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Jeff Hughes
*Head of Democratic and Legal
Support Services*

MEETING : STANDARDS SUB-COMMITTEE
VENUE : COUNCIL CHAMBER, WALLFIELDS, HERTFORD
DATE : MONDAY 25 APRIL 2016
TIME : 9.30 AM

PLEASE NOTE TIME AND VENUE

MEMBERS OF THE COMMITTEE

Councillor B Deering (Chairman)
Councillors 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 - 14)

To approve the Minutes of the meeting held on 28 January 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 - 15 on the grounds that they involve 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 the reports as confidential.

8. Complaint in Respect of District Councillor J Cartwright (1) (Pages 15 - 66)
9. Complaint in Respect of District Councillor J Cartwright (2) (Pages 67 - 94)
10. Complaint in Respect of District Councillor J Cartwright (3) (Pages 95 - 118)
11. Complaint in Respect of Parish Councillor I Hunt (1) (Pages 119 - 130)
12. Complaint in Respect of Parish Councillor I Hunt (2) (Pages 131 - 144)
13. Complaint in Respect of Parish Councillors I Hunt and P Taylor (1) (Pages 145 - 160)
14. Complaint in Respect of Parish Councillors I Hunt and P Taylor (2) (Pages 161 - 186)
15. Investigation Report into Complaint Against Former Parish Councillors Bannerman and Baxter (Pages 187 - 474)
16. 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 THURSDAY 28 JANUARY 2016, AT
7.00 PM

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

ALSO PRESENT:

Councillors A Alder and J Cartwright.

OFFICERS IN ATTENDANCE:

Jeff Hughes	- Head of Democratic and Legal Support Services
George Robertson	- Legal Services Manager

ALSO IN ATTENDANCE:

Philip Copland	- Independent Person
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23 APPOINTMENT OF CHAIRMAN

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

24 CHAIRMAN'S ANNOUNCEMENTS

With the consent of the Sub-Committee, the Chairman
advised that item 10 of the agenda – complaint in respect of
District Councillor J Cartwright – would be considered before
agenda item 8.

25 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.

26 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 at Minutes 27 to 29 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 27 to 29 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 27 to 29 below and the associated reports be made publically available.

27 COMPLAINT IN RESPECT OF DISTRICT COUNCILLOR J CARTWRIGHT

The Monitoring Officer submitted a report on the complaint alleging that Councillor James Cartwright had breached the Authority's Code of Conduct.

He reminded the Sub-Committee that, at its meeting held on 24 November 2015, it had agreed that the allegation be referred to the Monitoring Officer for investigation (Minute 19 refers).

The Monitoring Officer drew Members' attention to the report by the Investigating Officer on the allegation at Essential Reference Paper 'C'. The Investigating Officer had concluded that there had been a breach of the Authority's Code of Conduct by Councillor Cartwright.

In accordance with the approved complaints process, the Investigating Officer's report was submitted to the Sub-Committee for it to conduct a hearing. The Sub-Committee would then determine whether Councillor Cartwright had breached the Authority's Code of Conduct and, if so, what action, if any, should be taken.

The Chairman outlined the hearing procedure.

The Monitoring Officer reminded the Sub-Committee that the Investigating Officer had concluded that Councillor Carwright's comments on his twitter account referring to a number of individuals as "thick" and "illiterate" had breached the code as he had failed to treat the individuals concerned with respect.

The hearing procedure was duly followed.

The Sub-Committee endorsed the Investigating Officer's view that Councillor J Cartwright had breached the Authority's Code of Conduct in that he had "...failed to treat people with respect". The Sub-Committee agreed that a letter be sent to Councillor Cartwright confirming that he had breached the Authority's Code of Conduct in terms of failing to treat people with respect by referring to a number of them on his twitter account as "thick" and "illiterate". The Sub-Committee also determined that:

- Council be invited to pass a formal motion of censure against Councillor Cartwright, and
- Councillor Cartwright be required to attend social media training provided by the Authority within one month of the date of the Standards Sub-Committee meeting (i.e. by 28 February 2016) and that should he fail to do so the Council's Conservative Political Group, of which he was a member, be requested to remove

him from any seats to which he had been appointed to on committees in accordance with the wishes of that political group until such time as the required training had been satisfactorily concluded.

RESOLVED – that in relation to the complaint now detailed that the District Councillor concerned had breached the Authority’s Code of Conduct:

- (A) Council be invited to pass a formal motion of censure against Councillor Cartwright, and
- (B) Councillor Cartwright be required to attend social media training provided by the Authority within one month of the date of the Standards Sub-Committee meeting (i.e. by 28 February 2016) and that should he fail to do so the Council’s Conservative Political Group, of which he is a member, be requested to remove him from any seats to which he had been appointed to on committees in accordance with the wishes of that political group until such time as the required training had been satisfactorily concluded.

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

The Sub-Committee considered a report by the Monitoring Officer on a complaint received alleging that Brickendon Liberty Parish Councillors J Lambie and L Kotting had breached their Authority’s Code of Conduct.

The Monitoring Officer tabled a copy of Brickendon Liberty Parish Council’s Code of Conduct.

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

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 made by Mr A McNeece against Parish Councillors J Lambie and L Kotting, 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 supporting evidence, namely the (full) content of an 'e'-mail message from Parish Councillor Lambie to the complainant dated 24 March 2015 and a letter from the Parish Clerk to the Chairman of the Hertford and Stortford Conservative Association dated 20 March 2015, did not support the allegation of a breach of Brickendon Liberty Parish Council's code of conduct by these members. The 'e'-mail communication in its entirety was considered to be balanced and the author was reasonably entitled to question the motive of a potential candidate seeking election to the Parish Council. The letter was from the Clerk to the Parish Council. As an officer, that person was not subject to the provisions of their Authority's Code of Conduct.

RESOLVED – that no further action be taken, for the reasons now detailed, in respect of the complaint made by Mr A McNeece against Brickendon Liberty Parish Councillors J Lambie and L Kotting.

29 COMPLAINT IN RESPECT OF (FORMER) MUCH HADHAM PARISH COUNCILLORS BANNERMAN, BAXTER AND KEY

The Sub-Committee considered a report by the Monitoring Officer on a complaint received alleging that Much Hadham Parish Councillors S Bannerman, A Baxter and R Key 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 the complaint and the evidence provided by the complainant in support of their allegation.

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

The Sub-Committee noted that all three of the individuals the subject of the complaint had resigned from their offices.

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 made by Mr N Clarke against (former) Parish Councillors S Bannerman, A Baxter and R Key, in consultation with the Independent Person and taking into account the Council's assessment criteria, no further action be taken as the individuals concerned were no longer members of Much Hadham Parish Council. In reaching this determination, the Standards Sub-Committee expressed a view that organisations such as Much Hadham Parish Council and the management committees of the Much Hadham Village Hall and Sports Pavilion should have a clear understanding of their status and roles in order to endeavour to interact in a constructive and productive manner. If they needed guidance they were welcome to contact the Monitoring Officer to provide whatever assistance possible to achieve the suggested relationship now identified.

RESOLVED – that no further action be taken, for the reasons now detailed, in respect of the complaint by Mr N Clarke against (former) Parish Councillors S

Bannerman, A Baxter and R Key.

The meeting closed at 8.50 pm

Chairman
Date

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EAST HERTS COUNCIL

STANDARDS SUB-COMMITTEE – 25 APRIL 2016

REPORT BY MONITORING OFFICER

COMPLAINT IN RESPECT OF COUNCILLOR J CARTWRIGHT

WARD(S) AFFECTED: NONE

Purpose/Summary of Report

- To consider a complaint in respect of Councillor J Cartwright

<u>RECOMMENDATIONS FOR STANDARDS SUB-COMMITTEE:</u>	
That:	
(A)	Members determine whether the complaint should be referred for investigation.

1 Background

- 1.1 The Monitoring Officer has received three complaints alleging that District Councillor Cartwright has breached the Council's Code of Conduct. This complaint by David Bromage is the first of those three complaints.

2 Report

- 2.1 Under the Local Government Act 2000 (as amended) the Council has responsibility for the investigation of complaints against its members. The Council has agreed a procedure for considering complaints. In accordance with that procedure, the Sub-Committee will consider the complaint and decide what action to take.

- 2.2 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.

- 2.3 Complaints are considered in accordance with the Standards Complaints Procedure and assessment criteria set out in Appendix 2 of the Complaints Procedure (**Essential Reference Paper C**).
- 2.4 This contains a number of criteria as set out in the attached flow chart to help members to determine whether it is appropriate to refer the complaint for investigation. To assist Members in their deliberations the Monitoring Officer has set out how the information available applies to the criteria.
- 3.0 Analysis
- 3.1 The Member concerned is a member of East Herts District Council.
- 3.2 The complaint concerns the conduct of the Member in relation to his correspondence and Members will need to consider whether he was carrying out his role for the Council at the relevant time.
- 3.3 There are a number of factors which can help to determine the public interest including amongst other things whether investigation will help to resolve the matter; what the likely cost of investigation is and whether the benefit of investigation to the residents of the area warrants the expenditure in this case. Frivolous, vexatious and politically motivated tit-for-tat complaints are unlikely to be in the public interest to investigate.
- 3.4 The complaint is not out of time.
- 3.5 The complaint does include matters which are dealt with in a previous complaint but it also relates to new circumstances. Members will need to consider whether it is substantially the same.
- 3.6 The complaint is not anonymous.
- 3.7 The member has not apologised as far as the Monitoring Officer is aware.
- 3.8 There are paragraphs within the code which are relevant to the matters complained of. The complainant has cited failure to demonstrate selflessness, integrity, accountability or honesty. However the principle paragraph is that relating to the need to treat people with respect.

3.9 Members are therefore invited to focus consideration on whether the member was acting as a councillor, whether it is in the public interest to investigate this matter; whether the complaint is substantially the same as a previous complaint and whether if proven the circumstances of this particular case are capable of being a breach of the code of conduct.

4.0 The Complaints

4.1 The complaint is set out in the complaint form and accompanying documents that form **Essential Reference Paper B**.

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'**.

Background Papers

None

Contact Officer: Catherine Whitehead – Interim Head of Legal and Democratic Services, Tel - 01992 531514
catherine.whitehead@eastherts.gov.uk

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ESSENTIAL REFERENCE PAPER 'A'

IMPLICATIONS/CONSULTATIONS

Contribution to the Council's Corporate Priorities/ Objectives <i>(delete as appropriate):</i>	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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PRIVATE AND CONFIDENTIAL

Final Report

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

SEE PARA 5.4 OVER.

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.



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:	David
Last name:	Bromage
Address:	
Contact telephone:	
Email address:	
Signature:	
Date of complaint:	February 10, 2016

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

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 writing to complain about multiple breaches of East Herts District Council's Code of Conduct by Cllr James Cartwright, in both his conduct on Twitter and in his email responses to the Independent Investigating Officer, ("IIO"), in respect of the complaint against Cllr Cartwright made by Adrian McNeece, dated 2 November 2015.

Mr McNeece's complaint centred on Cllr Cartwright calling members of the public – namely myself, Scot Ramsay and Gary Aldam – "thick" and "illiterate" during a Twitter debate on 29 October 2015, in the aftermath of EHDC's vote to keep Christian prayers before full Council meetings.

In the same online debate, Cllr Cartwright also replied directly to a tweet by the official Twitter account of the National Secular Society, saying: "I understand the arguments very well – I just need to show people how pathetic your views are."

In an email to the IIO on 1 December 2015, Cllr Cartwright states:

"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, al 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."

The allegation by Cllr Cartwright that "Specifically, al the EH Councillors were called 'Ars*hol*s' and 'C*nts' by these three tweeters", with these three tweeters being me, Scot Ramsay and Gary Aldam, is entirely untrue.

Furthermore, the "... 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" were also not made by me or either of the other two people accused.

Having made these serious allegations, Cllr Cartwright was asked by the IIO to provide evidence to support them. It is clear from the rest of the email thread reproduced in the IIO's report that NO evidence was found by either Cllr Cartwright or the IIO's investigating team.

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Considering that Cllr Cartwright knew his allegations made to an independent investigation would be made public, he had a significant duty of care to ensure that information he provided was correct. He did not do this.

Although the Twitter debate on 29 October was at times heated (after Cllr Cartwright had taken to Twitter to gloat about the 42-5 vote to keep prayers), none of those cited for harassment by Cllr Cartwright used any of the alleged terminology or similar.

There were others in the debate and I did see the word "arsehole" used to describe Cllr Cartwright. However, I repeat, this was not used by myself, Scot Ramsay or Gary Aldam, the three tweeters at whom Cllr Cartwright maintains he aimed the "thick" and "illiterate" tweets.

His later claim that he did not hold disparaging views against atheists is also spurious considering his tweet of 29 October 2015 at 13.11, in which he directly replies to the National Secular Society, calling their views "pathetic".

This viewpoint has been backed up in subsequent tweets directed at me – notably on 23 November 2015 in which he stated: "Reading the bible and finding it lacking shows a lack of intelligence."

On several occasions, on Twitter and in the aforementioned email conversation with the IIO he has made reference to "bullying" and "harassment" by myself, Scot Ramsay and Gary Aldam. None of these claims can be verified and I find them defamatory.

Despite being censured by the Council for his "thick", "illiterate" and "pathetic" insults, he has recently doubled down on them, calling them "accurate, appropriate and well deserved".

Following the publication of the IIO report, including Cllr Cartwright's mendacious claims that myself, Scot Ramsay and Gary Aldam called EH Council "Ars*hol*s" and "C*nts", he once again referred to the three of us as "bullies" in a Twitter response on 3 February 2016 to another member of the public who took issue with his insults against us.

I took issue with this, asking him to retract his accusation. He refused, adding that as I was a journalist, I was at the "opposite end of the moral spectrum".

I responded pointedly that: "It's so black & white. Journalist = immoral; atheists = thick; secularism = pathetic; disagreement = bullying", to which Cllr Cartwright replied: "You're learning fast."

Once again, I feel this shows up how completely disingenuous his claim is that he does not think atheists below him.

When challenged on the accusation that we had called East Herts councillors "arseholes" and "cunts", he maintained that the evidence was in the public domain, that it was there for all to see, even though, when asked repeatedly to provide it, he was unable to do so.

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He claimed the evidence was in the official council report on the matter. When told it clearly was not (and in fact the report explicitly states that NO EVIDENCE was provided), he went on to claim we had seen only a leaked draft and that the final report would include the evidence we sought.

Alas, when it was pointed out that the final report WAS on the EHDC website, Cllr Cartwright still refused to accept he was in the wrong. It seems to be lie after lie after lie.

The following morning, 4 February 2016, he continued to badmouth the three of us on Twitter to another member of the public, stating: "The people my remarks are directed to are clearly not decent people nor do I represent them."

In conclusion, I concede that Cllr Cartwright was called "an arsehole" on Twitter. But that insult was not made by me, Scot Ramsay or Gary Aldam, to all three of whom he has attributed it.

I never saw any tweet referring to EHDC as "cunts" and no evidence has been provided that it was ever made. Even if it did exist, it was again not made by me and I am certain it was not made by either Scot Ramsay or Gary Aldam, both of whom are infinitely more polite than I am.

Being my most charitable, I would say that Cllr Cartwright is baffled by Twitter and is utterly incapable of admitting when he is wrong.

However, it seems more likely that, in being investigated for insulting members of the public, he has taken insults made by others and retroactively attributed them to myself, Scot Ramsay and Gary Aldam in a calculated attempt to cover his backside after being called out on his unjustifiable "thick" and "illiterate" comments.

He has repeatedly defamed the three of us by calling us "bullies" and accusing us of "harassment" as well as targeting me in particular, implying I was both unintelligent because I do not believe the Bible and immoral because I am a journalist.

His derogatory comments about members of the public he is bound to serve are indefensible, particularly in light of the fact he has no evidence for any of them.

Reading through the Code of Conduct, it is difficult to find any part which Cllr Cartwright has NOT breached.

I would certainly assert that he has shown very little selflessness, integrity, accountability or honesty in his dealings with the public on Twitter (on which, by the way, he goes by the name of @james_cllr and whose bio states he is a member of East Herts District Council).

He makes numerous other violations but I would also like to highlight Page 4 of the Code, where it states as a virtue councillors must uphold: "Always treating people with respect, including the organisations and public I engage with and those I work alongside."

That has clearly not been the case here.

(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:

(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, together with an acknowledgment that his allegations were false and without foundation.
 2. A public apology by Cllr Cartwright at the next full meeting of the council, together with an acknowledgment that his allegations were false and without foundation.
 3. A press release apology, together with an acknowledgment that the allegations were false and without foundation 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. This sanction should reflect the fact that Cllr Cartwright's behaviour occurred during, and immediately after an investigation into his previous breaches of the Code of Conduct.
 5. Either: (i) All references to the false allegations made by Cllr Cartwright be removed from documents in the public domain, or if this is not possible; (ii) All references to the false allegations made by Cllr Cartwright that are in the public domain must be preceded by a prominent notice that the allegations are false, and also include a copy of the written apology from Cllr Cartwright.

(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

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	Chinese
White Irish	Caribbean	Pakistani	African	Other
Any other White background	White and Black African	Bangladeshi	Any other Black background	
X	Any other mixed background <input type="checkbox"/>	Any other Asian background <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

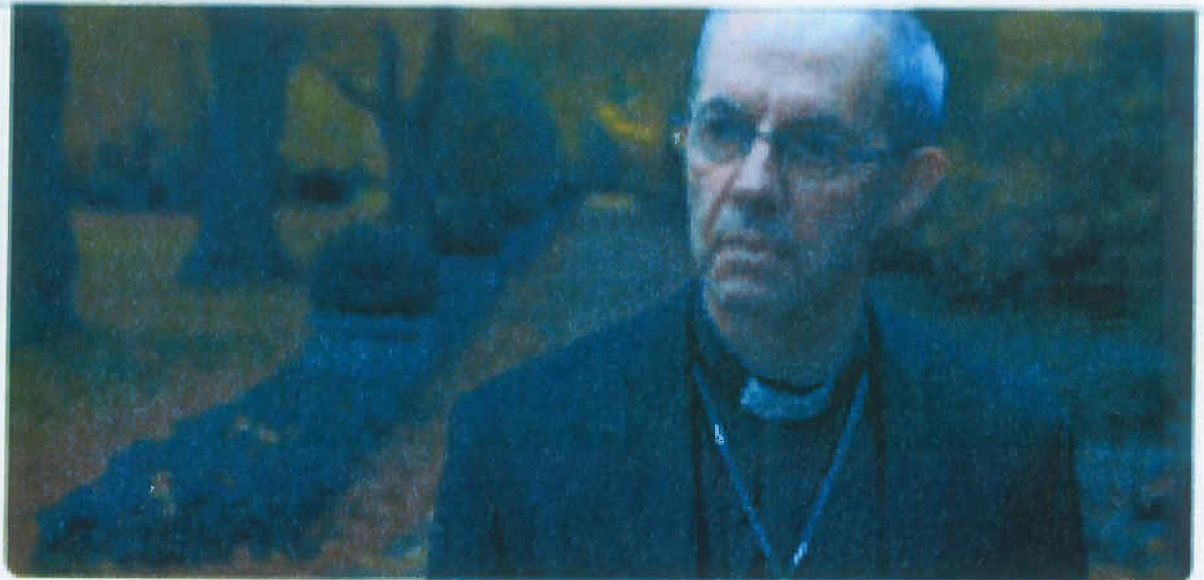
Do you have a physical or mental impairment which has a substantial and long term adverse effect on your ability that you wish to declare under the Disability Discrimination Act?

