of the Member against whom you are submitting a written complaint in terms of any existing Council service provision or any tender / contract that you may have or are about to submit to the Council.

Please note that requests for confidentiality or requests for suppression of the personal and complaint details will not automatically be granted. The Assessment Sub-Committee will consider the request alongside the substance of your complaint and the Monitoring Officer will then contact you with the decision. If your request for confidentiality is not granted, we will usually allow you the opportunity, if you so wish, of withdrawing your complaint.

However, it is important to understand that - in exceptional circumstances, where the matter complained about is very serious - we may proceed with an investigation (or other action) and may have no choice but to disclose your personal and complaint details, because of the allegation(s) made, even if you have expressly asked us not to.

Please provide us with details of why you believe we should withhold your name and/or the details of your complaint:

(Continue on separate sheet(s), as necessary)

EAST HERTFORDSHIRE DISTRICT COUNCIL

D. Remedy sought

7. Please indicate the remedy or remedies you are looking for or hoping to achieve by submitting this complaint.

1. A personal letter of apology from Cllr Cartwright to myself for the offence he has caused.
 2. A public apology by Cllr Cartwright at the next full meeting of the council.
 3. A press release apology by the council to local media organisations.
 4. A suitable sanction by the council against Cllr Cartwright for his behaviour, as a demonstration that his disrespectful conduct has consequences, and that he must be seen to be accountable for his conduct.

(Continue on separate sheet(s), as necessary)

E. Additional information

8. Complaints must be submitted in writing. This includes fax and electronic submissions. Frivolous, vexatious and politically motivated tit-for-tat complaints are likely to be rejected.
9. In line with the requirements of the Disability Discrimination Act 1995, we can make reasonable adjustments to assist you if you have a disability that prevents you from making your complaint in writing. We can also help if English is not your first language.
10. If you need any support in completing this form, please contact the Monitoring Officer as soon as possible.

Monitoring Officer Contact details:

The Monitoring Officer – Simon Drinkwater
East Herts Council
Wallfields
Pegs Lane
Hertford
SG13 8EQ

EAST HERTFORDSHIRE DISTRICT COUNCIL

Monitoring Form – Local Assessments of Complaints Standards Committee - Assessment Sub Committee

Working towards equal opportunities

East Hertfordshire District Council is committed to a policy of equality of opportunity in both employment and service provision. We seek to ensure that no person receives less favorable treatment on the grounds of gender, race, or ethnic origins, marital status, disability, age, sexual orientation, family responsibilities, religion, trade union involvement or political belief or is disadvantaged by conditions or requirements which cannot be shown to be justifiable.

White

White British
White Irish
Any other White
background

☒

Mixed

White and Black
Caribbean
White and Black
African
Any other mixed
background

☐

Asian

Indian
Pakistani
Bangladeshi
Any other Asian
background

☐

Black

Caribbean
African
Any other Black
background

☐

Chinese or other ethnic group

Chinese
Other

☐

*Categories used are those utilised by
the Office of Population Censuses and
Surveys

Do you have a physical or mental impairment which has a substantial and long term adverse effect
on your ability that you wish to declare under the Disability Discrimination Act?

Yes

☐

No

☐

Adrian McNeece

@AdrianMcNeece

Workplace Strategist, Interiors Photographer,
Artist & Still an Atheist

📍 Hertford, UK

867 FOLLOWING

1,008 FOLLOWERS

Tweets

Media

Favourites

↩ in reply to @james_cllr



Adrian McNeece @AdrianMcNeece 41s

@james_cllr Dismayed James's
assertion that non Christians or
atheists are thick/illiterate
@davebromage @ScotRamsay
@StortSkeptic @galdam



↻ You Retweeted



Cllr J Cartwright @james_cllr 7h

@davebromage @ScotRamsay
@StortSkeptic @galdam 27% no
religion. #thick and #illiterate



Home



Notifications



Messages



Me



Edit profile

Adrian McNeece

@AdrianMcNeece

Workplace Strategist, Interiors Photographer,
Artist & Still an Atheist

📍 Hertford, UK

867 FOLLOWING

1,008 FOLLOWERS

Tweets

Media

Favourites

↻ You Retweeted



Scot Ramsay @ScotRamsay

41m

The view of one of my local
Councillors who claims he is a
Christian.