Yes No **X**

Tweets

Media

Likes



↻ 29

♥ 24

↩ In reply to @davebromage



Cllr J Cartwright @james_cllr 23/11/2015

@davebromage @mickynads @galdam
"Jeez" an abbr of Jesus. Interesting.
Reading the bible and finding it lacking
shows a lack of intelligence.



↩ In reply to @mickynads



Cllr J Cartwright @james_cllr 23/11/2015

@mickynads @davebromage @galdam
Google it. Read the bible. Ask a priest...
Plenty info out there. I can't be bothered!



worthy point.



Secularism UK @NatSecSoc 29/10/2015

@StortSkeptic @james_cllr hasn't addressed (or seemingly understood) any of the actual arguments. But insults not helpful. Please un-tag us.



 You follow this user



Cllr J Cartwright

@james_cllr

@NatSecSoc @StortSkeptic I

understand the arguments very well - I just need to show people how pathetic your views and opinions are.

29/10/2015, 13:11





Cllr J Cartwright

@james_cllr

@EastHerts EHDC clearly condone the behaviour of rude, abusive, intimidating bullies directed towards the majority of their elected members.

28/01/2016, 21:17



David James @StortSkeptic

28/01/2016

@james_cllr Care to elaborate, James?
Has something specific bought this on?



Dave Bromage @davebromage

28/01/2016

@StortSkeptic @james_cllr @EastHerts
Sorry if I'm being thick or illiterate but if you could point to examples of bullying, it'd help.





Cllr J Cartwright @james_cllr 28/01/2016

@ScotRamsay @StortSkeptic
@davebromage they didn't - no-one
found my words were insulting or rude.



Dave Bromage @davebromage 28/01/2016

@james_cllr @ScotRamsay
@StortSkeptic Calling people thick and
illiterate isn't rude or insulting? Must
remember that.



Cllr J Cartwright

@james_cllr

@davebromage @ScotRamsay
@StortSkeptic accurate and
appropriate descriptions well deserved.

29/01/2016, 00:00



Dave Bromage @davebromage

6d

@james_cllr @sjpinches Your dishonest version of events has been noted, Cllr, and will not go unchallenged.

@ScotRamsay @galdam



Cllr J Cartwright

@james_cllr

@davebromage @sjpinches

@ScotRamsay @galdam I'm so scared!! (Not). Journalist - opposite end of moral spectrum (Lord Spencer 1997). So true.

03/02/2016, 21:24



Gary Aldam @galdam

6d

@james_cllr you made claims that are untrue, that is dishonest. @davebromage @sjpinches @ScotRamsay



Cllr J Cartwright @james_cllr

6d

Nor do I take advice from people like you
I don't know thank you but no thank you
2/2

Steve Pinches @sjpinches

@james_cllr it's really simple. You are
an elected official. You don't talk to
anyone like that. If you do, you
apologise *unreservedly*.



Cllr J Cartwright @james_cllr

6d

Christian or Elected Official - i don't take
any nonsense from bullies who don't
deserve my respect 1/2

Steve Pinches @sjpinches

@james_cllr it's really simple. You are
an elected official. You don't talk to
anyone like that. If you do, you
apologise *unreservedly*.



Cllr J Cartwright @james_cllr

6d

@galdam @davebromage @sjpinches
@ScotRamsay - not at all - plain for all to see. Perhaps that is why I was treated so sensitively.



Dave Bromage @davebromage

6d

@james_cllr @galdam @sjpinches
@ScotRamsay If it's plain for all to see, you'll be citing the evidence then?



Cllr J Cartwright

@james_cllr

@davebromage - journalists never seem to be interested in using evidence so I don't feel I have anything to answer to you!!

03/02/2016, 22:13



Scot Ramsay @ScotRamsay

6d

Our lovely local Councillor likes to insult journalists too. Is there anyone this man doesn't feel is beneath him?

Cllr J Cartwright @james_cllr

@davebromage @sjpinches

@ScotRamsay @galdam I'm so scared!! (Not). Journalist - opposite end of moral spectrum (Lord Spencer 1997). So true.



1



Cllr J Cartwright

@james_cllr

@ScotRamsay @davebromage
@sjpinches @galdam not present
company, no!

03/02/2016, 22:13



@ScotRamsay @davebromage
@sjpinches @galdam not present
company, no!



David James @StortSkeptic

6d

@james_cllr @ScotRamsay
@davebromage @sjpinches @galdam
James, when's your social media training
planned for? Soon, I hope.



Cllr J Cartwright
@james_cllr

@StortSkeptic @ScotRamsay
@davebromage @sjpinches @galdam
Any "training" won't make any
difference in my views on this matter.

03/02/2016, 22:25





Dave Bromage @davebromage

6d

.@james_cllr @ScotRamsay @galdam It's so black & white. Journalists= immoral; atheists= thick; secularism= pathetic; disagreement= bullying.



Cllr J Cartwright

@james_cllr

@davebromage @ScotRamsay
@galdam You are learning fast!

03/02/2016, 22:38



Gary Aldam @galdam

6d

@james_cllr you seem to avoid the question of your honesty. You made unsubstantiated claims, how do you plead? @ScotRamsay @davebromage



Cllr J Cartwright
@james_cllr

@ScotRamsay @davebromage
@galdam @sjpinches evidence was
produced and is in the public domain -
and you have the audacity to call me a
liar!

03/02/2016, 22:59



Dave Bromage @davebromage 6d
@james_cllr @ScotRamsay @galdam
@sjpinches Where in the public domain
is it? I realise evidence is not your strong
point.



Scot Ramsay @ScotRamsay 6d
@james_cllr Well post a link Councillor.
@davebromage @galdam @sjpinches



Dave Bromage @davebromage

6d

@james_cllr Apologise and retract your claim that @ScotRamsay @galdam and I bullied you and called EHDC cunts. It is a lie and defamatory.



Cllr J Cartwright

@james_cllr

@davebromage @ScotRamsay @galdam but actually true as well you know. So no apology!

03/02/2016, 23:10



Gary Aldam @galdam

6d

@james_cllr completely untrue I would not use such language on social media or anywhere else @davebromage @ScotRamsay



Scot Ramsay @ScotRamsay

6d

@james_cllr The "evidence" you provided didn't support your claims, as noted by the Independent investigator.

@davebromage @galdam



Cllr J Cartwright

@james_cllr

@ScotRamsay @davebromage

@galdam suggest you wait and read the minutes of the meeting. He said nothing of the sort.

03/02/2016, 23:12



Scot Ramsay @ScotRamsay

6d

@james_cllr I have read his final report, I don't need to wait for the minures.

@davebromage @galdam



Cllr J Cartwright

@james_cllr

@davebromage @ScotRamsay
@galdam trawl back through all your
pathetic tweets - you'll find the
evidence - I did and I produced it .

03/02/2016, 23:20



Scot Ramsay @ScotRamsay

6d

@james_cllr But that's the point James.
You failed to provide the evidence.
@davebromage @galdam



Cllr J Cartwright @james_cllr

6d

@ScotRamsay @davebromage @galdam
Were you there? No. I did produce it. It is
in the document pack.





Dave Bromage @davebromage

6d

@james_cllr @ScotRamsay @galdam I've searched, James. It's not there.



Gary Aldam @galdam

6d

@james_cllr according to this you were unable to find the "evidence"
@davebromage @ScotRamsay

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 th...

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.



Scot Ramsay @ScotRamsay

6d

@james_cllr In your own words! @galdam @davebromage





← In reply to @davebromage



Cllr J Cartwright @james_cllr

6d

@davebromage @galdam @ScotRamsay
if ever I needed proof, evidence or
justification for using the words I did you
are all proving my case!



← In reply to @galdam



Cllr J Cartwright @james_cllr

6d

@galdam @davebromage @ScotRamsay
You need the help of an investigative
journalist! Really not difficult.



← In reply to @davebromage



Cllr J Cartwright @james_cllr

6d

@davebromage @galdam @ScotRamsay
where are what? Are you serious? I feel a
repeat tweet coming on!!!!



Tweets

Media

Likes



← In reply to @ScotRamsay



Cllr J Cartwright @james_cllr

6d

@ScotRamsay @davebromage @galdam
clearly evidenced provocation I should
show you "respect" - I disagreed (and
still do) 2/2



← In reply to @ScotRamsay



Cllr J Cartwright @james_cllr

6d

@ScotRamsay @davebromage @galdam
they all saw the evidence in the meeting
- that was not the issue. They decided
that whatever the 1/2



Who to follow



Virgin Money ✓

@VirginMoney

➔ Promoted





Cllr J Cartwright
@james_cllr

@davebromage @ScotRamsay
@galdam further evidence was
produced and included in the final (not
leaked draft) report

03/02/2016, 23:46



Dave Bromage @davebromage 6d
@james_cllr @ScotRamsay @galdam
Riiiiiiiiight! Not public domain though, is
it? Conveniently.



Scot Ramsay @ScotRamsay 6d
.@james_cllr You don't seem to realise
that the final report is already on the
EHDC website. Oops! @davebromage
@galdam

it? Conveniently.



Scot Ramsay @ScotRamsay

6d

.@james_cllr You don't seem to realise that the final report is already on the EHDC website. Oops! @davebromage @galdam



Cllr J Cartwright @james_cllr

6d

@ScotRamsay @davebromage @galdam excellent - as I said, it's in the public domain.



Scot Ramsay @ScotRamsay

6d

Precisely @james_cllr It shows you could not provide evidence to support your claim in your email of 1 December. @davebromage @galdam



Dave Bromage @davebromage

6d

@ScotRamsay @james_cllr @galdam



Steve Pinches @sjpinches

6d

@james_cllr @ScotRamsay
@davebromage @galdam take a step
back and think what those decent
people would think of what you have
written.



Cllr J Cartwright

@james_cllr

@sjpinches @ScotRamsay

@davebromage @galdam the people
my remarks are directed to are clearly
not decent people nor do I represent
them.

04/02/2016, 08:04



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 needs to 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

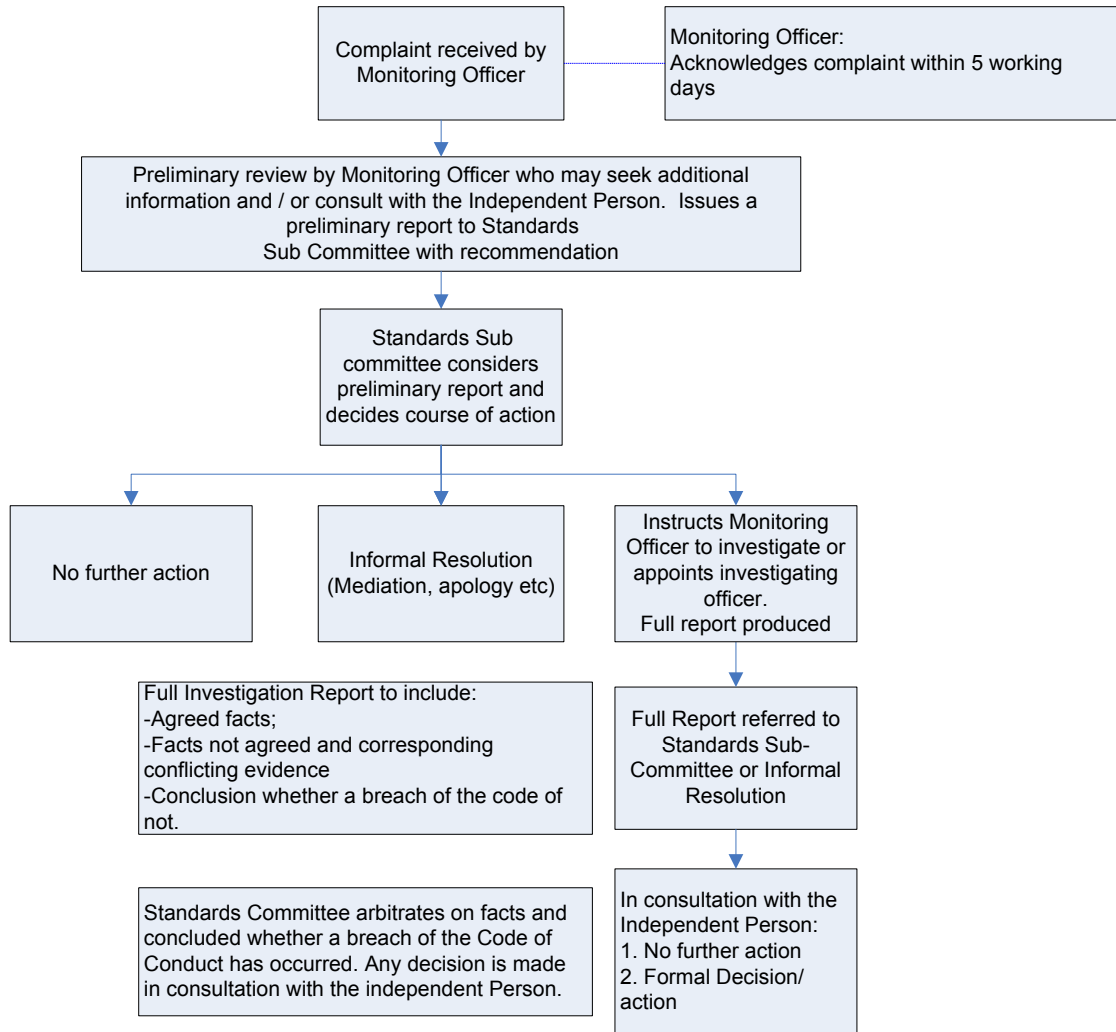
The Council may by resolution agree to amend these arrangements, and has delegated to the Chairman of the Sub-Committee the right to depart from these arrangements where he/she considers that it is expedient to do so in order to secure the effective and fair consideration of any matter.

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

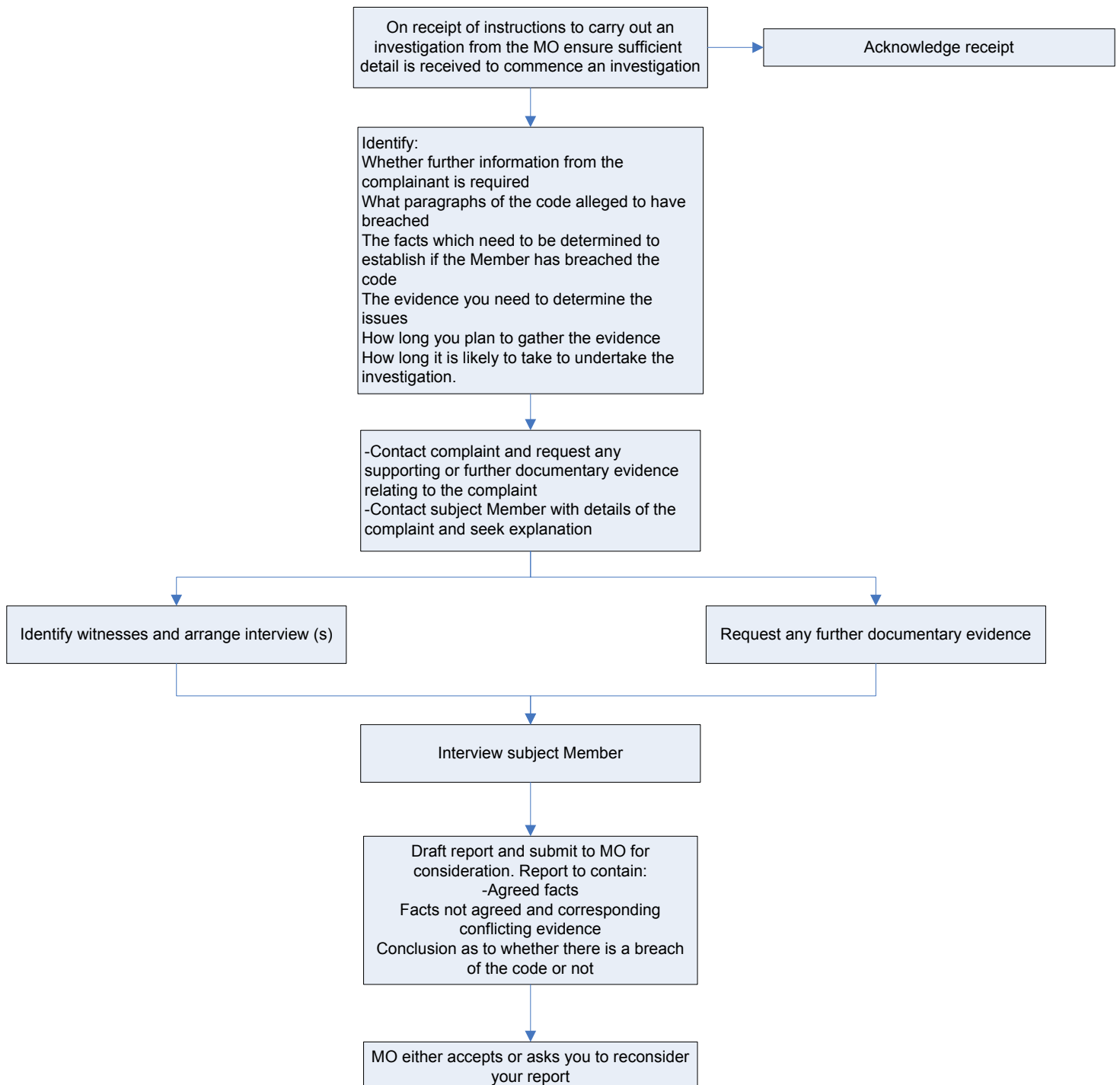
1. The complaint is not considered sufficiently serious to warrant investigation; or
2. The complaint appears to be simply motivated by malice or is “tit-for-tat”; or
3. The complaint appears to be politically motivated; or
4. It appears that there can be no breach of the Code of Conduct; for example, 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
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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 HERTS COUNCIL

STANDARDS SUB-COMMITTEE – 25 APRIL 2016

REPORT BY MONITORING OFFICER

COMPLAINT IN RESPECT OF COUNCILLOR J CARTWRIGHT

WARD(S) AFFECTED: NONE

Purpose/Summary of Report

- To consider a complaint in respect of Councillor J Cartwright

<u>RECOMMENDATIONS FOR STANDARDS SUB-COMMITTEE:</u>	
That:	
(A)	Members determine whether the complaint should be referred for investigation.

1 Background

- 1.1 The Monitoring Officer has received three complaints alleging that District Councillor Cartwright has breached the Council's Code of Conduct. This complaint by Adrian McNeece is the second of those three complaints.

2 Report

- 2.1 Under the Local Government Act 2000 (as amended) the Council has responsibility for the investigation of complaints against its members. The Council has agreed a procedure for considering complaints. In accordance with that procedure, the Sub-Committee will consider the complaint and decide what action to take.
- 2.2 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.