Cllr J Cartwright @james_cllr

@davebromage @ScotRamsay
@StortSkeptic @galdam 27% no
religion. #thick and #illiterate



Home



Notifications



Messages



Me



East Herts councillor James Cartwright labels Twitter opponents 'thick', 'illiterate' and 'pathetic'



(/photos/article/28106759)



Cllr James Cartwright was embroiled in a spat on Twitter over a failed motion to remove prayers from before the start of EHDC meetings

Yesterday at 9:17 PM

2 comments

By Herts & Essex Observer

A complaint has been made alleging that a member of East Herts District Council breached the authority's code of conduct for councillors by calling non-religious opponents on Twitter "thick", "illiterate" and "pathetic".

Cllr James Cartwright, the Conservative member for Puckeridge and chairman of Standon Parish Council, is the subject of an official protest by a former fellow Tory who put forward a motion to have prayers removed from before the start of EHDC's seven full meetings a year.



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Following a 2-5 defeat of the motion by councillors in a secret ballot last Wednesday evening, atheist Adrian Mc Ee, the member for Hertford Heath who proposed the motion, resigned from the council and then from the Conservative Party.

A heated debate about the decision erupted on Twitter, during which Cllr Cartwright, who had previously tweeted how he respected the views of others, appeared to lose respect for one or two electors.

In his complaint to EHDC about Cllr Cartwright, Mr Mc Ee references the following series of tweets:



Dave Bromage
davebromage

29 Oct

james cllr Scot amsay StortSkeptic galdam 6
Christian, 7 non-tian. basic maths. You're not in charge of
council budgets, right



Cllr J Cartwright
james cllr

Follow

davebromage Scot amsay StortSkeptic galdam 27
no religion. thick and illiterate
:19 PM - 29 Oct 2015

2 1



Cllr J Cartwright
james cllr

29 Oct

davebromage Scot amsay StortSkeptic galdam 27 no
religion. thick and illiterate



Cllr J Cartwright
james cllr

Follow



Cllr J Cartwright

james cllr

1 ov

davebromage Scot amsay StortSkeptic galdam
apologies if my tweet re thick and illiterate offended any
atheists - it was directed 1/2



Cllr J Cartwright

james cllr

Follow

davebromage Scot amsay StortSkeptic galdam at
only one and taken (conveniently) out of conte t - many of my
friends are atheists 2/2

10:00 PM - 1 ov 2015



Dave Bromage

davebromage

1 ov

james cllr Scot amsay StortSkeptic galdam Just me
then Even though you are claiming Christian prayers are
inconclusive of all faiths



Scot Ramsay

Scot amsay

Follow

Entirely untrue james cllr You called me thick, reiterated
that you meant me, and subse uently called davebromage
thuck and illiterate

12:02 PM - 1 ov 2015

1



Scot Ramsay

Scot amsay

1 ov

Entirely untrue james cllr You called me thick, reiterated that
you meant me, and subse uently called davebromage thuck
and illiterate



Cllr J Cartwright

james cllr

Follow

Scot amsay no - meant just for you - apologies to anyone
else to whom it was not intended and mis uoted out of conte t.

12:06 PM - 1 ov 2015



Mr Mc Eeche said: "His (Cllr Cartwright's) comments were inappropriate to members of the public, and he has treated non-religious members of the public with a cavalier lack of respect.

"His comments suggesting that people of no religion are thick and illiterate could not be designed to be more offensive or discriminating. He has shocked and offended myself and others who hold secular or atheist views.

"I view Cllr Cartwright's comments to be provocative, offensive and disrespectful. His comments were made at a very sensitive time, following a debate on the exclusion of religious observance at East Herts District Council."

He cited accountability of members, including a clause which members must abide by, which is to be "always treating people with respect, including the organisations and public engage with and those work alongside".

Mr Mc Eeche asks for a personal apology from him, a public apology at the next full council meeting, a press release apology by the council to local media and a "suitable sanction" against Cllr Cartwright so he is "seen to be accountable for his conduct".

Like Mr Mc Eeche, Cllr Cartwright, 51, was first elected to the district council in May. A Church of England Christian, he works as director of operations at a Saint Ignace Catholic School in London.