- 2.3 Complaints are considered in accordance with the Standards Complaints Procedure and assessment criteria set out in Appendix 2 of the Complaints Procedure (**Essential Reference Paper C** earlier in the agenda).
- 2.4 This contains a number of criteria as set out in the attached flow chart to help members to determine whether it is appropriate to refer the complaint for investigation. To assist Members in their deliberations the Monitoring Officer has set out how the information available applies to the criteria.
- 3.0 Analysis
- 3.1 The Member concerned is a member of East Herts District Council.
- 3.2 The complaint concerns the conduct of the Member in relation to his correspondence and Members will need to consider whether he was carrying out his role for the Council at the relevant time.
- 3.3 There are a number of factors which can help to determine the public interest including amongst other things whether investigation will help to resolve the matter; what the likely cost of investigation is and whether the benefit of investigation to the residents of the area warrants the expenditure in this case. Frivolous, vexatious and politically motivated tit-for-tat complaints are unlikely to be in the public interest to investigate.
- 3.4 The complaint is not out of time.
- 3.5 The complaint does include matters which are dealt with in a previous complaint but it also relates to new circumstances. Members will need to consider whether it is substantially the same.
- 3.6 The complaint is not anonymous.
- 3.7 The member has not apologised as far as the Monitoring Officer is aware.
- 3.8 There are paragraphs within the code which are relevant to the matters complained of. The complainant has set these out with reference to the Code in the complaint and they include Accountability to the community and residents and to act fairly, appropriately and impartially. Also dealing with representations and treating people with respect.

3.9 Members are therefore invited to focus consideration on whether the member was acting as a councillor, whether it is in the public interest to investigate this matter; whether the complaint is substantially the same as a previous complaint and whether if proven the circumstances of this particular case are capable of being a breach of the code of conduct.

4.0 The Complaints

4.1 The complaint is set out in the complaint form and accompanying documents that form **Essential Reference Paper 'B'**.

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'** earlier in the agenda.

Background Papers

None

Contact Officer: Catherine Whitehead – Interim Head of Legal and Democratic Services, Tel - 01992 531514
catherine.whitehead@eastherts.gov.uk

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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:	31 January 2016

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. (Evidence Attached)

1. I am complaining about Cllr James Cartwright's comments on his Twitter accounts. At 20.03hrs on 27 December 2015 he published a tweet stating;

"Look out all – the hapless former Cllr @AdrianMcNeece fresh on the heels of a string of failures is looking for another lost cause!!"

2. On 15 December 2015 Cllr Cartwright published a tweet stating;

"@davebromage @galdam @adrianmcneece @scotramsay better to be a sheep than an ass!"

3. On 15 December 2015 Cllr Cartwright published a tweet stating;

"@galdam @davebromage @adrianmcneece @scotramsay my belief is entirely based on fact. Perhaps the minority of non-believers are deluded"

4. On 15 December 2015 Cllr Cartwright published a tweet stating;

"@davebromage @galdam @adrianmcneece @scotramsay yes I can. Google it. Read a book (if you can)"

5. On 28 January 2016 Cllr Cartwright published a tweet following his censure by the EHDC Standards Sub Committee stating;

"@EastHerts EHDC clearly condone the behaviour of rude, abusive, intimidating bullies directed towards the majority of their elected members."

6. On 28 January 2016 Cllr Cartwright published a tweet following his censure by the EHDC Standards Sub Committee stating;

"@ScotRamsay @StortSkeptic @davebromage they didn't – no-one found my words were insulting or rude."

7. On 28 December 2015 I received text messages from Cllr Cartwright to my iPhone from his mobile number 07902 268222 stating:

EAST HERTFORDSHIRE DISTRICT COUNCIL

"You are a sad deluded man who deserves every insult earned by his pathetic behaviour"

"At least I have a personality and intellect. Go away and find yet another lost cause to champion – it is all you excel at!"

On 28 december 2015 I asked Cllr Cartwright via text "Don't text me again". On 30 December Cllr Cartwright sent more text messages, including the statement "I reserve the right to text you at any time". (Evidence attached)

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.

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 - 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.

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

Tweets

Media

Likes



James Cartwright @jamesfec 15/12/2015

@galdam @davebromage
@AdrianMcNeece @ScotRamsay my
belief is entirely based on fact.
Perhaps the minority of non-believers
are deluded.



← In reply to @davebromage



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James Cartwright

@jamesfec



look out all - the hapless former Cllr
[@AdrianMcNeece](#) fresh on the heels
of a string of failures is looking for
another lost cause to lose!!

27/12/2015, 20:03



Adrian McNeece @AdrianM... 28/12/2015

@jamesfec Sour grapes Cllr &
tweeting insults from alternate Twitter
accounts is transparent.





 Blocked

Cllr J Cartwright

@james_cllr

East Herts District Councillor representing Puckeridge Ward. Chairman, Standon Parish Council.

 Puckeridge, England

150 FOLLOWING

60 FOLLOWERS

Tweets

Media

Likes



Cllr J Cartwright @james_cllr

22m

@EastHerts EHDC clearly condone the behaviour of rude, abusive, intimidating bullies directed towards the majority of their elected members.



← in reply to @davebromage



James Cartwright @jamesfec

1h

@davebromage @galdam
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Tweets

Media

Likes

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Cllr J Cartwright @james_cllr

8h

@davebromage @ScotRamsay @StortSkeptic accurate and appropriate descriptions well deserved.



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Cllr J Cartwright @james_cllr

8h

@ScotRamsay @StortSkeptic @davebromage they didn't - no-one found my words were insulting or rude.



↻ Cllr J Cartwright retweeted



Scot Ramsay @ScotRamsay

9h

@james_cllr @EastHerts That's funny, I'm sure they condemned the rude and insulting behaviour of a councillor. @StortSkeptic @davebromage



James Cartwright @jamesfec 15/12/2015

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 **Blocked**

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9h

@james_cllr @EastHerts That's funny, I'm sure they condemned the rude and insulting behaviour of a councillor. @StortSkeptic @davebromage



David James
@StortSkeptic

@james_cllr Care to elaborate,
James? Has something specific
bought this on?

28/01/2016, 22:02



Dave Bromage @davebromage

2d

@StortSkeptic @james_cllr

@EastHerts Sorry if I'm being thick or
illiterate but if you could point to
examples of bullying, it'd help.



iMessage

Sun 27 Dec, 20:35

Ashamed? Not a bit of it -
pot calling kettle black! You
brought it all on yourself. I
continue to enjoy
overwhelming support.

Mon 28 Dec, 09:54

Pot calling kettle black?
Astonishing. You have been
publicly issuing insults since
29 October and someone
needed to show you that you
are accountable. That's
imminent. I can assure you
from several first hand
accounts of East Herts
councillors that they are
dismayed at your ongoing
irrational drunken outbursts
on Twitter. Cllrs have told me

shut up. It's you personally that is dragging down the reputation of the whole council. As for me I took a stand on principle on 28 October knowing I would lose. If I had stayed after losing I would not have been able to capitalise on the story as widely as I have. It's quite simply that important to me. I discussed my planned resignation weeks in advance of my motion, both with Cllr Haysey, and at constituency level with Charlie Rowley. I continue to act in the best interests of the voting public on an important matter of principle, in that religion should play no part in Government. Primarily because it operates along dogmatic lines and is based on irrational delusions. You

will be found guilty of misconduct, and rightly so. You cannot insult and abuse members of the public as a councillor, and not expect to be accountable. Calling me 'hapless' from an alternate Twitter account yesterday is ironic, given its consequences. I think you should think more carefully before you take to Twitter in future. Also I have indeed sent further evidence to Jeff Hughes & Cllr Rutland-Barsby regarding your biased views on Twitter in relation to planning development matters. Goodbye

Nothing in there constitutes evidence - it's called national government housing policy. You are a sad deluded man

earned by his pathetic behaviour. I stand tall.

I'm happy to have been able to bring out your personality to the voting public. Your use of ad Homs is just about your intellectual level.

I enjoy considerable public and council support unlike yourself. At least I have a personality and intellect. Go away and find yet another lost cause to champion - it is all you excel at!

Noted. Code of conduct complaint to follow.

Excellent - another lost cause!

Excellent - another lost cause!

Don't text me again

Wed 30 Dec, 13:15

Very much doubt that - rarely anything of interest in there and no-one reads it anyway...

You were asked not to text me again. Do not under any circumstances text me. Do not reply.

I reserve the right to text you at any time.

Police now notified

No problem.

Delivered
Page 93



Would like to have a beer with you to understand why you resigned - I am genuinely shocked and wish you would reconsider.

28/10/2015, 21:37

Best left alone now. Puts you in a great position though to jump onto DMC. Go for it!

28/10/2015, 21:45

Your actions and sentiments James since my resignation should sicken you as much as they do me. You should be ashamed of yourself.

Sunday 7:30 pm



EAST HERTS COUNCIL

STANDARDS SUB-COMMITTEE – 25 APRIL 2016

REPORT BY MONITORING OFFICER

COMPLAINT IN RESPECT OF COUNCILLOR J CARTWRIGHT

WARD(S) AFFECTED: NONE

Purpose/Summary of Report

- To consider a complaint in respect of Councillor J Cartwright

<u>RECOMMENDATIONS FOR STANDARDS SUB-COMMITTEE:</u>	
That:	
(A)	Members determine whether the complaint should be referred for investigation.

1 Background

1.1 The Monitoring Officer has received three complaints alleging that District Councillor Cartwright has breached the Council's Code of Conduct. This complaint by Scott Ramsay is the third of these complaints.

2 Report

2.1 Under the Local Government Act 2000 (as amended) the Council has responsibility for the investigation of complaints against its members. The Council has agreed a procedure for considering complaints. In accordance with that procedure, the Sub-Committee will consider the complaint and decide what action to take.

2.2 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.

- 2.3 Complaints are considered in accordance with the Standards Complaints Procedure and assessment criteria set out in Appendix 2 of the Complaints Procedure (**Essential Reference Paper C** earlier in the agenda).
- 2.4 This contains a number of criteria as set out in the attached flow chart to help members to determine whether it is appropriate to refer the complaint for investigation. To assist Members in their deliberations the Monitoring Officer has set out how the information available applies to the criteria.
- 3.0 Analysis
- 3.1 The Member concerned is a member of East Herts District Council.
- 3.2 The complaint concerns the conduct of the Member in relation to his correspondence and Members will need to consider whether he was carrying out his role for the Council at the relevant time.
- 3.3 There are a number of factors which can help to determine the public interest including amongst other things whether investigation will help to resolve the matter; what the likely cost of investigation is and whether the benefit of investigation to the residents of the area warrants the expenditure in this case. Frivolous, vexatious and politically motivated tit-for-tat complaints are unlikely to be in the public interest to investigate.
- 3.4 The complaint is not out of time.
- 3.5 The complaint does include matters which are dealt with in a previous complaint but it also relates to new circumstances. Members will need to consider whether it is substantially the same.
- 3.6 The complaint is not anonymous.
- 3.7 The member has not apologised as far as the Monitoring Officer is aware.
- 3.8 There are paragraphs within the code which are relevant to the matters complained of. The complainant has cited failure to demonstrate selflessness, integrity, accountability or honesty. The complainant has also listed a number of other parts of the code which he believes have been breached. He concludes with the need to treat people with respect.

3.9 Members are therefore invited to focus consideration on whether the member was acting as a councillor, whether it is in the public interest to investigate this matter; whether the complaint is substantially the same as a previous complaint and whether if proven the circumstances of this particular case are capable of being a breach of the code of conduct.

4.0 The Complaints

4.1 The complaint is set out in the complaint form and accompanying documents that form **Essential Reference Paper B**

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'** earlier in the agenda.

Background Papers

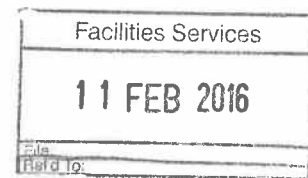
None

Contact Officer: Catherine Whitehead – Interim Head of Legal and Democratic Services, Tel - 01992 531514
catherine.whitehead@eastherts.gov.uk

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9 February 2016

Mr Jeff Hughes - The Monitoring Officer
East Herts District Council
Wallfields
Pegs Lane
Hertford
SG13 8EQ



Dear Mr Hughes

Code of Conduct Complaint re Cllr J Cartwright

Further to my email of today's date I enclose an original signed copy of my complaint, together with the supporting evidence. I have also enclosed a copy of the relevant paragraph, (Para 5.4), of the final Investigating Officer's report into allegations concerning Councillor J Cartwright, dated 12 January 2016. I omitted this information from my email, but enclose it now for completeness.

Yours sincerely

scot Ramsay



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:	Scot
Last name:	Ramsay
Address:	
Contact telephone:	
Email address:	
Signature:	
Date of complaint:	9 February 2016

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
- 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 comments made by Councillor James Cartwright via his Twitter account, and in email responses to the Independent Investigating Officer, ("IIO"), in respect of the complaint against Cllr Cartwright made by Adrian McNeece, dated 2 November 2015.

1. At 9.17pm on 28 Jan 2016, shortly after the EHDC Standards sub-committee meeting considered Mr McNeece's complaint against Cllr Cartwright dated 2 November 2015, Cllr Cartwright tweeted the following from his Twitter account @james_cllr :

"@EastHerts EHDC clearly condone the behaviour of rude, abusive, intimidating bullies directed towards the majority of their elected members."

This tweet is inappropriate in a number of ways:

- (i) It is disrespectful to all of the councillors, officers and staff of EHDC, accusing them, without justification, of condoning rude, abusive, intimidating and bullying behaviour.
- (ii) It is disingenuous in that it states that "*EHDC clearly condone*" such behaviour. The Standards sub-committee, (whose decision prompted the outburst from Cllr Cartwright), was considering and opining upon Cllr Cartwright's behaviour, not that of anyone else.
- (iii) The IIO did not find that there was any "*rude, abusive, intimidating bull[ying] behaviour directed towards the majority of their elected members.*" Indeed Para 5.4 of his final report states:

"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".
- (iv) It is dismissive of, and shows contempt for the Councillors Code of Conduct, repeating in more extreme form the disrespectful behaviour for which Cllr Cartwright had only just been censured by his colleagues on the Standards sub-committee, based upon a report by an Independent Investigating Officer. Cllr

EAST HERTFORDSHIRE DISTRICT COUNCIL

Cartwright has also extended his disrespectful conduct to include his colleagues and the officers and staff of EHDC in addition to members of the public.

2. In an email sent by Cllr Cartwright to the IIO on 1 December 2015 at 12.29pm, Cllr Cartwright states:

"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."*

- **Cllr Cartwright's allegations.**

In this email Cllr Cartwright makes the following allegations:

*"Specifically, all the EH Councillors were called "Ars*hol*s" and "C*nts" by these three tweeters"*

("these three tweeters" being me, Gary Aldam and Dave Bromage). This allegation by Cllr Cartwright is entirely untrue with regard to me, and to the best of my knowledge is also entirely untrue with regard to Gary Aldam and Dave Bromage.

*Furthermore, the "...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." were also not made by me or the other two persons accused.*

Having made these serious allegations about members of the public in his submission to the IIO the burden of proof lies with Cllr Cartwright to demonstrate with evidence that they are true.

- **The IIO asked for evidence in support of the allegations.**

In an email sent to Cllr Cartwright on 1 December 2015 at 15:51, the IIO wrote:

"I am seeking the full twitter trail in light of your comments and the omission from the papers submitted to the Sub committee.";

and, presumably having received no reply, emailed Cllr Cartwright again on 3 December 2015 at 10:18, to ask:

EAST HERTFORDSHIRE DISTRICT COUNCIL

"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."

- **Cllr Cartwright is unable to provide evidence to support his allegations.**

In reply to the IIO request for evidence, Cllr Cartwright replied by email sent to the IIO on 7 December 2015 at 12:38, saying:

"Please find screenshots of two of the tweets referred to."

However, the IIO notes in his email replying to Cllr Cartwright on 8 December 2015 at 13:14:

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

In an email sent by Cllr Cartwright to the IIO in reply, Cllr Cartwright responds:

"Indeed..."

To summarise on this point:

- Cllr Cartwright has made serious allegations against specific members of the public to the IIO during an EHDC Standards sub-committee investigation.
- Cllr Cartwright has been asked by the IIO to provide evidence to support those allegations, but has failed to provide ANY such evidence.
- The IIO appears to have made his own investigations, reporting that *"Our communications team have been unable to find any record of the abusive language you refer to..."*
- Cllr Cartwright has acknowledged in emails to the IIO that he cannot provide ANY such evidence, and that the evidence he claimed supported his original allegations does not in fact do so.

It is clear that Cllr Cartwright has made serious allegations about members of the public that he knew, or should have known, to be false. Furthermore, he has made these allegations within evidence submitted to an independent investigation of his conduct as a councillor. In these circumstances, Cllr Cartwright had a significant duty of care to ensure that information he provided was accurate, complete and true. This duty of care was particularly relevant since Cllr Cartwright knew, or should have known, that his statements would be made public because of the transparency required of Councils when dealing with complaints.

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- Cllr Cartwright claims a tweet has been deleted.

In his email sent to the IIO on 7 December 2015 at 12:38, Cllr Cartwright also states:

"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."

This statement is nonsensical when considered against Cllr Cartwright's allegations:

- Cllr Cartwright alleges that *"Specifically, all the EH Councillors were called "Ars*hol*s" and "C*nts" by these three tweeters..."*
- For this to be true there must have existed three separate tweets, each calling *"all the EH Councillors... .."Ars*hol*s" and "C*nts"*, one from each of the individuals that he accuses of making those statements. For those not familiar with Twitter, tweets can only be sent by individual accounts, not jointly.
- Cllr Cartwright clearly refers to *"a third"*, (singular), tweet that he claims has been deleted. That being the case, if what Cllr Cartwright alleges is true there must be two tweets still available to produce as evidence for his allegations. There are no such tweets.
- Finally, Cllr Cartwright's assertion that *"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."* is not correct. In fact tweets reported as "offensive" are not routinely deleted; they are only removed from the timeline of the person reporting the tweet as "offensive". The tweets remain visible to any other Twitter user. Indeed, this is exactly what the text Cllr Cartwright included in his email, (an extract from the Twitter help pages), says:

"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. [This final point refers to Direct Messages and not Tweets, and is therefore not relevant]"*

[My underlining.]

Thus, the alleged tweet would only have disappeared from Cllr Cartwright's timeline if he himself had reported it as "offensive", but would still be available for others to view. Cllr Cartwright's own words *"...someone reported that particular tweet as "offensive"* are a very odd choice if he actually meant that HE had reported it as offensive.

EAST HERTFORDSHIRE DISTRICT COUNCIL

In Conclusion

Cllr Cartwright has publicly shown contempt for EHDC, its officers, staff and Councillors, and for its disciplinary procedures via his Twitter account. I note that this twitter account is used for his tweets relating to Council business, has the Twitter name @james_cllr, and has the profile description "*East Herts District Councillor representing Puckeridge Ward. Chairman, Standon Parish Council.*"

Further, Cllr Cartwright has made serious and derogatory allegations about members of the public that are simply untrue, and persists in repeating them even though an Independent Investigation could find no evidence to support them. Indeed, Cllr Cartwright has himself failed to provide ANY evidence to support his allegations, and has acknowledged to the IIO that the evidence he claimed to support his accusations did not in fact do so.

Finally, Cllr Cartwright has made a number of representations to the Independent Investigating Officer examining his behaviour following a complaint from a member of the public that he knew, or should have known to be false.

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.

SELFLESSNESS

INTEGRITY

ACCOUNTABILITY

HONESTY

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

EAST HERTFORDSHIRE DISTRICT COUNCIL

Page 3 - 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.

Page 3 - Being accountable for my decisions and co-operating when scrutinised internally and externally, including by local residents.