An East Herts District Council spokeswoman said Mr Mc Eeche's complaint about Cllr Cartwright would be considered in the next few weeks by a standards sub-committee, made up of three East Herts councillors from the standards committee and an independent person. The sub-committee will decide whether an investigation by the full standards committee is appropriate.

 **Have your say**

 **Report**

Related Articles

East Herts council prayers: Member who quit after failed motion now resigns from Conservative Party (<http://m.hertsandessexobserver.co.uk/East-Herts-Prayers-Member-left-council-failed/story-28079521-detail/story.html>)

East Herts councillor resigns as vote to remove prayers before meetings lost in landslide (<http://m.hertsandessexobserver.co.uk/East-Herts-councillor-resigns-vote-remove-prayers/story-28077804-detail/story.html>)

East Herts District Council to vote on scrapping Christian prayers from meetings (<http://m.hertsandessexobserver.co.uk/East-Herts-District-Council-set-vote-motion/story-28070901-detail/story.html>)

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ium=bytaboola&taboola_utm_content=grid-2x2-mobile:grid-2x2-mobile:)
From the Web

(<http://lotto.co.uk/national-lottery-changes> utm source taboola utm medium referral)

ew otto Changes That Affect Your Chances nfographic
otto

(<http://lotto.co.uk/national-lottery-changes> utm source taboola utm medium referral)

(<http://www.moneysupermarket.com/c/videos/whats-the-best-type-of-car-fuel/008578> /
utm source taboola utm medium referral)

hats The est Type f Car uel
MoneySuperMarket

(<http://www.moneysupermarket.com/c/videos/whats-the-best-type-of-car-fuel/008578> /
utm source taboola utm medium referral)

(<http://www.theguardian.com/heineken-rugby/2015/aug/26/meet-the-heineken-legends-jonah-lomu>
utm source taboola utm medium referral)

ill Carling n Jonah omu: "He Destroyed Me"
The uardian for Heineken

(<http://www.theguardian.com/heineken-rugby/2015/aug/26/meet-the-heineken-legends-jonah-lomu>
utm source taboola utm medium referral)

(<http://www.msn.com/en-gb/health/medical/tattoo-with-a-hidden-message-highlights-the-invisible-battle-faced-by-people-with-depression/ar-AAAdmHliAA51YE> srcref rss CD TA 1 7)

This oman's Tattoo Has A Hidden Message And t s oing iral

 MS

PatrickNewman

4/11/15 10:4 AM

Bigotry and intolerance is clearly not the preserve of non-Christian religions. It is the natural order of things in a world of science that there is no god but religion is a convenient crutch for many people and they should be allowed their illusion if they find it satisfying.



konnichiwa

4/11/15 10:1 AM

To be frank Cllr Cartwright more fool you for engaging those idiots on twitter but if you must watch for Atheist Humanist stock phrases like "tyranny of the majority" as that means -- WE won't be calling it tyranny if WE ever become the majority we'll call it DEMOCRACY until then...booo we're the minority shouting "tyranny of the majority" until WE get what WE want...



News



Sport



What's On



≡ **Directory (businesses)**



Tory councillor stands down in 'prayers before meetings' row

Apology demanded over comments on Twitter

By Tom Durham

tom.durham@hertssexobserver.co.uk

A TORY member of East Herts District Council has quit after his motion for prayers to be dropped from before the start of meetings of the full council was defeated by a landslide.

The day after last Wednesday's 42-5 vote of refusal in a secret ballot of councillors at the authority's chamber in Hertford, atheist Adrian McNeece also resigned from the Conservative Party.

He has since lodged a formal complaint against a former Conservative colleague, who supported the status quo, over comments on Twitter.

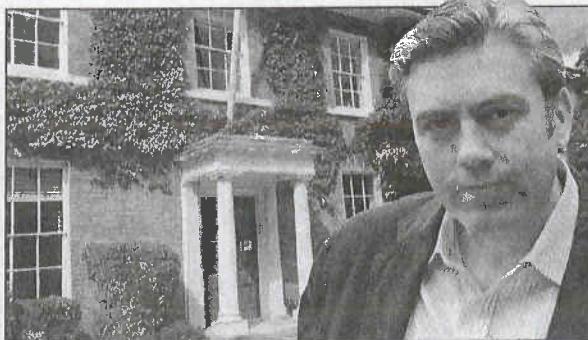
Mr McNeece, who was elected as member for Hertford Heath in May, had hoped to abolish the decades-long practice of inviting a Christian priest to conduct prayers before meetings. He said that he had felt "excluded" during prayers held at his first meeting of the full council.