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 - 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.

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, together with an acknowledgment that his allegations were false and without foundation.
 2. A public apology by Cllr Cartwright at the next full meeting of the council, together with an acknowledgment that his allegations were false and without foundation.
 3. A press release apology, together with an acknowledgment that the allegations were false and without foundation 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. This sanction should reflect the fact that Cllr Cartwright's behaviour occurred during, and immediately after an investigation into his previous breaches of the Code of Conduct.
 5. Either:
 - (i) All references to the false allegations made by Cllr Cartwright be removed from documents in the public domain, or if this is not possible;
 - (ii) All references to the false allegations made by Cllr Cartwright that are in the public domain must be preceded by a prominent notice that the allegations are false, and also include a copy of the written apology from Cllr Cartwright.

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

E. Additional information

EAST HERTFORDSHIRE DISTRICT COUNCIL

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	Chinese
White Irish	Caribbean	Pakistani	African	Other
Any other White background	White and Black African	Bangladeshi	Any other Black background	
	Any other mixed background	Any other Asian background		
	X <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<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

Chairman, Standon Parish Council.

Puckeridge, England

150 FOLLOWING 60 FOLLOWERS

Tweets Media Likes



Cllr J Cartwright @james... 38m

@EastHerts EHDC clearly condone the behaviour of rude, abusive, intimidating bullies directed towards the majority of their elected members.



Cllr J Cartwright retweeted



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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EAST HERTS COUNCIL

STANDARDS SUB-COMMITTEE – 25 APRIL 2016

REPORT BY MONITORING OFFICER

COMPLAINT IN RESPECT OF MUCH HADHAM PARISH COUNCILLOR I HUNT

WARD(S) AFFECTED: NONE

Purpose/Summary of Report

- To consider a complaint in respect of Much Hadham Parish Councillor I Hunt

<u>RECOMMENDATIONS FOR STANDARDS SUB-COMMITTEE:</u>	
That:	
(A)	Members determine whether the complaint should be referred for investigation

1 Background

1.1 The Monitoring Officer has received a complaint by Mr Rodney Key alleging that Much Hadham Parish Councillor I Hunt has breached the Code of Conduct of Much Hadham Parish Council.

2 Report

2.1 East Herts District Council under the Local Government Act 2000 is the responsible authority for the investigation of complaints in relation to an alleged breach of a Parish Council Code of Conduct within the authority area. The Council has agreed a procedure for considering complaints. In accordance with that procedure, the Sub-Committee will consider the complaint and decide what action to take.

2.2 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.

2.3 Complaints are considered in accordance with the Standards Complaints Procedure and assessment criteria set out in Appendix 2 of the Complaints Procedure (**Essential Reference Paper C** earlier in the agenda).

2.4 This contains a number of criteria as set out in the attached flow chart to help members to determine whether it is appropriate to refer the complaint for investigation. To assist Members in their deliberations the Monitoring Officer has set out how the information available applies to the criteria.

3.0 Analysis

3.1 The Member concerned at the time of writing is believed to be a member of Much Haddam Parish Council.

3.2 The allegations state that the Member has carried out the alleged breaches in their roles on the parish council.

3.3 There are a number of factors which can help to determine the public interest including amongst other things whether investigation will help to resolve the matter; what the likely cost of investigation is and whether the benefit of investigation to the residents of Much Haddam warrants the expenditure in this case.

3.4 The complaint is not out of time.

3.5 The complaint relates to new circumstances and is not substantially the same as a previous complaint.

3.6 The complaint is not anonymous.

3.7 The member has not apologised as far as the Monitoring Officer is aware.

3.8 The complainant has cited the alleged failure of Parish Councillor Hunt to follow the Leadership Principal as capable of being a breach of the Code.

3.9 Members are therefore invited to focus consideration on whether it is in the public interest to investigate this matter; whether there is sufficient evidence that, if proven, the circumstances of this

particular case are capable of being a breach of the code of conduct.

4.0 The Complaints

4.1 The complaint is set out in the complaint form and accompanying documents that form **Essential Reference Paper B**

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'** earlier in the agenda.

Background Papers

None

Contact Officer:

Catherine Whitehead – Interim Head of Legal and Democratic Services, Tel - 01992 531514
catherine.whitehead@eastherts.gov.uk

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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:	<i>Mr.</i>
First name:	<i>Rodney</i>
Last name:	<i>Key</i>
Address:	
Contact telephone:	
Email address:	
Signature:	
Date of complaint:	<i>28. January 2016</i>

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	Jan	Hunt

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.

See attached sheets

Witness. *MR Blaze Morris.*

(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:

(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.

6 Cllr. Hunt is removed from having any further Meetings.

(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

Code of Conduct Complaint

I attended the Much Hadham Neighbourhood Plan Steering Group meeting on the 8th December 2012.

At Mr Morris, another member of the public asked a question of the panel, the question was fair and reasonable and asked in a straight forward pleasant manner. I was shocked to see that he was greeted with a response, from a member of the Steering Group, Hugh Labron, that can only be described as an aggressive tirade, which included bolting eyes and finger jabbing. Extraordinary, I felt intimidated, yet I was not on the receiving end of his behaviour.

Throughout this period the chairman who, I believe is, Cllr. Ian Kent, did nothing to stop this behaviour, indeed had what can only be described as a smirk on his face.

I understand that through articles in the Observer paper, a Cllr. Bob Deering has warned members of Much Hadham Parish Council, to make sure that all meetings are carried out in a, quote "manner conducive to moderate and civil discussion".

Both the content which was dismissive and the

manner aggressive and unpleasant, are quite clearly against these principles. CClr. Hunt did nothing to stop this, and indeed seemed to enjoy it.

I believe CClr. Hunt. Has failed under the Leadership principle contained in the code of conduct. The Chairman must ensure the enforcement of correct procedure and the code of conduct.

Rod Fry:

26th January 2016

EAST HERTS COUNCIL

STANDARDS SUB-COMMITTEE – 25 APRIL 2016

REPORT BY MONITORING OFFICER

COMPLAINT IN RESPECT OF MUCH HADHAM PARISH COUNCILLORS I HUNT

WARD(S) AFFECTED: NONE

Purpose/Summary of Report

- To consider a complaint in respect of Much Hadham Parish Councillor I Hunt

<u>RECOMMENDATIONS FOR STANDARDS SUB-COMMITTEE:</u>	
That:	
(A)	Members determine whether the complaint should be referred for investigation

1 Background

- 1.1 The Monitoring Officer has received a complaint from Mr Richard Key alleging that Much Hadham Parish Councillor I Hunt has breached the Code of Conduct of Much Hadham Parish Council.

2 Report

- 2.1 East Herts District Council under the Local Government Act 2000 is the responsible authority for the investigation of complaints in relation to an alleged breach of a Parish Council Code of Conduct within the authority area. The Council has agreed a procedure for considering complaints. In accordance with that procedure, the Sub-Committee will consider the complaint and decide what action to take.
- 2.2 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.

- 2.3 Complaints are considered in accordance with the Standards Complaints Procedure and assessment criteria set out in Appendix 2 of the Complaints Procedure (**Essential Reference Paper C** earlier in the agenda).
- 2.4 This contains a number of criteria as set out in the attached flow chart to help members to determine whether it is appropriate to refer the complaint for investigation. To assist Members in their deliberations the Monitoring Officer has set out how the information available applies to the criteria.
- 3.0 Analysis
- 3.1 The Member concerned at the time of writing is believed to be a member of Much Hadham Parish Council.
- 3.2 The allegations state that the Member has carried out the alleged breaches in their roles on the parish council.
- 3.3 There are a number of factors which can help to determine the public interest including amongst other things whether investigation will help to resolve the matter; what the likely cost of investigation is and whether the benefit of investigation to the residents of Much Hadham warrants the expenditure in this case.
- 3.4 The complaint is not out of time.
- 3.5 The complaint relates to new circumstances and is not substantially the same as a previous complaint.
- 3.6 The complaint is not anonymous.
- 3.7 The member has not apologised as far as the Monitoring Officer is aware.
- 3.8 The complainant has cited the alleged failure of Parish Councillor Hunt as capable of being a breach of the Code. Stating that he the nature of his behaviour and his use of a personal email to conduct Parish Council business. He has not cited any specific paragraphs for the Code of Conduct.

3.9 Members are therefore invited to focus consideration on whether it is in the public interest to investigate this matter; whether there is sufficient evidence that if proven the circumstances of this particular case are capable of being a breach of the code of conduct.

4.0 The Complaints

4.1 The complaint is set out in the complaint form and accompanying documents that form **Essential Reference Paper B**

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'** earlier in the agenda.

Background Papers

None

Contact Officer: Catherine Whitehead – Interim Head of Legal and Democratic Services, Tel - 01992 531514
catherine.whitehead@eastherts.gov.uk

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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:	RICHARD
Last name:	KEY
Address:	
Contact telephone:	
Email address:	
Signature:	
Date of complaint:	23/02/2018

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
CLERK	IAN	HUNT

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.

See attached sheet.

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

Formal code of Conduct Complaint against Ian Hunt Much Hadham Parish Council.

I enclosed and email (app1) that I received from Cllr Hunt. I had not directly contacted Ian Hunt since before Christmas.

I have a code of conduct complaint against both Cllrs Hunt and Taylor (MHPC), when informing the members of MHPC and the clerk out of courtesy of this fact, I received this email (app1)

I find it totally unacceptable for an elected councillor to send an email of this kind to a member of the public.

It is sarcastic, threatening and contains speculative innuendo. It falls way below the high standards set out in the Code of conduct.

He is using his private email address for council business as can be seen from app 3.

I also enclose my reply (app2)

I also enclose Cllr Hunts subsequent reply (app3)

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.

A Full written apology, an explanation why this email was sent. A guarantee that he does not send similar email to other members of public

(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	Chinese
White Irish	Caribbean	Pakistani	African	Other
Any other White background	White and Black African	Bangladeshi	Any other Black background	
	Any other mixed background	Any other Asian background		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<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

APP 1

From: Ian Hunt
Sent: 07 February 2016 17:09
To: Richard Key
Subject: RE: COCC

Mr Key

For the avoidance of doubt and as I'm confused by the attached, is the code of conduct complaint in your name or that of mcarver?

One's credibility can be lost in a moment by this sort of behaviour. Fortunately the online Observer was able to act quickly, I am told, and took down the offending (offensive?) material (along with that of Lupanar, a well known "resident of Wellpond Green" who seems to have had plenty to say on local matters.....).

You complain below about lack of protection but who was protecting the innocent parties from the attached impersonation, for which I'm not aware any apology has been made? Someone should complain to Ms Holland or the police – both seem to be well-trodden avenues for the disaffected. Or perhaps the evidence can be left by someone on the parish noticeboards, as that seems a popular choice right now.

For the record, I have not "colluded" with anyone about editing any of the resignation speeches so I look forward to seeing your evidence showing otherwise.

Ian Hunt

App 2

From: Richard Key |

Sent: 07 February 2016 17:18

To: [ianhunt](#)

Cc: John Ingham <

>; JANET LIVERSAGE <

>

'Ian Devonshire' <

>; Penny Taylor <

Anthony Baxter <

Morris, Blaise <

Selina

Bannerman <

>; Keogh, Michael <

>; john

<

William Compton |

<

Subject: Threats

Mr Hunt,

Are you threatening me?

Richard Key

App 3

From: Ian Hunt <ianhunt@> on behalf of
Sent: 07 February 2016 17:31
To: Richard Key
Subject: RE: Threats

Mr Key

I refer you to the Chairman's earlier e-mail, including:

- E-mails that are disrespectful of individuals (whether councillors or others) e.g. by casting unjustified aspersions on their integrity, will be acknowledged but may not be answered fully or at all. We have to ensure that courtesy and respect is maintained in all aspects of parish business

Therefore, in line with policy, I acknowledge your e-mail but will not be saying anything further.

Cllr Ian Hunt

EAST HERTS COUNCIL

STANDARDS SUB-COMMITTEE – 25 APRIL 2016

REPORT BY MONITORING OFFICER

COMPLAINT IN RESPECT OF MUCH HADHAM PARISH COUNCILLORS P TAYLOR AND I HUNT

WARD(S) AFFECTED: NONE

Purpose/Summary of Report

- To consider a complaint in respect of Much Hadham Parish Councillors P Taylor and I Hunt

<u>RECOMMENDATIONS FOR STANDARDS SUB-COMMITTEE:</u>	
That:	
(A)	Members determine whether the complaint should be referred for investigation

1 Background

1.1 The Monitoring Officer has received a complaint by Anthony Baxter alleging that Much Hadham Parish Councillors P Taylor and I Hunt have breached the Code of Conduct of Much Hadham Parish Council.

2 Report

2.1 East Herts District Council under the Local Government Act 2000 is the responsible authority for the investigation of complaints in relation to an alleged breach of a Parish Council Code of Conduct within the authority area. The Council has agreed a procedure for considering complaints. In accordance with that procedure, the Sub-Committee will consider the complaint and decide what action to take.

2.2 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.

2.3 Complaints are considered in accordance with the Standards Complaints Procedure and assessment criteria set out in Appendix 2 of the Complaints Procedure (**Essential Reference Paper C** earlier in the agenda).

2.4 This contains a number of criteria as set out in the attached flow chart to help members to determine whether it is appropriate to refer the complaint for investigation. To assist Members in their deliberations the Monitoring Officer has set out how the information available applies to the criteria.

3.0 Analysis

3.1 The Members concerned at the time of writing are believed to be members of Much Hadham Parish Council.

3.2 The allegations state that the Members have carried out the alleged breaches in their roles on the parish council.

3.3 There are a number of factors which can help to determine the public interest including amongst other things whether investigation will help to resolve the matter; what the likely cost of investigation is and whether the benefit of investigation to the residents of Much Hadham warrants the expenditure in this case.

3.4 There is no direct evidence that Councillors Hunt and Taylor prevented material from being placed on the website, but there are facts cited which are relevant to this point.

3.5 The complaint is not out of time.

3.6 The complaint relates to new circumstances and is not substantially the same.

3.7 The complaint is not anonymous.

3.8 The member has not apologised as far as the Monitoring Officer is aware.

3.9 The complainant has cited Openness and Honesty and withholding publication of information as the relevant paragraphs of the Code. Preventing the publication of information which

ought to be made publicly available is capable of being a breach of the Code.

3.10 Members are therefore invited to focus consideration on whether it is in the public interest to investigate this matter; whether there is sufficient evidence that the Councillors cited were responsible for the matters alleged and whether if proven the circumstances of this particular case are capable of being a breach of the code of conduct.

4.0 The Complaints

4.1 The complaint is set out in the complaint form and accompanying documents that form **Essential Reference Paper B**

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'** earlier in the agenda.

Background Papers

None

Contact Officer: Catherine Whitehead – Interim Head of Legal and Democratic Services, Tel - 01992 531514
catherine.whitehead@eastherts.gov.uk

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Receipt 1004



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:	DR
First name:	Anthony
Last name:	Baxter
Address:	
Contact telephone:	
Email address:	
Signature:	
Date of complaint:	15/02/16

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

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	Penny	Taylor
Cllr	Ian	Hunt

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.

On the 1st December 2015, I (along with three other members of Much Hadham Parish Council and Mr John Carey, Vice Chairman of the Pavilion Committee) resigned as councillors and myself also as Chairman.

On prior discussion with HATPC and in consultation with the Clerk of MHPC, it was agreed that the resigning members could write a resignation speech and weither have it read out at the meeting on the 1st Dec and / or have the speech appended to the minutes of the meeting and attached to the MHPC website.

A few days prior to the next PC meeting on the 28th January 2016, I noticed that my resignation speech and that of a fellow Councillor (Richard Key) had not been replicated in full on the website or attached to the minutes. I believe Mr Key is putting in a COCC on this matter separately.

I asked the acting Chairman, Alex Young, of the PC at the January 2016 PC meeting why my statement had been edited. Cllr Young said he would look into the matter.

A few days later Cllr Penny Taylor asked to meet me to explain what had happened. Cllr Taylor said that she had put on the website and attached to the minutes the statement I had left behind at the meeting, which the Clerk had handed to her.

This is however, not the case. The version that was put on the website and attached to the minutes had all of page three removed. I was prepared to accept this was an administrative error but events since then had led me to believe that Cllr Hunt and Cllr Taylor conspired to remove the third page of my statement which contained some adverse but true comments about Cllr Hunt's conduct which had led to the resignations of the four Councillors.

I believe that Cllr Hunt has, without approval or permission from the Clerk or the acting Chairman, approached HATPC to further prevent the publication of my statement in full. HATPC have said that as Cllr Hunt did not follow procedure they will not support his view. I have asked the MHPC on numerous occasions to put my statement on the website in full as is normal procedure but they have failed to do so.

EAST HERTFORDSHIRE DISTRICT COUNCIL

I believe ~~Cllrs Hunt and Taylor~~ have breached ~~Councillors~~ Code of Conduct with regard to both Openness and Honesty and the withholding of the publication of my and ~~Mr Keys~~ statement is a breach of the Code.

I understand that Mr Key have put in a freedom of information request for any communications from Cllrs Young, Taylor and Hunt on this matter to date.

(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:

I do not wish to have my name withheld.

(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

I am expecting to receive a written apology from Cllrs Taylor and Hunt. I am also expecting a written explanation as to the reasons for the withholding the publication of my resignation statement in full.

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

Chairman's Resignation Letter.

01/12/2015

Dr A D Baxter

Dear Parish Councillors and members of the public, In addition to the statements of former Councillors Key, Keogh and Bannerman, and John Carey, Vice Chairman of the Pavilion Committee, I would also like to make a brief statement.

The events of the past two months since October 6th have been very satisfactory to any but a few of the participants and to the parishioners as a whole. The whole atmosphere of angst, abuse, distrust and ill temper has not been good for the village and the Parish.

To sum up very recent events, there were several Code of Conduct complaints made as a result of the October 6th Parish Council meeting, an event that was noxious to me and to many people who attended. These Code of Conduct complaints were submitted to the EDC Standards sub - committee and there was a meeting of that committee on the 24th November, which subsequently made their judgement. In short, the complaints against Cllr Bannerman were dropped as the sub committee acknowledged that she had apologised immediately. The complaints against Cllr Hunt were deemed to 'not to contain sufficient evidence' to warrant further action and recommendations. Whilst I respect the decision of the sub committee, I have to say I find it hard to understand why seven letters of complaint containing detailed content, facts and concerns about Cllr Hunts behaviour were not found to be deserving of further investigation. The complaint by Mrs Farmer, pertaining to the Pavilion Project and people associated with it was deemed by the standards sub-committee to be worth further investigation in accordance with the Code of Conduct procedure. The details of Mr Jeff Hughes, the Monitoring Officer of EHC, report will be covered later in the meeting under Chairman's comments.

I personally and sincerely welcome this investigation and I will do all I can to support the process. I am very confident that the actions of the Pavilion Committee will be found to be entirely above board and that the needless allegations and accusations about their conduct will be found to be groundless. The level of vitriol directed against the Pavilion Committee by certain individuals was entirely unjustified and disruptive to a committee whose actions were blameless in trying to provide a valuable new asset to all Parishioners. Those individuals should, in my opinion, close their eyes to hide their shame.

Among the many things that disturb me about all these events is the manner in which the EHC standards sub-committee was convened, how it operated, how they divulged their conclusions and the consequences of the publication of their findings in the press as a result.