No part

His motion read: "The meetings of East Herts District Council should be conducted in a manner equally welcoming to all attendees, regardless of their individual religious beliefs or lack of belief. Religious worship should therefore play no part in the formal or informal business of council meetings, on council premises."

The vote focused on three lines of text which appear on every full council meeting agenda, which read: "Prayers will be said before the meeting commences. Those members who do not wish to participate will be invited to enter the chamber at their conclusion."

Mr McNeece described his shock at the strength of opposition among fellow councillors, citing a Herts & Essex Observer Twitter poll which showed 92 per cent of 347 voters supported his stance. Three of EHDC's



QUIT: Adrian McNeece has resigned from East Herts District Council

50 members, all of whom are Conservative, were not at last Wednesday's vote.

Since then, a heated social media exchange between supporters of the motion and EHDC's Puckeridge member, Cllr James Cartwright, on the side of the status quo, has flared up. Mr McNeece has lodged a council members' code of conduct complaint with EHDC against Cllr Cartwright for suggesting people of no religion were "thick" and "illiterate".

Mr McNeece has asked for a personal letter of apology for "the offence he has caused", a public apology at the next full meeting of EHDC, a press release to local media and a "suitable sanction" for Church of England Christian Cllr Cartwright, who works in a Catholic school in London.

Speaking to the Observer after the result, Mr McNeece said: "The separation of government and religion is essential. I'm extremely saddened that such a huge number of councillors voted against the motion.

It suggests to me that they are making the decision based upon political expediency rather than political honesty."

Prayers take place at full meetings of Herts and Essex county councils and at Sawbridgeworth Town Council. They do not occur at meetings of Bishop's Stortford, Uttlesford and Harlow councils.

An EHDC spokesperson said: "It is important to make it clear that prayers are held before full council meetings, of which there are approximately seven in a year. They are not held as part of the actual meeting, they are entirely optional and they are not held before any other of the very many council committee meetings."

Council leader Linda Haysey said: "The manner and timing of the option is to be reviewed to ensure that councillors who do not wish to take part do not feel uncomfortable or excluded."

Mr McNeece's departure means a by-election will be held in Hertford Heath.

Dave Brotnage



Trash talking...

DEAR God, my black bin split in August. I ordered a replacement online but as yet it hasn't arrived.

Rats are sniffing around, so could you please remind East Herts District Council about it at its next meeting, as it listens to you more than local residents? Amen.

Welcome to the new way of doing things in Britain's Bible Belt.

At least, that's the conclusion I've drawn from EHDC's 42-5 thrashing of atheist upstart Adrian McNeece and his request that prayers are not held before official meetings.

And it's certainly something we can infer from the post-vote Twitter gloatfest of the self-appointed mouthpiece of the council's overwhelming Christian majority, Cllr James Cartwright.

It is all deeply troubling.

Magnanimity

"42-51 42-51" parroted Puckeridge representative Cartwright, like a rugby fan untroubled by the concept of magnanimity in victory.

He repeated the 'score' as though it were a justification of itself, when it merely highlighted how out of touch this 100 per cent Conservative council is.

He labelled the secularist viewpoint "pathetic" and the vote a "total waste of council time". Yet muttering platitudes into the ether is well worth both the time and council resources, of course.

Most perturbing was Cartwright's unshakable belief that the rights of the majority trump all. Channelling Eric Pickles, the gelatinous former Minister of

Faith, Cartwright goaded critics with: "You live in a Christian country - get over it!"

This sinister phrase betrays an elected member's smugness and excitement at the freedom to ride roughshod over the views of the under-represented.

Even if most Brits - including 62.75 per cent of East Herts residents, according to the 2011 Census - identify as Christian, so what? Politicians are elected by majorities but they must strive to serve the whole. Pickles' mantra holds no more water than "This is a white country - get over it!" as an excuse to tell racist jokes.

Cartwright insists the prayer session is inclusive because those it makes uncomfortable can CHOOSE (his capitals) either to join in the worship of a deity they don't believe in or stand outside. Much like Christians living in the Islamic State's caliphate are free to CHOOSE whether to convert or die.

Some American police officers have taken recently to plastering 'In God We Trust' stickers over their panda cars - a concerning move which implies these cops will "protect and serve" fellow believers over non-believers. Last week's East Herts landslide has the same effect.

It tacitly - and, in the case of Cartwright's ravings, explicitly - reinforces the notion that the opinions and concerns of East Herts' non-Christian minority aren't worth a damn.

An elected body asking, in an official capacity, for divine guidance is left wide open to accusations of prejudice. Is a Christian more likely to get a leg up on the housing register? Would a secular disco have less chance than a church

beetle drive of getting an alcohol licence approved?

I'd have previously dismissed such claims as scaremongering. But that was before the Christian majority showed so little empathy with McNeece that, when he proposed a motion asking them to desist in making him feel marginalised, they stomped on it with such vigour that he had no choice but to resign.

Let's be clear: this isn't about clamping down on religion. That Cllr Cartwright believes God will help him make wiser decisions regarding the district's recycling needs is, of course, his business.

But he hasn't been elected to a synod. Why can't he pray in the privacy of his own home?

Flake

Perhaps it's understandable. God is, after all, a notorious flake. If He can't be arsed to answer the prayers of the parents of a dying child, then there's no chance He is going to rule on bin collections unless presented with all the minutiae immediately before the vote.

It shows the danger of writing 'Christian' on the Census form just because you celebrate Christmas rather than Hannukah or Eid.

A Church of England survey last week revealed that many of these 'cultural' Christians don't even believe Jesus was a real person.

But the fact so many tick the box emboldens fundamentalist zealots in positions of power, giving them reason to believe they have a mandate to push for a theocracy. And if that happens, I'd never get my new bin.

■ "It's time the council took a good look outside of its bubble of privilege": See Letters, p10&11



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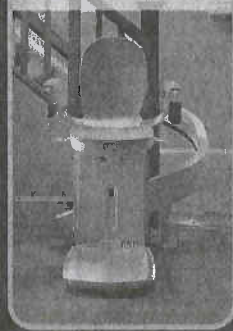
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Indeed, and that is why I apologised to those people, stating who and why the words I used were directed to, but please include the incessant harassment by those others who failed to accept my basic arguments using factual information from the UK Census which is why I made the hashtag comments I did.

I hope this helps

James

Cllr James Cartwright
Member for Puckeridge
East Herts District Council.

From: Robertson George
Sent: 08 December 2015 13:14
To: Councillor Cartwright (James)
Subject: RE: Standards investigation

[Councillor cartwright](#)

Thank you for this –It does not appear that those posting the bad language were those to whom your comments were directed or am I misreading.

From: Councillor Cartwright (James)
Sent: 07 December 2015 12:38
To: Robertson George
Cc: Hughes Jeff
Subject: RE: Standards investigation

Dear Mr Robertson

Please find screenshots of two of the tweets referred to.

Despite much searching over the weekend, I cannot find a third, and the most serious (use of the "C" word). After contacting Twitter, it appears someone reported that particular tweet as "offensive" and as per Twitter's terms of service they then deleted that specific tweet. Unfortunately I had not taken a screenshot but I am aware from feedback from other councillors that I was not the only one to see it and be offended by it. I can, if required, see if anyone will back me up on this.

What happens when I report a Tweet or Direct Message?

- Reported Tweets will disappear from your timeline.
- Reporting a Tweet does not automatically result in the user being suspended.
- Reported Messages will disappear from your inbox and cannot be recovered.

If I can be of any further assistance, please do not hesitate to contact me.

kind regards

James

From: Robertson George
Sent: 03 December 2015 10:18
To: Councillor Cartwright (James)
Cc: Hughes Jeff
Subject: RE: Standards investigation

Councillor Cartwright

Our communications team have been unable to find any record of the abusive language you refer to and I wondered if you have any record of these tweets from the individuals concerned.

From: Councillor Cartwright (James)
Sent: 01 December 2015 15:51
To: Robertson George
Subject: Re: Standards investigation

Thank you - that is fair.