I cannot in all consciousness accept that the EHC standards sub committee's procedures and policies in dealing with these complaints, which prevent those people subjected to complaints from the opportunity of making their own comments on any accusations or allegations in return. I will come

back to this in a moment but I am now considering taking legal action against the standards sub committee and will be reporting their performance to their own Code of Conduct Committee - which of course is somewhat ironic. I do not feel that it is appropriate that whilst I am dealing with this matter that I continue as Chairman of the MHPC and at the end of this statement I will stand down as Chairman and resign as a Parish Councillor.

To further explain the aforementioned statement, Cllr Bannerman and I received notification of the accusations / complaints 5 days - which was the bare minimum by law before the date set for the sub committee hearing. On inspection of the paperwork containing the complaints of Mrs Farmer, I could clearly see that there were numerous inaccuracies, falsehoods and errors in her text. I contacted the MHPC solicitor from Tees Law to ask advice on how we should proceed as I had major concerns about the contents of Mrs Farmers complaint and also that Cllr Graham McAndrew who is known to the Parish Council and some of the complainants was perhaps conflicted to sit on the sub committee for that reason. I asked for a few days delay to clarify these points and the solicitor spoke to Jeff Hughes of EHC who had been named on the correspondence. Mr Hughes said that the standards sub committee would consider the complaints and if minded to do so consider the matter in a private meeting without press and public present. Mr Hughes said that myself and or Cllr Bannerman need not attend and that the sub committee was merely going to make recommendations as to whether further investigations were necessary. He specifically advised our solicitor that if the affected councillors made written submissions in respect to the complaint / allegations at this stage, these would not be placed before the sub committee at the initial hearing. Mr Hughes did not accept that Cllr McAndrew was conflicted and would be part of the sub committee and not replaced as requested.

On Thursday last week I heard that the decisions had been made from a Parishioner who had read them in the Herts and Essex Observer. No one from EHC had the courtesy to inform me directly. The article repeated several of the falsehoods and errors in Mrs Farmers complaint but these were stated now as evidence and not opinion. Mr Hughes followed up with a written account of the meeting and recommendations sent to me which also referred to evidence presented and not opinion.

The concerns we had about this matter were forwarded to our District Councillor Ian Devonshire. Cllr Devonshire responded:

Hi Selina,

I don't understand how this has got into the public domain, as I was advised not to attend this sub committee meeting as it was a private consultative meeting. I have not yet read the local paper but I fully understand that this will have caused unnecessary stress. Happy to talk if you want.

Ian Devonshire.

I find it extraordinary that our village District Councillor was advised not to attend this meeting, an important meeting concerning his home village as it was a private consultative meeting and yet the meeting went ahead at the 11th hour as a public meeting. I find this very strange and worrying. It is also worrying that the press reported an entirely one sided view of the matter without having heard another account or checked the veracity of the statements.

Having considered all the facts and issues concerning all these events since the October the 6th meeting it is my opinion that this whole situation has not got anything so much to do with the Pavilion and the Pavilion committee but a lot more to do with building of houses in the village. There are established rumours that as a Category 1 village, 10% of the current housing stock or about 95 planned homes in the Village or more are being considered to be built. The number of 239 houses has been more recently suggested and three landowners have been approached by EHC, one of whom I spoke to this morning to confirm this, to build on their land to meet this rumoured housing total by 2031.

A Neighbourhood Plan Committee, Chaired by Cllr Hunt, was convened in September. This committee will oversee the implementation of EHC local plan which includes how many houses and where housing and supporting infrastructure will be located in the Parish.

All of those Parish Councillors who have resigned in the last month would not have supported any further housing over the 10% or 95 new houses proposed. It is well known and well recorded that the Parish Councillors and Pavilion Committee members who have resigned this evening including myself have encountered what we consider to be bullying and overly antagonistic behaviour from Councillor Hunt directing attacks on the integrity of the people just mentioned. As a consequence of Cllr Hunts behaviour, much of the Parish Council opposition to any excessive East Herts Council building development plans over that proposed by District Councillors in May 2015 is likely to disappear with them.

The complaints to the Parish Council from the Sports Association and Village Hall Committee have escalated in recent times after many years of simmering discontent. Whether this is in coincidence with the other complaints being made, I will not comment on now. However, something must be done in my opinion with the reporting and management of these organisations by the Parish Council.

My suggestion to the Parish Council and the village is that they should appoint an independent mediator through the organisation CEDR to agree the parameters of the relationship between the Sports Association, Village Hall Committee and the Parish Council and agree a Terms of Reference by which each organisation will operate in support of each other in a fully transparent process which makes each organisation fully accountable both operationally and financially. Without mediation, the discontent and unsatisfactory communications between these organisations and the Parish Council will continue forever and be open to malign influence in the future to the detriment of the whole village

I hope that any future Parish Council or Village organisations will have the foresight to consider the impact of any political agenda before making decisions that affect the village and its residents.

Further whilst I appreciate that the Herts and Essex Observer sought to publish the Sub-Committee's findings, as were stated on 24 November, I have already stated that no councillor was offered the opportunity to present their position or make representations about the allegations made against them. If there is a reporter from Herts and Essex Observer in the room, I would ask that they publish a more balanced account of these matters in their next edition.

I believe I am in a much better position to challenge the decisions and statements which I may consider to be wrong by East Herts Council and any future Much Hadham Parish Council by being freed from the restrictions of being involved with the Parish Council especially as Chairman - and it is on a matter of principle concerning the recent activities of the standards sub committee of EHC and the continuing disruptive behaviour of Cllr Hunt that I hereby resign.

Thank you for your attention.

EAST HERTS COUNCIL

STANDARDS SUB-COMMITTEE – 25 APRIL 2016

REPORT BY MONITORING OFFICER

COMPLAINT IN RESPECT OF MUCH HADHAM PARISH COUNCILLORS P TAYLOR AND I HUNT

WARD(S) AFFECTED: NONE

Purpose/Summary of Report

- To consider a complaint in respect of Much Hadham Parish Councillors P Taylor and I Hunt

<u>RECOMMENDATIONS FOR STANDARDS SUB-COMMITTEE:</u>	
That:	
(A)	Members determine whether the complaint should be referred for investigation.

1 Background

1.1 The Monitoring Officer has received a complaint by Richard Key alleging that Much Hadham Parish Councillors P Taylor and I Hunt have breached the Code of Conduct of Much Hadham Parish Council.

2 Report

2.1 East Herts District Council under the Local Government Act 2000 is the responsible authority for the investigation of complaints in relation to an alleged breach of a Parish Council Code of Conduct within the authority area. The Council has agreed a procedure for considering complaints. In accordance with that procedure, the Sub-Committee will consider the complaint and decide what action to take.

- 2.2 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.
- 2.3 Complaints are considered in accordance with the Standards Complaints Procedure and assessment criteria set out in Appendix 2 of the Complaints Procedure (**Essential Reference Paper C** earlier in the agenda).
- 2.4 This contains a number of criteria as set out in the attached flow chart to help members to determine whether it is appropriate to refer the complaint for investigation. To assist Members in their deliberations the Monitoring Officer has set out how the information available applies to the criteria.
- 3.0 Analysis
- 3.1 The Members concerned at the time of writing are believed to be members of Much Hadham Parish Council.
- 3.2 The allegations state that the Members have carried out the alleged breaches in their roles on the parish council.
- 3.3 There are a number of factors which can help to determine the public interest including amongst other things whether investigation will help to resolve the matter; what the likely cost of investigation is and whether the benefit of investigation to the residents of Much Hadham warrants the expenditure in this case.
- 3.4 There is no direct evidence that Councillors Hunt and Taylor prevented material from being placed on the website, but there are facts cited which are relevant to this point.
- 3.5 The complaint is not out of time.
- 3.6 The complaint relates to new circumstances and is not substantially the same.
- 3.7 The complaint is not anonymous.
- 3.8 The member has not apologised as far as the Monitoring Officer is aware.

3.9 The complainant has cited Openness and Honesty and withholding publication of information as the relevant paragraphs of the Code. Preventing the publication of information which ought to be made publicly available is capable of being a breach of the Code.

3.10 Members are therefore invited to focus consideration on whether it is in the public interest to investigate this matter; whether there is sufficient evidence that the Councillors cited were responsible for the matters alleged and whether if proven the circumstances of this particular case are capable of being a breach of the code of conduct.

4.0 The Complaints

4.1 The complaint is set out in the complaint form and accompanying documents that form **Essential Reference Paper B**

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'** earlier in the agenda.

Background Papers

None

Contact Officer: Catherine Whitehead – Interim Head of Legal and Democratic Services, Tel - 01992 531514
catherine.whitehead@eastherts.gov.uk

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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:	RICHARD
Last name:	KEY
Address:	
Contact telephone:	
Email address:	
Signature:	
Date of complaint:	04/02/2016

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
CLERK	IAN	MONT
CLERK	PENNY	TAYLOR

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.

See attached sheet.

(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:

(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.

A full written apology.
Reasons why information
was withheld.

(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

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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
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<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

From: Richard Key
Subject: Fw:
Date: Today at 18:13
To: Lisa Key

Formal Code of Conduct Complaint Regarding Cllrs Ian Hunt/ Penny Taylor

After resigning from Much Hadham Parish Council, it was agreed that all resigning councillor's speeches would be posted (in their entirety) on the MHPC web site and also be included as part of the minutes of the December Parish council meeting.

I was informed by a friend that the draft minutes and speeches were posted on the Parish website, I checked the site and found that part of my speech was missing. I was later informed that former PC Chairman Tony Baxter's speech had parts missing as well.

I attended the January PC meeting where the minutes from the December meeting were passed with no amendments or questions.

Both Dr Baxter and I both raised the issue that we had parts of our speeches removed, the members of the PC said they would look into the issues.

Cllr Penny Taylor who I understand uploads the information onto the PC website, sent me an email apologising for making a mistake and leaving out part of my speech. On examination of the part that was missing (it was the last part) which mainly concerned Cllr Ian Hunt and his unacceptable behaviour, the principle reason I and the other councillors resigned(speech included app1).

Cllr Taylor is the Editor of the Parish News and has worked, I believe, as a Personal Secretary for many years. My speech appeared on the website and minutes finishing in ", some".

I, initially, had a feeling that this was not a mistake, her huge experience and attention to detail would not have allowed such an important document as this to be published in such an obviously incomplete way. Also she has been a staunch and singular supporter of councillor Hunt throughout the acrimony that led to the Five councillors resigning. Cllr Taylor was the only Cllr to vote against (with Ian Hunt) the vote of no confidence (in Ian Hunt) at the MHPC EGM. Also (app3) Cllr Taylor assured the acting Chairman Alex Young that she had published all that the Clerk had given her (

effectively blaming the Clerk if anything was missing) yet two days later sent me a email stating that she made a photocopying mistake. Two different versions in two days.

I stated to Cllr Taylor that I would make a code of conduct complaint against her, yet on reflection it was only my word against her's and I felt, it would not stand up to scrutiny. Dr Baxter contacted me on the 28/01/2016 and visited that evening. He supplied me with an evidential email trail between himself and acting Chairman Alex Young (app2) in which it can be seen that Ian Hunt had prevented, through collusion with Cllr Taylor to withhold in a covert way the part of Dr Baxter's speech that concerned Ian Hunt from inclusion in the Minutes, without consultation of the acting Chairman or indeed myself or Dr Baxter.

My initial fears were now validated as this is now obvious to anyone a conspiracy between Ian Hunt and Cllr Taylor to covertly erase both my and Dr Baxter's very serious concerns about Ian Hunt's behaviour and indeed fitness to sit on Much Hadham Parish Council. Also I believe that I and Dr Baxter have been misled by Cllr Taylor surrounding the circumstances of the posting of our speech's.

I am awaiting a FOI request from Cllrs Young, Taylor and Hunt for all communication between them regarding this issue, as I believe that this will show more evidence of collusion if all relevant email are released to me. I wish this evidence to be included in my evidence when it is made available to me.

I will finish by stating that making the huge commitment to join MHPC to try to play a small part in reinstating the sports (both adult and children's) that have been lost and help to put right 20 years of neglect and mis management of Parish assets. My speech is an important document as to why I felt I had no other option than to resign. HATPC suggested that the speeches be dealt with in this way (published on the web site and attached to the minutes) and it is very disturbing that they have been 'doctored' in this way. With transparency and freedom of speech the foundations of democracy I call on EHDC Standards Board will investigate this very serious matter and deal appropriately with these two STILL serving councillors.

Cllrs Hunt and Taylor have, I believe, breeched the Councillors Code of Conduct in many ways openness, integrity, accountability and honesty.

Richard Key.

App 1

Dear Chairman,

I joined the MHPC with only solid and honest intentions. I have lived here nearly all my life. So unlike many I do have an understanding of the village and the people who live here. I wanted to improve the sporting provision for children and the village as a whole, and also to support Selina in helping finish the wonderful Pavilion and to carry on improvement work to the other assets the village own.

It became clear early on that the new Parish Council had a team that had a multitude of skills that if used effectively could lead to huge improvements to the assets of the village and the running of the PC in general.

What is clear to us all now is that a small group of people do not want change in Much Hadham they want the Status Quo. What is the Status Quo? No children's sport at the recreation ground, a facility that let's not forget was given first and foremost for the use by children of the Parish. No Cricket, so many came up to us during the run up to and during the opening of the Pavilion and expressed the hope of Cricket returning. When discussions started with a cricket club with the view to using the facility the Chairman of the SA stated ' I am a VP of that club and it will never happen'. I was shocked.

People ask why no grants were applied for in respect of the Pavilion project. The reason? Because no children or young people play sport on the sports field or use the pavilion. We had the potential to apply for multiple grants to Sport England for all the equipment and upgrading of the playing surfaces and there was a small chance, if , the Pavilion was multi-sport to pay off the loan on the Pavilion as a whole project. This will not now happen.

I feel that the Chairman of the SA and a few members of the tennis club are doing the village a great disservice, Charity Commission records show £150,000 spent in 9 years and what does the village have to show for that? Just this week nearly £1000 of fete money will be spent on three light bulbs on the tennis courts, yet this publicly owned facility remains the domain of a private club, locked and hardly used, why?

The two football teams who use the ground were the only people who thanked the PC for the work that had been done to the Pavilion. Not one kind word, not one positive statement has been made by the SA. The footballers were thrilled and have looked after this wonderful facility. The public whom we serve were delighted except a small group of people hell bent on suggesting without any evidence there has been some conspiracy to defraud, outrageous, but why?

The maintenance of Village hall which is an asset of the Parish council has been in the hands of a unelected and unaccountable group the Village Hall committee. It is plain for all to see what an appalling job has been done, tens of thousands of pounds to be squandered on unnecessary work while the Green Room floor lay rotting. The Gents toilets stink and have not been updated since I was a child, £90,000 spent in a 6 year period. It's a disgrace, its time the PC took control of its own assets.

I have tried to work with Ian Hunt, but following his approach to doing business and working with colleagues he has received a litany of complaints. This resulted in an EGM where a vote of no confidence was made against him. He made a qualified apology but not in public, some

of whom he had insulted who had after all, only put their hands in their own pockets, and to raise money free of charge for the new Pavilion, why would he do that? Why would he behave in such a belligerent fashion?

I am sorry, but I cannot continue to give my time to this village if myself and my colleagues are to be subjected to verbal abuse, nasty emails, unreasonable and uncooperative behaviour. We should all be working for the same aims. Instead, those accountable in law are treated to a barrage of abuse. Every single piece of correspondence will demonstrate that it is the PC that has bent over backwards to cooperate and work with these sub committees.

Councillor Hunt quite obviously will not make an apology and resign.

I cannot and will not work with this man; it is with great regret, that I feel I must resign.

Richard Key.

1st December 2015

Missing Section

App 2

Re: FW: Resignation letter

Anthony Baxter <

Thu 28/01/2016 10:56

To: Alex Young <

Cc: Tony Baxter <ianhunt> <ianhunt>; JANET LIVERSAGE < >; Penny Taylor < >; Marianne < >; John Ingham < >; Carina Helmn < >; blaise.morris < >; Selina Bannerman < >; Richard Key < >; Sinead Holland < >

Alex,

You are completely wrong.

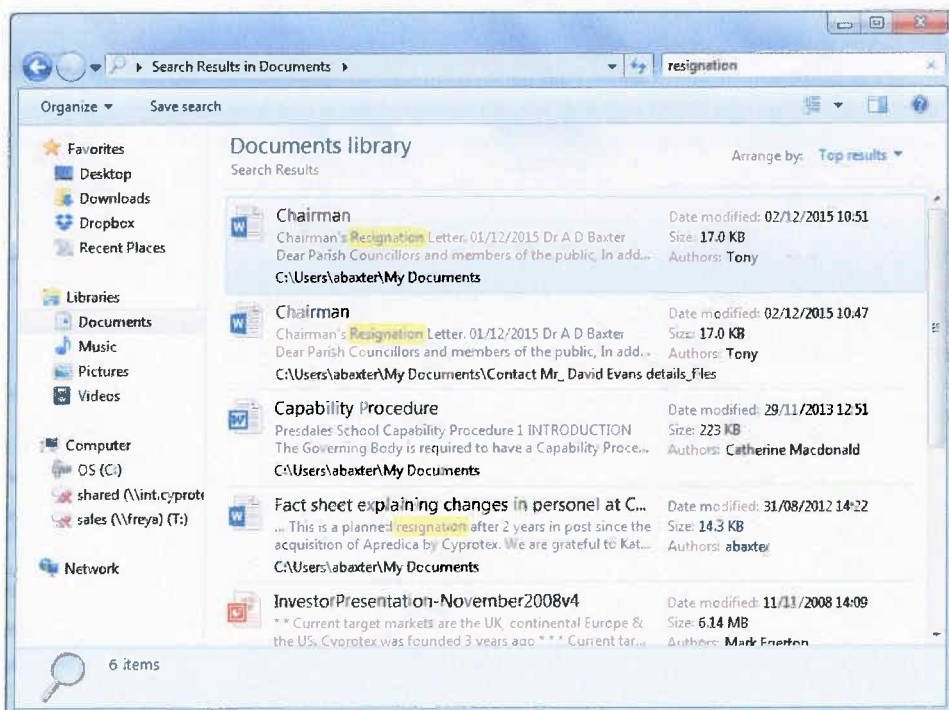
For the avoidance of doubt, there were two slightly different 'versions' of my resignation speech. The original was over 4 full pages with large gaps between paragraphs and did not mention John Carey's name. This was the version handed to the Clerk at the Dec 1 meeting.

A second version was written the following day, mentioning Mr Carey by name and reformatted (spaces between paras removed) for easier circulation. These were the only changes made. There was no change to the content of the letter.

This version, amended by the omission of the missing page 3rd page was the version uploaded onto the website.

Therefore, this version could not have been given to the Clerk, or then passed onto Cllr Taylor because it didn't exist at that time.

The screen shot below confirms the time signature of the document which proves this version could not have been handed to the Clerk on Dec 1st.



Similarly, I have time signature and printer proof of the version I did bring to the PC meeting and leave for the Clerk.

Therefore, it appears that there has been a switch between the version of the resignation speech left at the PC meeting and the version (missing the 3rd page - containing references that Cllr Hunt doesn't like as you confirmed in an earlier e-mail) written a day after and which was published on the website.

All I have done is to ask, now for the 4th time, how and why this switch was made. You have not given me a satisfactory explanation.

If you wish me to resend you the original version (without the reference to Mr Carey and with bigger line spacings) as this was the version left after the meeting then I will gladly do so.

Incidentally, I have asked you previously who removed my resignation statement from the village noticeboards? As a resigning Chairman of the PC I believe it is appropriate for this statement to be able to be read by the parishioners. Could you enlighten me as to who and why the statement was removed from the 4 PC noticeboards?

I will be considering a Code of Conduct complaint against Cllr Taylor and perhaps others in the light of these events.

Tony Baxter

On Tue, Jan 26, 2016 at 7:15 PM, Alex Young <

wrote:

Dear Tony,

Further to my last email, below, we are not changing what is already on the website. I am assured by John Ingham, our parish clerk, that what he passed to Penny Taylor was what you passed to him on 1 December (although it was not read at the meeting). Penny assures me that what is on the website is what was passed to her by John. The document that you now want published is different from the one delivered to the clerk, and therefore cannot be attached to the minutes.

This seems fairly clear, and I believe we are following correct procedure. Nonetheless, in view of the differing opinions that have been expressed, we are seeking legal advice through HAPTC. When that advice is to hand, it will be discussed it will be given due consideration, and I will inform you if it changes our position in any way.

Best regards,

Alex

From: Alex Young [mailto:
Sent: 24 January 2016 14:29

To: 'Anthony Baxter < | <
Subject: RE: Resignation letter

Dear Tony,

Thank you for your email. I am discussing the position with my fellow councillors. I will revert to you shortly

Best regards,

Alex

From: Anthony Baxter < | <
Sent: 23 January 2016 17:29
To: Alex Young <
Subject: Re: Resignation letter

Dear Alex,

I have been away on a sales course for the last week so haven't had the chance to repond to your e-mail of the 13th Jan.

I cannot accept that my resignation letter will not be put on the website in full. I don't care that Cllr Hunt thinks that any part of my letter is offensive to him or potentially libellous. He is not the Chairman of the Parish Council - you are.

My letter was written by me but approved by my solicitor and the letter contains accurate facts and fair comment. If Cllr Hunt wishes to pursue a libel case against me then I am covered by my legal team and the MHPC is covered by their own insurance.

I have also spoken to Carina Helmn who seems to have forgotten that it was she who recommended that our resignation letters should be put forward to the Dec 1st PC meeting for publication. It seems that she is proposing to recommend to you that the letters should be removed from the website by a motion to be put forward at the next PC meeting. I think that this will cause enormous problems for the PC and you from people who feel that there is a cover up of the circumstances of he resignations of 5 PCllrs in December.

My own view is that whilst I was prepared to accept that Cllr Taylor had made an administrative error in not putting Mr Key's and my own statement in full on the website (I note that Mr Keys final page is now on the website - containing the statements about Cllr Hunt that he no doubt wanted not to be published , my own third page is still not present).

I reluctantly have to conclude that there is some evidence that Cllr Hunt influenced Cllr Taylor and perhaps yourself not to put the third page of my statement on the website in contravention of several agreements and laws. The only way that I can have my statement put onto the website and have the whole affair openly discussed is to write a Code of Conduct

complaint against Cllr Taylor and perhaps others. I will do this with great reluctance but the greater need for transparency of the circumstances of why 5 PCllrs resigned in December outweighs all other considerations.

I am away for the next 3 days on business, and will pursue my own course of action on my return should my statement not be placed in full on the MHPC website.

Yours

Tony

On Wed, Jan 13, 2016 at 3:34 PM, Alex Young < >

wrote:

Dear Tony,

Thank you for your email. I agree that this correspondence, should be kept confidential and personal between the two of us.

As you know, my intention was to publish all the resignation letters in full. I am very sorry that Penny's mistakes, for which she has apologised, have led to upset. Unfortunately, Richard's complaint led to Ian referring the matter to HAPTC, and they have referred the matter to NALC's lawyers. Meanwhile, Ian has made it plain that he considers that part of your letter that refers to him to be libellous, and he does not want it published.

By coincidence I met Carina Helmn of HAPTC at a training session this morning. While she is awaiting the lawyers' opinion (note that my own instinct is always to avoid lawyers, and I feel that HAPTC should have referred to me before taking up Ian's issues), her own opinion is as follows:

- That MHPC's habit of naming individuals in the minutes is mistaken, and merely opens the way for the PC to be used as an arena for personal disputes. I.e. Colin Marks was right not to name Ian in the minutes of the extraordinary GM
- That the resignation letters do contain defamatory and potentially libellous statements, that leave the PC vulnerable.
- That the resignation letters should never have been published.

Yes, I find this surprising too, but there you are. Where does this leave us? The letters are already in the public domain, and I do not intend to withdraw what is already on the website.

• If Richard confirms that he has withdrawn his complaint against Penny (and he might as well, because it will never be upheld), we can publish his letter.

• If you wish we can publish your letter with the paragraphs referring directly to Ian removed – otherwise you and the PC risk facing a libel suit.

- Once we have the lawyers' opinion, we can review the position

I know this is not the answer you wanted, but I find myself in an extremely difficult position. I am very busy at present, but – given the opportunity – I would be happy to talk to you in person.

Best wishes,

Alex

From: Anthony Baxter <[mailto: >
Sent: 12 January 2016 20:58

To: Alex Young <
Subject: Re: Resignation letter

Dear Alex,

I believe I have used persuasive arguments with Richard to drop the accusations against Penny. (ie he won't pursue them if I advise him not to)

That does not mean that Penny is proven innocent or guilty in editing the resignation letters - it is a matter of fact that in my case the missing 3rd page (my attachment is correct by the way) was not added to the website.

I have come under fire from several quarters for not reading my resignation statement - I did not read it at the time because at the end of the day I have the village's interest at heart and it was painful enough to read / hear the other four. You were not there but it was toxic enough without any further contribution from me.

However, the matter of my account being recorded on the website is of fundamental importance to me and I request / ask / demand / insist (delete any of three above) that it is added asap.

Note that this is a private conversation between you and I - I do not expect you will copy this on and I give you my word I won't either.

My only interest is the village and the people who live here. I reserve my right of free speech to criticise various PCllr's and the council itself in the future should I think it right to do so. I offer my hand in freindship and support to you and any guidance / assistance I can give you, I will do so freely if asked.

However, my resignation speech and its contents are very important to me given the service I have given this village and I hope and expect that my words are accurately recorded. I spent a bit of money with solicitors who passed my statement so there is no concern about libel - what I said was true - and copies have already been circulated widely including the press without any adverse comment or comeback. The fact that you mention that there may be a concern about libel only strengthens my worries that the letter was indeed edited. I will not be silent on this matter until my letter is published in full on the MHPC website.

For what its worth, irrespective of whether Penny did or did not amend the statements, you have to understand that as she edits the Parish Magazine and has held the role of PPS (as she told me for many years), people will find it hard to understand that such mistakes can be made by accident. My advice to you is to tell Penny to double check anything she puts on the website and in the Parish magazine with you prior to publication - any future errors are likely to cause further adverse comment and damage to the PC.

Best wishes

Tony

On Tue, Jan 12, 2016 at 6:13 PM, Alex Young <[redacted]> wrote:

Dear Tony.

I am doing what I can, and I certainly have no argument with you in person or principle. Unfortunately, Richard's action has turned the whole issue toxic. We are trying to obtain clarification on:

- What, legally and correctly, should be published on the website, when different version of letters have been produced.
- Whether it is a concern that your letter was not actually read at the meeting
- Whether various parts of some of the letters are arguably libellous, and therefore should not be published.

I would have happily pressed for whatever version you preferred to be published, to be added to the website. If people would stop raising complaints against each other, we would have some chance of sorting out these issues ourselves, and moving forward; but that is not the case.

Actually, if you can persuade Richard to confirm that he is withdrawing his complaint, I will try and get the letters up in full, as you have asked. Can you confirm that the "correct" version of your letter is as attached to this email? *

Best wishes,

Alex

From: Anthony Baxter <[redacted]> [mailto:
Sent: 12 January 2016 15:12

To: Alex Young <
Subject: Re: Resignation letter

Hi Alex,

I have made representations to Richard giving him my views on the matter of the resignation letters. His first response was negative but I have hopes that the matter will resolve itself without need to formal complaints.

What will help matters and I must insist that the correct transcripts of the letters should be faithfully recorded on the MHPC website as soon as possible. This will take the heat out of the situation.

Can you let me know when this will take place - once done I will afford all support to you and the right thinking members of the PC in any way I can help.

Best wishes

Tony

On Sun, Jan 10, 2016 at 7:02 PM, Alex Young < wrote:

Dear Tony,

Thank you for your email. As it happens, I was in Much Hadham today, looking at the pavilion, and then talking to my fellow councillors. After that I went into Wareside to help prepare the "set" for the coming pantomime. As you may be aware, there is no mobile signal in Wareside. Tomorrow I will be in Harrogate on business.

I am sorry I missed you, and I would be pleased to talk to you when the opportunity arises. Thursday or Friday evening might be possible. Let me know if this might work for you. Otherwise, I believe that you have described what happened correctly. Sadly, people have been upset, and - again, Richard Key has chosen to make a formal complaint. This means that we are now bound by formal process. The PC has asked HAPTC for guidance, and they have replied as follows:

As this is a serious matter I will send your enquiry to the legal team at NALC for the solicitors to comment upon. However it can take up to 15 working days for a reply depending on their workload.

This is not how I would have chosen to deal with the issue, but Richard's action has left us little choice. We ache to take formal complaints seriously. Nonethelwss, I am still happy to talk to you directly, and I look forward to hearing from you.

Best wishes,

Alex

From: Anthony Baxter <[mailto: >
Sent: 10 January 2016 12:02
To: Alex Young < >; Penny Taylor < >; John Ingham < >
Subject: Resignation letter

Hi Alex,

Are you around Much Hadham today or tomorrow? I have just spoken in person to Penny Taylor about the resignation letters and gone through ll my e-mails and print record and we have worked out what happened.

It seems that page 3 of my statement was omitted from the pack given to Penny to put on the website. The confusion was that the version given to Penny was not the original version I brought to the meeting on Dec 1st but a subsequent one I sent to you and John Ingham the following day. The sole difference between the versions was that I added John Carey's name to my opening paragraph (recall I didn't know at the time he was going to read out a statement).

I don't believe there is any wrong doing here it seems like a simple administrative error.

I would however request that the p3 missing from the statement is reinserted on the website but I appreciate that you and John will need to agree to this.

Its easier to explain in person so I would be more than happy to see you if you are around.

Best wishes

Tony

App 3

RE: January PC meeting

Alex Young <

Thu 07/01/2016 23:46

To: Richard Key <

Cc: ianhunt

<ianhunt

; 'John Ingham'

'JANET LIVERSAGE'

'Penny Taylor'

<

>; 'Anthony Baxter' <

; 'Selina Bannerman'

<

; 'Mike Keogh' <

Dear Richard,

Thank you for your email.

The speeches were uploaded to the website by Penny Taylor, and she has assured me that what she uploaded was what was given to her by the parish clerk. I do not know how the discrepancy between your records and what has been published on the website has arisen, but we are investigating it. I agree that it needs to be resolved.

Ian Hunt is a fellow councillor who holds my personal trust and respect. I cannot comment on what are personal and subjective judgements.

You raised the issue of cricket being promoted on the Recreation Ground. I replied that this is a matter for the SA. However, I did go on to make it clear that the PC would welcome the return of cricket. As I am now a member of the SA myself, I invite you to put forward whatever proposals you may have. I will ensure that they are properly discussed, and – wherever practical – to promote them. I also undertake to report back on the decisions that are made.

We do want cricket to be played in Much Hadham.

Best wishes,

Alex

From: Richard Key [mailto:

Sent: 06 January 2016 12:54

To: 'Alexander Julian Young' <

Cc: ianhunt@

John Ingham

; JANET

LIVERSAGE

; Penny Taylor

; Anthony Baxter

<

; Selina Bannerman

; Mike Keogh

Subject: January PC meeting

Dear Alex,

Firstly I must congratulate you on the way that you Chaired the meeting last night.

APP 3

Fwd: Code of Conduct complaint; Penny Taylor

Fri 08/01/2016 20:34

To: Richard Key <

! And ? So what . I apologised twice and it was ignored .

Sent from my iPhone

Begin forwarded message:

From: "Penny Taylor" <
Date: 8 January 2016 at 19:45:14 GMT
To: "Richard Key" < , "John Ingham" <
Cc: "Alexander Julian Young" <
"Anthony Baxter" < "JANET LIVERSAGE" <
"Mike Keogh" < "Selina Bannerman" <
"Ian Devonshire"
Subject: RE: Code of Conduct complaint; Penny Taylor

Dear Richard

I am sorry you feel I have fallen below the standards set in the Code of Conduct. I was sincere in my apology to you (copied here) that the second page of your letter had been omitted, simply due to clerical error. We are all human, and everyone makes photocopying mistakes sometimes, which I freely admit. The mistake was quickly corrected once it had been drawn to my attention.

From: Penny Taylor [
Sent: 06 January 2016 18:31
To: 'Richard Key'
Subject: Website

Dear Richard Key

I apologise unreservedly for the omission of Page 2 of your resignation letter, on the MH PC website.

This was an inadvertent error, which has now been corrected.

Yours sincerely

Penny Taylor

With regard to Tony Baxter's letter, the three pages that were attached as part of Appendix A, were the only three pages that the Clerk received from Mr Baxter on the evening of 1st December, and the only three pages I consequently received from the Clerk. Unfortunately, as Mr Baxter did not read his letter out at the time, neither of us could have had any idea that some content was missing. However, as the approved minutes included the 3 page letter, as left with the Clerk, that is the letter which is part

of Appendix A. It would be improper to attempt to alter the minutes after they have been approved, by uploading another version.

I hope this assures you that neither letter had been "edited".

Yours sincerely,
Penny

From: Richard Key |
Sent: 08 January 2016 13:18
To: John Ingham
Cc: 'Alexander Julian Young'; Penny Taylor; JANET
LIVERSAGE; Anthony Baxter; Selina Bannerman; Mike Keogh; 'Ian Devonshire'
Subject: Code of Conduct complaint; Penny Taylor

Dear John,

I hope you are well.

I am writing to you with regard to the publishing of my resignation speech on The MHPC web site, it is attached to the minutes of the November 2015 meeting.

On reflection and after considering the posting of other former members resignation speeches and their 'editing' I would like to make a formal code of conduct complaint against Cllr | Penny Taylor.

Could you please forward to me the means by which I may do this.

Kind Regards

Richard Key.

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EAST HERTS COUNCIL

STANDARDS SUB-COMMITTEE – 25 APRIL 2016

REPORT BY MONITORING OFFICER

COMPLAINT IN RESPECT OF FORMER PARISH COUNCILLORS BANNERMAN AND BAXTER

WARD(S) AFFECTED: NONE

Purpose/Summary of Report

- To consider the action taken by the Monitoring Officer in respect of complaints against (now former) Parish Councillors of Much Hadham Parish Council S Bannerman and A Baxter.

<u>RECOMMENDATIONS FOR STANDARDS SUB-COMMITTEE:</u>	
That:	
(A)	Members note the decision of the Monitoring Officer not to refer this matter to hearing before the sub-committee.

1 Background

1.1 The Monitoring Officer has received complaints alleging that former Parish Councillors S Bannerman and A Baxter had breached the Code of Conduct of Much Hadham Parish Council. The complaints were referred for investigation and the investigation report has been completed. Having considered the reports and discussed with the independent person the Monitoring Officer has concluded that it is not in the public interest to take any further action in relation to this matter.

2 Report

2.1 Under the Local Government Act 2000 (as amended) the Council is the responsible authority for the investigation of complaints in relation to an alleged breach of a Parish Council Code of Conduct within the authority area. The Council has agreed a procedure for

considering complaints and this complaint has been considered in accordance with that procedure.

- 2.2 Following the initial decision of the Sub-Committee the complaint was referred for investigation and a solicitor from North Herts District Council was appointed to conduct the investigation.
- 2.3 The investigating officer has completed her enquiries shared her findings with the complainant and the Members complained of and has produced her report for consideration which is included as **Essential Reference Paper D**.
- 2.4 Under the procedure the Monitoring Officer will review the report and will then either send the matter for hearing before the Standards Sub-committee or in consultation with the independent person and the complainant seek an information resolution.
- 2.5 In the facts of this particular case the parish councillors are no longer parish councillors having resigned from the parish council. Furthermore the complaints investigation has only considered that there is one matter in which there is an apparent case to answer. The one matter is not sufficiently serious particularly given the want of remedies available to the committee, to warrant a full hearing. Furthermore the remedies which have been identified by the investigation officer suggest that the primary action should be to refer certain issues to the Parish Council.
- 2.6 The Monitoring Officer has consulted the complainant who has indicated that she has no objection to the matter being deal with informally. The Independent Person has also been consulted and has indicated his support for an informal approach.
- 2.7 The Monitoring Officer has therefore decided to not to hold a sub-committee hearing and to resolve this matter informally by referring the issues outlined to the Parish Council and in particular to ensure that the Parish Council ensures that the Code of Conduct appears on the website (at the time of this report on the page entitled Code of Conduct it says 'details coming soon'). Members are requested to note the decision of the Monitoring Officer.
- 3.0 The Complaints
- 3.1 The complaint is set out in the Investigator's report.

4.0 Implications/Consultations

- 4.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'** earlier in the agenda.

Background Papers

None

Contact Officer: Catherine Whitehead – Interim Head of Legal and Democratic Services, Tel - 01992 531514
catherine.whitehead@eastherts.gov.uk

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FINANCE, POLICY & GOVERNANCE DIRECTORATE
Strategic Director: Norma Atlay

Our Ref: JT/LL13152
Your Ref:
Contact Jeanette Thompson
Direct Dial No: 01462 474370
Fax No: 01462 474227
E-mail: Jeanette.thompson@north-

11 March 2016

Dear Mrs Farmer

Re: EHDC standards complaint - draft report and your comments

Thank you for taking the time to consider the draft report and respond (your email of 25 March 2016) regarding the above. I have considered your comments and now provide responses to the same.

For ease of reference I have provided each response with direct reference to your numbered paragraphs. Where I believe warranted, I have amended the report/ and or included your comments and my response. A copy of the comments and my responses shall be provided to the Monitoring Officer.

Your comment:

1. Paragraph 1.6 – I am not known as Mrs Denison to anyone in my personal capacity either as a resident of Much Hadham or as a member of the SA or as a member of the tennis club and I would ask you to please remove the reference to Denison.

My response:

My report is a statutory regulatory one and all the emails I have received from you are from **Alex Denison**. The emails you also sent to others have been from this email address (for example your exhibit references AF2, AF8, AF11, AF12 and AF13). It would therefore be remiss of me not to mention in this report that these emails are from you (as complainant), so that this is obvious to the Monitoring Officer and any Member or the Independent Person who may read it/ review the relevant documents. *I have however, rephrased this as follows:*

“1.6 The complaints were made by Mrs Alexandra Farmer (who has the email address name ‘Alex Denison ’),..”

Your comment:

2. Paragraph 2.1 – Mrs Bannerman confirms she was provided with a copy of the code of conduct on her initial appointment as a councillor and had been a councillor since 2013 so Mrs Bannerman was aware of the contents of the code of conduct.