Sent from my iPhone

On 1 Dec 2015, at 15:24, Robertson George <George.Robertson@eastherts.gov.uk> wrote:

Thank you for the prompt response. I am seeking the full twitter trail in light of your comments and the omission from the papers submitted to the Sub committee.

From: Councillor Cartwright (James)
Sent: 01 December 2015 12:29

To: Robertson George
Cc: Hughes Jeff; Councillor Jones (Gary); Councillor Haysey (Linda)
Subject: RE: Standards investigation

Dear Mr Robertson,

Thank you for the opportunity at being able to provide some context around this matter.

My comments were directed at three members of the public (only) who were providing deeply offensive remarks aimed at myself and ALL EH councillors involved in the vote regarding prayers.

Specifically, all the EH Councillors were called "Ars*hol*s" and "C*nts" by these three tweeters and other remarks such as "I can't believe they f*cking clapped" referring to the reaction of the Councillors to a speech made by the Deputy Leader of the Council, Cllr Gary Jones. - Please note, I have replaced some letters of these words with asterisks, but these were not replaced in the original tweets which can be seen if you follow the Tweet trail - but interestingly not included in the selection of tweets included within the complaint submitted by former Councillor Adrian McNeese.

I have apologised to any other person / member of the public who were misled by these three trouble makers in making it appear as if the hash-tags I used (#Pathetic #Illiterate and #Thick) were directed at atheists in general. They were clearly not, but at these three individuals only.

In the context of these exchanges, these three descriptions were factually accurate and appropriate descriptions of these individuals.

#Pathetic - dictionary definition - miserably inadequate (or [feeble](#), [woeful](#), [sorry](#), [poor](#), [pitiful](#), [lamentable](#), [deplorable](#), [miserable](#), [wretched](#), [contemptible](#), [despicable](#), [inadequate](#), [meagre](#), [paltry](#), [insufficient](#), [negligible](#), [insubstantial](#), [unsatisfactory](#), [worthless](#))

I maintain many of these attributes were accurate when considering the attitude of these three people towards myself and fellow councillors, especially the ones highlighted by myself above

#Illiterate - you will notice in one of the tweets they used the word "there" meaning "they are" and they failed to acknowledge many of the arguments I put forward, dictionary definition is "unable to read or write"

#Thick (in this context) meaning "of low intelligence, stupid" - when presented some factual statistics they repeatedly added up the numbers incorrectly to augment their case.

On that basis, I feel entirely justified in using these words **towards these three individuals (only)** as they are accurate and well deserved. Any inference that I meant atheists in general was not intended and I have already apologised for this misinterpretation.

I hope this helps.

kind regards

James

Cllr James Cartwright
Member for Puckeridge
East Herts District Council.

From: Robertson George
Sent: 01 December 2015 09:47
To: Councillor Cartwright (James)
Cc: Hughes Jeff
Subject: Standards investigation

Councillor Cartwright

The Standards sub committee has required me to investigate on behalf of the Monitoring Officer the complaint made by Mr Adrian McNeece relating to comments made on your twitter account on the 29 October 2015.

Specifically the complaint refers to a tweet stating '
[@davebromage@ScotRamsay@StortSkeptic@galdam](#) 27% no religion, [#thick](#) and [# illiterate](#).

The complaint alleges that such comment was inappropriate and disrespectful in suggesting that non religious members of the public were both thick and illiterate.

I note that in your follow up tweets you seek to limit the comment to Mr Scot Ramsey with whom you were communicating though I note from the summary presented to the sub committee that the initial comment appears to be made to a Mr Dave Bromage.

I would appreciate your comment on the complaint as soon as you are able as the subcommittee requested that a report be submitted as soon as possible.

Legal manager

Tel no 01279502193

My working days are Tuesday, Wednesday and Thursday

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Tweet



principle and your inability to see that speaks volumes



1



David James @StortSk... 28/10/2015

@james_cllr @galdam
@davebromage @ScotRamsay
@NatSecSoc The chamber
fucking clapped against the
motion. Utterly disrespectful.



2



Cllr J Cartwright @ja... 28/10/2015

@StortSkeptic @galdam
@davebromage @ScotRamsay
@NatSecSoc not disrespectful to
clap the voice of reason and
common sense.



Cllr J Cartwright @ja... 28/10/2015

@naulnhillins FH

Reply to David James, Scot Ramsay, Gary Alc



Home



Notifications



Messages



Me

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Tweet



Tom Huntley @tomthe... 29/10/2015

@davebromage @james_cllr
@StortSkeptic @ScotRamsay
@galdam @NatSecSoc Head-
slappingly absurd



2



Carl @EtTuCarl 29/10/2015

@james_cllr @galdam
@davebromage @StortSkeptic
@ScotRamsay @NatSecSoc
Politicians who abuse their
position to promote religion are
assholes.



1



Alexis Beeching @Ale... 29/10/2015

@AdrianMcNeece what a shame
to resign after one lost vote. This
is democracy. The only way to
win is to be in.
#centetendthebest

Reply to David James, Scot Ramsay, Gary Alc



Home



Notifications



Messages



Me

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ESSENTIAL REFERENCE PAPER 'B'

Code of Conduct

As a member or co-opted member of East Hertfordshire District Council I have a responsibility to represent the community and work constructively with our staff and partner organisations to secure better social, economic and environmental outcomes for all.

In accordance with the Localism Act provisions, when acting in this capacity I am committed to behaving in a manner that is consistent with the following principles to achieve best value for our residents and maintain public confidence in this authority.

SELFLESSNESS: Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

INTEGRITY: Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

OBJECTIVITY: In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

ACCOUNTABILITY: Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

OPENNESS: Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

HONESTY: Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

LEADERSHIP: Holders of public office should promote and support these principles by leadership and example.

The Act further provides for registration and disclosure of interests and in East Hertfordshire District Council this will be done as follows:

INTERESTS

1 General

A Member, present at a meeting of the Authority, or any committee, sub-committee, joint committee or joint sub-committee of the Authority, with a Disclosable Pecuniary Interest (DPI) in any matter to be considered or being considered at a meeting:

- (a) must not participate in any discussion of the matter at the meeting;
- (b) must not participate in any vote taken on the matter at the meeting;
- (c) must disclose the interest to the meeting, whether registered or not, subject to the provisions of section 32 of the Localism Act 2011;
- (d) if the interest is not registered and is not the subject of a pending notification, must notify the Monitoring Officer of the interest within 28 days;
- (e) must leave the room while any discussion or voting takes place.

2 Register of interests

Any interests notified to the Monitoring Officer will be included in the register of interests.

A copy of the register will be available for public inspection and will be published on the authority's website.

3 Sensitive interests

Where you consider that disclosure of the details an interest could lead to you, or a person connected with you, being subject to violence or intimidation, and the Monitoring Officer agrees, if the

interest is entered on the register, copies of the register that are made available for inspection and any published version of the register will exclude details of the interest, but may state that you have an interest, the details of which are withheld.

OTHER

As a Member of East Hertfordshire District Council, my conduct will in particular address the statutory principles of the code of conduct by:

- Championing the needs of residents – the whole community and in a special way my constituents, including those who did not vote for me - and putting their interests first.
- Dealing with representations or enquiries from residents, members of our communities and visitors fairly, appropriately and impartially.
- Not allowing other pressures, including the financial interests of myself or others connected to me, to deter me from pursuing constituents' casework, the interests of the Authority's area or the good governance of the authority in a proper manner.
- Exercising independent judgement and not compromising my position by placing myself under obligations to outside individuals or organisations who might seek to influence the way I perform my duties as a member/co-opted member of this authority.
- Listening to the interests of all parties, including relevant advice from statutory and other professional officers, taking all relevant information into consideration, remaining objective and making decisions on merit.
- Being accountable for my decisions and co-operating when scrutinised internally and externally, including by local residents.
- Contributing to making this authority's decision-making processes as open and transparent as possible to enable residents to understand the reasoning behind those decisions and to be informed when holding me and other members to account but restricting access to information when the wider public interest or the law requires it

- Behaving in accordance with all our legal obligations, alongside any requirements contained within this authority's policies, protocols and procedures, including on the use of the Authority's resources.
- Valuing my colleagues and staff and engaging with them in an appropriate manner and one that underpins the mutual respect between us that is essential to good local government.
- Always treating people with respect, including the organisations and public I engage with and those I work alongside.
- Providing leadership through behaving in accordance with these principles when championing the interests of the community with other organisations as well as within this authority.