My response:

Noted, as applicable to all Councillors. The point relating to training is one relevant to recommendations – see 6.24 of the report.

Your comment:

3. Paragraph 5.5 bullet point 4 – where is the evidence that in 2013 a decision was taken by the PC to take back the pavilion from the SA, renovate and manage it? I do not believe this was ever discussed or agreed upon by the PC in any PC meeting. If it was, it was not communicated to the SA.

My response:

5.5 sets out pertinent issues/ facts as a summary and this is a practical interpretation of the events. However, I have amended this bullet point to reflect the evidence you exhibited at AF6:

“On or around 2012 a decision (referred to in AF6) was taken by the Parish Council to renovate the Pavilion and thereafter (during 2014) to get involved in the management of it. The latter followed the management disputes referred to in the bullet point above. Mrs Bannerman played a lead role in taking the Pavilion Renovation project forward (in the practical organisational sense).”

Your comment:

4. Paragraph 5.5 bullet point 7 – the payment of accounts is never discussed openly at PC meetings and the residents present have absolutely no idea what is on the list . John Ingham simply puts the list in front of the relevant councillors and they sign the cheques. The payment of accounts appendix to the October minutes (and this is the first time I have seen this) doesn't even say what the £2840.77 pavilion expenditure was for and does not refer to the locks.

My response:

The Parish Clerk is the Proper Officer for Council business and most likely the appointed section 151 Officer for the Council's financial affairs. The Clerk is an employee of the Parish Council and therefore it does not fall within my remit to criticise or make comments in this regard. Mr Ingham has confirmed that the expenditure was approved. This would be an administrative function and accordingly a matter for the Parish Council or the auditors if they concluded that the practice was incorrect/ should change.

Your comment:

5. Paragraph 6.7 - I think there is a word missing as the second sentence doesn't make sense. I think it should be a “when” not a “that” after the words criticising constantly.

My response:

Noted and changed to “when”.

Your comment:

6. Paragraph 6.22 bullet point 3 - You have stated that you “have taken account that..... . “ On what evidence have you taken account of this belief of Mrs Bannerman's please? There is no evidence that I am aware of that the questions I raised in the October meeting were explained elsewhere or prior to that date. No accounts of any pavilion expenditure or income had been produced to the PC prior to this date . I only became aware of certain expenditure as a result of references in pavilion committee minutes and on Facebook.

There is no evidence in any PC minutes that these had been approved by the PC so where would I have obtained answers to the questions I raised. Mrs Bannerman (who ran the PC Facebook page) might have a copy of the relevant Facebook page detailing some of the references to expenditure in relation to which I asked questions and this will show the time line.

My response:

You appear to have misinterpreted my comments. Mrs Bannerman's witness statement is evidence (as is yours). I have taken into account that *she may have believed this* – due to the email exchanges previously and MHSA meetings she attended and the Pavilion Committee (See Mrs Bannerman's statement paragraphs 39, 40, 42, 45, 46 and 48).

Mrs Bannerman has also commented that she maintains the phrase "what is she criticising" was a question. I have added this as a bullet point to 6.22 in the final report.

I have taken into account that Mrs Bannerman believed (as per her witness statement evidence) in such issues / points **and concluded that there is still a case to answer on that alleged breach of the Code.**

Your comment:

7. Paragraph 6.22 bullet point 5 - You have stated that in reaching your conclusion you "note". Prior to the October meeting I had not met Councillor Hunt or Marianne O'Neil (it is in fact Mrs O'Neil and Mrs Bannerman who were friends as is evidenced by the Facebook page attached to Mrs Bannerman's statement). I had met Sue Weatherall probably about a dozen times in 15 years of living in the village. You have used the word "collusion" which in most people's minds (and in the dictionary) refers to an agreement between people to act secretly or illegally in order to deceive or cheat someone. I am shocked that this word has been used in your report as it is defamatory in respect of me, Mrs Weatherall and Mrs O'Neil. You have stated that there is no evidence for this and yet you have noted this in reaching your conclusion. The fact that two people or more can come to the same conclusion is not evidence of collusion. I believe that Mrs Weatherall and Mrs O'Neil raised their questions because of what had appeared on Facebook.

My response:

I note that you have taken offence at the word "collusion" but I do not agree it specifically refers to individuals, nor do I agree on the narrow interpretation, which can also mean agreement/ knowledge or approval. I do not accept that this defames you. To address your concerns, however, I have amended this bullet point to:

- I also note that post complaint Mrs Bannerman and others believed there had been pre arrangement on this issue (*I was presented with no evidence for this*); however, at the point at which the statement was made by Mrs Bannerman, no other questions had been raised by other parties."

Your comment:

8. Paragraph 7.5 – you have said that you haven't seen any other complaints about the Buy a Brick donations but you have not approached any of the other witnesses who are resident in the parish.

My response:

The complaints I refer to are standards complaints. I have added the word “standards”. It is not within my remit to seek out complaints from others on the issue. I have added a foot reference to this to explain:

“Mrs Farmer’s comment on this in the draft report was that I had not seen other complaints, as I had not approached any of the other witnesses who are resident in the parish. It is not within the remit of this investigation to seek out other standards complaints and I was not sent any others by the EHDC Standards Sub-Committee to consider.”

Your comment:

9. Paragraph 7.10 - I have backed up the majority of my statement with evidence. Mrs Bannerman, Mr Baxter and Mr Ingham have made numerous defamatory statements which they have not backed up with any evidence and this is the sort of behaviour the various bodies in the village have had to put up with for the last 18 months. For example Mr Ingham, Mrs Bannerman and Mr Baxter have made statements about what I allegedly said at the October meeting but the minutes of that meeting prepared by them and attached as Appendix I do not reflect those statements. I could have made endless unpleasant comments about what I think about the way Mrs Bannerman and Mr Baxter have behaved and the competency of Mr Ingham which I have not because I have no written evidence to back them up and therefore they could be perceived as defamatory. It seems they have not afforded me the same courtesy. Another example - Mrs Bannerman refers to me attending the pavilion committee meetings - as I explained in my statement I attended the July meeting only. It is evidenced that I did not attend the others as the minutes states who the attendees are on the face of them. It is interesting to note in those July minutes that Mrs Bannerman resigned as a school governor because of the “politicisation of the best interests of the children” – the common denominator in these issues is not the village school, the village hall committee or the SA . Mrs Bannerman refers to SB3 and says to you by email “she obviously received them” – I have never said I did not get the July minutes and in fact I have expressly stated that this was the only meeting I attended. I did discuss the football fees/finance in August as a result of what was said about this in the July minutes. Mrs Bannerman says I came to every parish council meeting – again no evidence to support this. I can provide evidence that I did not attend every meeting but only those set out in my witness statement from flight confirmations to France for example.

My response:

Mrs Bannerman is entitled to give her witness evidence, as are you. It was not made clear from the complaint that you had been nominated to sit on the Pavilion Committee and had attended one of the meetings; nor when I interviewed you – hence the question post interview in my email to you of 25 January 2016 asking for more information.

Mrs Bannerman sets out her evidence on the issue. I did not state in the report that you attended more than one meeting and my conclusions have been based on my interpretation of the evidence that was available, the law / guidance where applicable to Councillors and the MHPC Code of Conduct (as set out under 7.17-7.32).

Your comment:

10. Paragraph 7.12 – if the appendix referred to by Mr Ingham were effective terms of reference for the pavilion committee why did Tony Baxter draft new terms after the October meeting – I can only infer that it was a direct result of the shortcomings of the committee raised by either me or Councillor Hunt.

My response:

As I have set out in my conclusions in the report, I believe this is an administrative matter for the Parish Council. I will, however, comment as follows: It would be recommended practice to have clear and unambiguous terms of reference when setting up a committee or sub-committee, but it is not a specific requirement of sections 101 and 102 of the Local Government Act 1972, which cover the arrangements for discharge of functions by Local Authorities and appointment of Committees.

The Parish Council Toolkit (2009), whilst a little dated, still provides useful guidance (page 58):

*“Parish councils have **a wide flexibility** as to the number of committees (and sub committees) appointed **and their terms of reference**. **Clear and certain written terms of reference confirm the nature, extent and limitations of the duties or powers which have been delegated**. It is important that **any delegation arrangements are regularly reviewed to ensure that they meet the needs of the parish council in changing circumstances**. The scope of any delegation, including any limitation, should be reviewed to ensure the arrangements are efficient.*

There is no standard model in respect of the appointment of committees (and sub committees) and other delegation arrangements that will suit all parish councils.”

The words in bold are my emphasis. There is wide flexibility in terms of the format and no standard model. Whilst it is recommended that these are clear and unambiguous, I have seen many forms over the years that on reflection would need clarification and or change.

The Parish Clerk as the Proper Officer has put forward his opinion on this matter and I would concur that in their simplest form the appendix C to the May 2015 minutes denotes the scope of activities/ area of remit that could fall within a definition of terms of reference.

It is of course noted that Dr Baxter put forward new terms of reference in October 2015, but Cllr Hunt (as per the amended minutes 6 October 2015) stated that he was concerned about (amongst other things)“.. *lack of constitution and terms under which the Committee was working*”. I would point out that of those two issues, it is a legal requirement under the Local Government Act 2000 for a *local authority* to have a constitution which includes standing orders, the Code of Conduct for Members and other things prescribed by the Secretary of State; it is not a requirement for Committee or Sub-Committees to do so (nor would it be advisable, otherwise this would confuse parties as to the status of the Committee).

In any event I have included your comment and part of the response in the report.

Your comment:

11. Paragraph 7.13 – see my paragraph 2 above. Even if I could have heard the payments being approved at the end of the October meeting (which I did not) the payment had not been raised with or approved by the PC before or at the time of me raising my questions in October – further evidence that I did not know the answer to the questions I raised.

My response:

I am afraid I do not understand the reference to paragraph 2 above (i.e. 2.1?). See my response. I note your comment; however, paragraph 7 deals with your allegation that Council resources were not used in accordance with the Council's requirements, not the questions you raised at the meeting.

Your comment:

12. Paragraph 7.14 – where is the evidence that these discussions with Herts Cricket and the ECB would result in grants if the “recreation ground was open to all parishioners”. The grounds are open to all parishioners just as Grange Paddocks leisure centre owned by East Herts is open to all- but people have to pay to use certain facilities in order to maintain them, including the pavilion as managed by the PC.

My response:

The evidence comes in the form of witness evidence from Dr Baxter (paragraph 29) and Mrs Bannerman (paragraph 28).

Your comment:

13. Paragraph 9.4 – reference is made to the minutes of 6th October, which are attached as Appendix I. I don't believe this is the approved (signed off by Dr Baxter) version of the minutes – because I know that at the meeting on 3rd November (on the PC website) several amendments were approved by the Parish Council that relate to item 13 (ii), the discussion about the Pavilion Committee, before the minutes were passed as a true and accurate record. Some of those changes may impact this paragraph 9.4. Mr Ingham should provide you with the corrected minutes, as signed off by the Chairman for the purposes of your investigation.

My response:

I wrote to Mr Ingham on 15 December 2015 and asked for a copy of the approved minutes. I received a copy of the minutes by letter dated 18 December (received on 22 December 2015). At the point of preparing the report, the minutes were not on the website (nor were they until 8 April) and Mr Ingham has now confirmed these are the correct copy. I have downloaded a copy and made appropriate amendments.

Your comment:

14. Paragraph 9.5 - reference is made to subsequent complaints against Councillor Hunt. Not only were these complaints not referred to for investigation by EHDC but EHDC Standards sub-committee on 24 November 2015 criticised the handling of the meeting and was pointed in its comments (directed to the pavilion committee members and the Clerk) on the need for transparency and to be welcoming of questions from residents (which would include me, Mrs Weatherall and Mrs O'Neill). I have obtained the full text of the Standards Sub-Committee report on line.

My response:

I am aware of that fact and have seen the letter sent to the Clerk. It is still of significance that a number of complaints were made and Dr Baxter considered and acted on those complaints.

Your comment:

15. Paragraph 9.16 – it seems that Councillor Hunt should be asked for his record of what was said to him as from all the references to him in the report it is a key account that is missing to justify reference to “by all accounts”. EHDC dismissed the subsequent complaint

against Councillor Hunt through lack of sufficient evidence of what was actually said (see the Standard Sub-committee report online).

My response:

You have yourself indicated that Cllr Hunt outlined the “shortcomings of the Pavilion Committee” in the Complaint. By the accounts of Mr Ingham, Dr Baxter, Mrs Bannerman, Cllr Keys, Cllr Keogh, Mr Carey and Mr Morris (as part of the complaints made) and of Mr Ingham and Dr Baxter in their witness statements Cllr Hunt was “critical”. The amended minutes indicate that “Cllr Hunt *raised concerns about failings on financial accountability, agendas, minutes and actions of the pavilion Committee meeting, good corporate Governance, lack of a constitution and terms under which the committee was working*”. In normal parlance that would be seen as being critical. This caused complaints (this is a matter of fact, regardless of whether these were accepted by the Standards Sub-Committee) and upset as evidenced in the witness evidence of Mr Ingham and Dr Baxter.

As a lawyer you will be aware that evidence can be oral (witness) and documentary. I have been instructed to investigate the issue and have prepared the report having taken into account the oral and written evidence available and reasonably obtained in this matter. Given the Councillors resigned on 1 December 2015, I have limited the interviews to the main parties. Despite this I have spent some considerable time on the matter. Additionally my primary conclusion was that this particular complaint issue *could not be a breach of the code – as the principles are not part of MHPC’s Code of Conduct*. In the light of these considerations, I do not believe at this stage that I should obtain further witness evidence as you have requested without further instruction. Should the Monitoring Officer wish me to contact Cllr Hunt then s/he can instruct me to do so. I do not believe it is warranted in the absence of this for the reasons outlined.

Your comment:

16. Paragraph 9.18 and 9.20 - “(Dr Baxter) would appear to have chaired the meeting fairly” and “be willing to challenge poor behaviour wherever it occurs”. This is clearly in disagreement with EHDC Standards sub-committee conclusion referred to above.

My response:

I was instructed to investigate this issue and a potential breach of principles in relation to Cllr Hunt, and have come to my conclusions having reviewed the documents, interviewed witnesses and considered the same (and relevant legislation and the MHPC Code).

The fact that the Standards Sub-Committee instructed the Monitoring Officer to write a letter before I investigated the issue, does not, I believe bind me to any specific conclusions on this particular complaint issue. The letter sent by the Monitoring Officer on 30 November 2015, stated that whoever was chairing should use that office to achieve the objective of mutual respect and when the meeting became heated should have called for a temporary adjournment.

When I interviewed you, you stated that Dr Baxter dealt with you respectfully (including specifically at the meeting when you asked questions – your paragraph 32). Dr Baxter allowed a number of questions from residents – which according to the Clerk (paragraph 13) was well in excess of the allowed standing order time (as, I would conclude, a fairer balance on this matter). There is no indication that he tried to prevent Cllr Hunt from speaking on the matter or reduce the time he spoke on the issue (which as Chairman he would have been entitled to do). I would conclude that was an objective approach.

Your comment:

17. Paragraph 10.5 and 10.7 – Who told Mrs Bannerman new locks were needed? Who said the new pavilion would be uninsured if the locks were not replaced? I understand it was a locksmith. Did this locksmith then carry out the work ? Had the locksmith reviewed the insurance position? Why was the work urgent? Where is the quote and invoice for this work? Who is the insurance person referred to who “came over and said that they were not insuring the building”. The pavilion was already insured and following Mrs Bannerman’s request in August the SA increased the insurable value for the pavilion. It seems no one on the pavilion committee or the PC was in control of this situation or taking responsibility and this is evident from the statements made by Mrs Bannerman and repeated in your report in paragraphs 10.5 to 10.7.

My response:

As indicated in my findings and reasons 10.10-10.12, I believe this to be an administrative matter (not a MHPC Code of Conduct matter) and for the reasons set out, in the alternative a use of Council resources in accordance with its requirements. You may raise the questions above with the Clerk as Proper Officer or the Auditor/ or seek to review the year end accounts should you wish to do so.

Your comment:

18. Paragraph 12.4 – can the emails referred to as being sent from me please be evidenced as appendices so we know what these are?

My response:

Dr Baxter has not exhibited emails.

Your comment:

19. The fact that the parish council in December, after the resignations, (which after the resignations comprised 3 of the members of the council in place prior to and in October) produced accounts for the pavilion refurbishment and ensured all the donations received have now been applied to the refurbishment project rather than to cover operating costs (see Appendix E to the December minutes) demonstrates that not all of the PC were aware of the workings of the pavilion committee as that committee had not been reporting to the full council and after resignation of those council members who were on the pavilion committee sought to put the accounts in order .

My response:

Again, as per my findings I would consider this an administrative matter and one that the Proper Officer/ section 151 officer is responsible for primarily and the Parish Council as a body. I did not consider this to be an issue relating to the MHPC Code of Conduct.

Yours sincerely

Jeanette Thompson
Senior Lawyer & Deputy Monitoring Officer
Legal Services

**NORTH HERTFORDSHIRE
DISTRICT COUNCIL**



Investigation plan

Date received by MO/ standards committee:	Decision of Standards Sub-Com	24.11.15
Date referred to investigator:		26.11.15
Ref No:	NHDC LL13152	
Subject members:	Dr Anthony Baxter [Redacted] Mrs Selina Bannerman of [Redacted]	Complainant: Mrs A Farmer of [Redacted]
Authority:	East Herts District Council	Investigator: Jeanette Thompson

Investigation actions	Target dates
Contact complainant/ Councillors seek comments/ further documents by 4.1.16	16.12.15 met
Consider any response to the complaints/ further documents provided. Mrs Farmer sought interview in person. Reciprocal for ex-Cllrs offered.	5-8.1.16 met
Conduct any interviews *Could not arrange interviews with Mr Ingham (until 28.1.16) & Mr Pavey (until 29.1.16)	11-22.1.16 (not met due to*)
Draft the statements/ send these for signature. Amendments considered/ returned to parties/ chasing witnesses – 8.3.16	First drafts all sent by 1.2.16 Last returned 8.3.16
Draft the report	8-17.3.16 met
Forward to complainant/ ex-Cllrs and Monitoring Officer (comments by 1.4.16)	18.3.16 met
Consider any comments and finalise the report	8.4.16 met - *
Final report - to Monitoring Officer (to complainants/ ex-Cllrs on instruction) *due to further information required from Clerk on the version of MHPC minutes 6.10.15 he had sent to investigator	8.4.16 (considered, delay* – finalised 11.4.16/ sent 12.4.16

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COUNCILLOR CODE OF CONDUCT INVESTIGATION

PRIVATE AND CONFIDENTIAL

Case Reference: EHDC 2015-1

Report of an investigation into allegations concerning (now former) Parish Councillors Mrs Selina Bannerman and Dr Anthony Baxter of Much Hadham Parish Council ('MHPC'). Investigation and report by Jeanette Thompson, Deputy Monitoring Officer of North Hertfordshire District Council appointed by the Monitoring Officer for East Hertfordshire District Council

Investigation under the adopted procedure of East Hertfordshire District Council's ('EHDC') section 28 (6) Localism Act 2011 Councillor Code of Conduct investigation arrangements.

DATE: 11 APRIL 2016

CONFIDENTIAL REPORT

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1. Introduction, summary of complaints and findings

1.1 This report has been prepared following an investigation into complaints made against the (now) former Much Hadham Parish Councillors, Mrs Selina Bannerman and Dr Anthony Baxter and alleged breaches of the MHPC's Code of Conduct (Appendix A). It has been finalised following comments on the draft report from the complainant Mrs Farmer and the former Councillors.

1.2 Both Councillors resigned on 1 December 2015 and given this fact all parties (understandably) questioned the need for an investigation. Nevertheless, as my instructions remained my role was to undertake a proportionate, fair and independent examination of the alleged breaches and consider:

- Whether the Councillors were acting as Councillors at the time of the alleged breaches of the of the Code of Conduct (*finding that they were and therefore not repeated in each finding*);
- Was the alleged behaviour a breach or breaches of the adopted MHPC Code of Conduct (see individual allegations in summary/ full, findings summary/ full and reasons for these below);
- Whether there were any mitigating factors which might aggravate or explain behaviour or mitigate any alleged breach (statements I have taken into account).

1.3 I have also considered and commented on the remedies sought by the complainant Mrs Farmer; and provided any recommendations to the Monitoring Officer.

1.4 I confirm that I have no links to East Hertfordshire District Council, have not worked for them and currently work as a Senior Lawyer and Deputy Monitoring Officer for a neighbouring authority, North Hertfordshire District Council. To the extent that this is relevant I would confirm that I qualified as a solicitor in 1995 and have a further Law Society Diploma in Local Government Law & Practice. I have worked in local government since 2002, at a Unitary Authority (covering both County Council/ District type matters) and District Councils. Since 2005 I have overseen and been involved in Code of Conduct Complaints relating to Unitary, District and Parish/ Town Councils as a Deputy Monitoring Officer and Monitoring Officer. The findings and reasons for the findings are my own and based on my professional legal (and local authority) opinion and experience.

1.5 I would also confirm that in spite of the resignations I received a high level of co-operation from the former Councillors and the complainant Mrs Farmer. Timing of the investigation and production of the draft report was delayed due to the later return of statements. I have, however, endeavoured to produce the draft report within a week of receiving the last signed statement. I finalised the report within 11 days of the deadline for comments on the draft report.

1.6 The complaints were made by Mrs Alexandra Farmer (who has the email address name , who is a resident of Much Hadham. They were made to the Monitoring Officer of EHDC by form dated 14 October 2015 (Appendix B) and the complaint was presented to the EHDC's Standards Sub-Committee on 24 November 2015 for initial consideration. Details of the complaints were released to the press and public prior to investigation. The relevant provisions of the MHPC Code of Conduct are set out below, together with the summary of complaints made by Mrs Farmer, and summary findings.

1.7 The MHPC Code of Conduct provides under Member Obligations:

***“When a member of the Council acts, claims to act or give the impression of acting as a representative of the Council, he/she has the following obligations:
1. He/she shall behave in such away that a reasonable person would regard as respectful.*”**

¹ Mentioned here, as appended to this report and to statement are emails to and from

2. *He/she shall not act in a way which a reasonable person would regard as bullying or intimidatory.*
4. *He/she shall use the resources of the Council in accordance with its requirements."*

1.8 **Mrs Selina Bannerman:**

- 1.8.1 It is alleged that at the Parish Council meeting on 6 October 2015 Mrs Bannerman breached MHPC Code of Conduct Member obligations 1 and 2, by raising "**her eyes to heaven a number of times**" and saying "**what is she criticising now**" more than once.

Alleged breach of MHPC Code of Conduct obligation 1 failure to show respect to Mrs Farmer with comments "what is she criticising [now²]"; **finding – apparent case to answer;**

Alleged breach of MHPC Code of Conduct obligation 2 – comments "what is she criticising [now]" bullying and intimidatory; **finding - no apparent case to answer.**

- 1.8.2 It is alleged that (on numerous occasions), MHPC Code of Conduct Member obligation 4 was breached, as the Pavilion Project "Buy a brick" donations were not used in accordance with expectation to pay down a Public Works Board loan.

Alleged breach of MHPC Code of Conduct obligation 4 – use of the Pavilion "Buy a brick" money as allegedly was a failure to use the resources of the Council in accordance with its requirements; **finding - no apparent case to answer.**

- 1.8.3 Pavilion Locks: It is alleged that on or around 30 September 2015, Mrs Bannerman breached MHPC Code of Conduct Member obligation 4 by failing to commission replacement Pavilion locks by due process (i.e. through a number of quotes and authorisation) and apparently used "Buy a brick" donations to meet this expenditure, which was not according to expectation to pay down a Public works Board loan.

Alleged breach of MHPC Code of Conduct obligation 4 – failing to follow due process and use of Pavilion "Buy a brick" money as alleged was a failure to use the resources of the Council in accordance with its requirements; **finding - no apparent case to answer.**

- 1.8.4 Correspondence: It is alleged that on numerous occasions Mrs Bannerman breached MHPC Code of Conduct Member obligations 1 and 2 by sending disrespectful, intimidating and bullying emails (two cited of 15 August and 3 September 2015) to Mr Fred Pavey, the Much Hadham Sports Association Chairman.

Alleged breach of MHPC Code of Conduct obligation 1 – that these emails were disrespectful; **finding - no apparent case to answer;**

Alleged breach of MHPC Code of Conduct obligation 2 – that these emails were bullying and intimidatory; **finding - no apparent case to answer.**

1.9 **Dr Anthony Baxter:**

- 1.9.1 It is alleged that (on numerous occasions), MHPC Code of Conduct Member obligation 4 was breached, as the Pavilion Project "Buy a brick" donations were not used in accordance with expectation to pay down a Public Works Board loan.

Alleged breach of MHPC Code of Conduct obligation 4 – use of the Pavilion "Buy a brick" money as allegedly was a failure to use the resources of the Council in accordance with its requirements; **finding - no apparent case to answer.**

- 1.9.2 It is alleged that on or around 8 October 2015 Dr Baxter breached the principles of objectivity and accountability by unilaterally withdrawing a request to Cllr Ian Hunt to review the Pavilion Committee (documents and issues).

Alleged breach of principles of objectivity and accountability; **finding – no apparent case to answer.**

- 1.9.3 It is alleged that (on numerous occasions), Dr Baxter as Chairman of the Parish Council did nothing to stop emails (referred to above in 1.8.4 above) in breach of the principle of leadership.

Alleged breach of the principle of leadership; **finding – no apparent case to answer.**

2 Councillor details

- 2.1 **A) Mrs Bannerman** was elected to office on 18 July 2013 as a MHPC until she resigned on 1 December 2015. During that time she received no training on the Code of Conduct.
- 2.2 **B) Dr Baxter** was co-opted to office on 13 July 2010 and thereafter elected on 5 May 2011 to MHPC until he resigned on 1 December 2015. From May 2015 until his resignation he was the Chairman of the Parish Council. He was also the Chairman of the Pavilion Committee during its existence in 2015. In June 2015 Dr Baxter received training on being a Chairman with a session or reminder on the Code of Conduct.

3 The relevant Code, principles and legislation

- 3.1 The MHPC adopted a Code of Conduct on 19th October 2012 (Appendix A).
- 3.2 The relevant Legislation is the Localism Act 2011, (and to the extent relevant) the Local Government Act 2000.
- 3.3 The Seven Principle of public life.

4. Evidence

- 4.1 Following my instruction I contacted the complainant and the Councillors and asked for any additional documentation they wished to rely on prior to interview. I was sent a large number of documents by the parties – not all of specific relevance to the complaints (background issues/ related disputes and post complaint matters). Some subjects have been referred to and included in this report (as indeed they have been in the interview questions raised with witnesses and in the witness statements) to provide context to the issues involved and complaints made.
- 4.2 In addition, there were a large number of witnesses named by the parties, who could potentially have been interviewed. However, in the light of the resignations I believed it was proportionate and reasonable to interview the key parties (Mrs Farmer, Mrs Bannerman and Dr Baxter) and two other key individuals (Mr Pavey and Mr Ingham). Where other documentary evidence was already available (such as resignation statements or complaint material – i.e. extracts from complaints made by other parties against Mrs Bannerman and complaints made against another Councillor Ian Hunt (*which I stress where not referred for investigation* by EHDC) were considered and included *where relevant to the complaints against Mrs Bannerman and Dr Baxter.*
- 4.3 Whilst I have attempted to conduct the investigation in a confidential manner (as per normal practice), this was complicated by the fact that much of the complaint information had already been released into the public domain (firstly by EHDC and thereafter the press). This made confidentiality difficult at best (as parties were used to conferring with each other on this issue) and could have prejudiced the investigation.
- 4.4 The witness statement (which were based on the oral interviews conducted and documentary evidence provided by the parties) are appended:

- Mrs Farmer – Appendix C;
- Mrs Bannerman – Appendix D;
- Dr Baxter – Appendix E;
- Mr John Ingham (MHPC Clerk) – Appendix F; and
- Mr Fred Pavey (Chairman of the Much Hadham Sports Association) – Appendix G.

4.5 In reaching the conclusions I have considered the documents/ evidence provided in the light of the wording of the MHPC Code of Conduct, any interpretation and guidance on the wording within the Code, the Localism Act 2011 and the seven principles of public life. I have also referred to previous Standards Board for England guidance and the Parish Council Toolkit 2009 (where there is absence of judicial interpretation of the Localism Act 2011/ relevant provisions in the Code and/or where it may be of assistance).

5 **Complaint background**

5.1 The witnesses were all asked to comment on the specific allegations and provide any further information they believed was relevant to the proceedings. In preparing the statements the witnesses were asked for a response in the order of Mrs Farmer's complaints.

5.2 The initial background provided in the complaint form "**Details of my Complaint**" relate to the Pavilion Renovation project and contributions parishioners were asked to make via "Buy a brick" donations (advertised in the parish magazine, village shop and on the website "gofundme"). That sums raised via this mechanism would, as set out by Mrs Farmer in her complaint form background (MHPC minutes for February 2015) be used to "**offset the total of the loan**", although the go.fund.me site was not apparently established until May 2015. The loan referred to was from the Public Works Loan Board ('PWLB').

5.3 Mrs Farmer sets out the "Buy a brick" donation and background loan for the Pavilion project in the complaint. Further information and background disputes were also explored during the interviews.

5.4 Whilst Mrs Farmer is a resident/ member of the public she had also been a MHPC Parish Councillor (prior to Mrs Bannerman and Dr Baxters' term of office) and was involved with the Much Hadham Tennis Club and Sports Association. The Much Hadham Sports Association was (and is) Chaired by Mr Fred Pavey and Mrs Farmer was the Tennis club's representative on the Sport Association after its AGM in April 2015. There had been a number of long standing disputes between MHPC and the Sports Association; such disputes related (amongst other things) to the sports Pavilion and recreation ground and this had permeated the dealings between the parties (including, I believe, the relationship between the complainant Mrs Farmer and the former Councillors). There was clearly a detailed and more complex background to the complaint issues. When interviewing the main witnesses they were asked for a comprehensive explanation of other matters pertaining to the relationship between the parties, and the Sports Association/ MHPC, to provide context and potential explanation for the allegations and alleged behaviour.

5.5 Some pertinent background complaint issues/ facts:

- The Much Hadham Pavilion had been managed since the 1950s firstly under a "Committee" and thereafter by the Sports Association.
- The Sports Association is a charity and has representative from all the groups that use the recreation ground (bowls club, tennis club, two football clubs, plus two MHPC Parish Councillors and three co-opted members).
- There had been a dispute between the MHPC and the Sports Association regarding the management of the Pavilion for a number of years (which also relates to the interpretation of the Deeds, which I will not cover here). This also appeared to then extend or include (from around 2014) issues relating to the recreational ground (for example use of the tennis courts and football pitches). Some of this is evidenced in the ongoing emails exchanged between the parties. This dispute continued up to and after

the Parish Council meeting of October 2015 (the catalyst meeting for the complaints against Mrs Bannerman and Dr Baxter).

- On or around 2012 a decision (referred to in AF6) was taken by the Parish Council to renovate the Pavilion and thereafter (during 2014) to get involved in the management of it. The latter followed the management disputes referred to in the bullet point above. Mrs Bannerman played a lead role in taking the Pavilion Renovation project forward (in the practical organisational sense).
- Advice was provided to the Councillors by the Proper Officer³ for MHPC (the Clerk, Mr Ingham) on the PWLB loan for the Pavilion project and financial transactions relating to the renovation and subsequent expenditure.
- At the MHPC meeting on 19th May 2015, the Parish Council approved the setting up of the Pavilion Committee (Mr Ingham's statement paragraph 4 & appendices J11) – as indicated in the minute wording:
**“16. PAVILION UPDATE, FUNDING AND PAVILION COMMITTEE'S PROPOSALS
Cllr Mrs Bannerman referred to the proposals as outlined in Appendix B, the contents of which were fully supported by members.”**

The Pavilion Committee had a “task” for **“maintenance, marketing, booking fees, cleaning....to run the pavilion”** (Appendix B to MHPC item 16 minutes). After advice from the Clerk, the Pavilion Committee was chaired by the Chairman, Dr Baxter.

- The Pavilion Committee met and certain decisions were taken on expenditure which could generically fall under the terms **“maintenance, cleaning.. run the pavilion”**. Evidence was provided that MHPC approved expenditure (such as the Pavilion locks) under their payment of accounts on 6 October 2015.
- Mrs Farmer and Mr Pavey were the nominated representatives to the Pavilion Committee from the Sports Association, although Mrs Farmer attended only one meeting of the four in July (these meetings taking place in June, July, August and September). Mrs Farmer appears to have been sent some of the minutes of the meetings in that capacity.
- The meeting of 6 October 2015 was clearly a contentious/ acrimonious one, with various complaints being made regarding three of the Councillors by numerous parties. Only Mrs Farmer's complaint was referred for investigation.

5.6 Mrs Bannerman and Dr Baxter believe that the complaints were made because of the dispute with the Sports Association (or as a culmination of that relationship and dispute over the management and renovation of the Pavilion).

6. **Complaint relating to Mrs Bannerman:**

Parish Council Meeting 6 October, alleged breach of obligation 1 & 2:

“1. He/she shall behave in such away that a reasonable person would regard as respectful.

2. He/she shall not act in a way which a reasonable person would regard as bullying or intimidatory.”

6.1. Mrs Farmer set out her complaint under paragraph 2 of the complaint form:

2. Parish Council Meeting

On Tuesday 6 October 2015 I attended a Much Hadham Parish Council (“MHPC) meeting.

During agenda item 6 “Residents Comments” I raised my hand and said the following (I wrote down what I wanted to say so this is an accurate record):

³ The Clerk as Proper Officer is responsible for seeing that the business of the council runs smoothly and efficiently and that the financial transactions are properly authorised and recorded. The Clerk has responsibility for guiding and advising the Council on matters of law and procedure– although is not expected to be an expert.

2.1 Breach of Member Obligations 1 and 2

During my statement and questions Councillor Bannerman raised her eyes to heaven a number of times and said in a voice loud enough for the whole audience to hear “what is she criticising now?”, more than once and whilst I was speaking. I found it belittling,

embarrassing and intimidating. The witnesses listed on the complaint form saw/heard this and have offered to support this aspect of my complaint. I believe Cllr Bannerman was disrespectful and intimidatory, in breach of **Member Obligations 1 and 2 of the MHPC Code of Conduct**.

- 6.3 There is a slight expansion of the issue as set out in Mrs Farmer’s statement paragraphs 27-31. Mrs Farmer explained that the meeting took place in the Green Tye Mission Hall and that she was sitting in the penultimate row of chairs in the room. She says that despite this she had a clear view of the Parish Councillors sitting at the top and Mrs Bannerman was sitting next to Dr Baxter.
- 6.4 Mrs Farmer said that she read out a prepared question (set out under paragraph 2 of the complaint) set out below:

“I am very concerned about the ongoing costs referable to the pavilion and the complete lack of accountability of the Pavilion Committee. The end of year accounts for the parish council do not show architect or surveying fees so I suspect these have yet to be paid and were they budgeted for? I understand that significant further expenditure which was not part of the original contract value of £114,000 has arisen, such as £2k on locks and bolts, presumably someone is paying for the cleaning after the open sessions after school and there are Much Hadham Parish Council Facebook page references to purchases of equipment (e.g. coffee machine, TV), do you have a licence?, references have been made to the proposed movement of items in the children’s playground to make room for the reinstatement of a cricket square to bring Hertford cricket team in next year, now talk of a cafe on Facebook etc– all without any discussion or mandate from the Parish Council. Can you tell me please what are the costs referable to the pavilion which were not included in the contract value with Glenplan and are still to be paid e.g architect’s fees and can you tell me what the pavilion committee’s terms of reference are, its budget/spend limitations and the reporting structure in place?”

- 6.5 Whilst Mrs Farmer said that she read out the above prepared statement, this did not cover the reference to “Buy a brick” and later on in the complaint Mrs Farmer indicates that she also “[I] **said that I did not think people thought their buy a brick donations would be used for running costs**”. Mrs Farmer had not donated to the “Buy a brick” fundraising; however, she must still have made a comment during the resident’s slot on the evening of 6 October 2015 about this, and potentially this was a follow on comment/ or question. Mrs Farmer says she asked the questions because (paragraph 27 of her statement) she “**was concerned as to where the money was coming from to pay for these items.**”
- 6.6 Mrs Farmers says that as she was used to public speaking she could look up whilst doing so and saw Mrs Bannerman raise her eyes to heaven when she was speaking, did this a number of times and said (more than once) in a voice that was loud enough for her to hear “*what is she criticising now?*” Mrs Farmer said she found this disrespectful, belittling, embarrassing and intimidating, contrary to the Code of Conduct Members obligations 1 and 2.
- 6.7 Mrs Farmer stated in the complaint that the witnesses listed on her complaint form saw/ heard this and had offered to support this aspect of the complaint. Mrs Farmer said that the content of Mrs Bannerman’s remark would suggest that she was criticising constantly, when she was asking questions which were a matter of public interest. Mrs Farmer says that she had only attended three out of the nine previous Parish Council meetings in 2015, so clearly

she had not been a regular member of the audience prior to the October 2015 meeting (although she had asked questions before at meetings relating to the Pavilion Project).

6.8 Two of the witnesses named by Mrs Farmer were Mrs Wetherall and Mrs O'Neill – who made separate complaints regarding a slightly different issue at the Parish Council meeting against Mrs Bannerman (although one of these, Mrs Wetherall did refer to an inquiry into payments being made and this was not referred for investigation). They have not, as explained, been interviewed for this report. Their complaint statements have been reviewed, and their specific comments on this and their interpretation are, however, detailed below.

6.9 Mrs Sue Wetherhall in a complaint (dated 6 October 2015 - extract):

As soon as the question time started Alex Farmer, a local resident, raised questions as to accountability of the pavilion committee. Councillor Bannerman was extremely rude and offhand in her replies, saying to the Chair in a loud voice "what is she criticising now" (referring to Mrs Farmer).

6.10 A Mrs Marianne O'Neill also made a complaint (dated 6 October 2015), who stated (extract):

I was alarmed at the response of Councillor Bannerman to one village resident, Mrs Alex Farmer, when she raised, what I felt was a fair question concerning the Village Pavilion Committee of which Councillor Bannerman is a member. Councillor Bannerman was rude and dismissive of Mrs Farmer's question and made an aside to the Chair of "What is she criticising now?" It is my belief that councillors should be bipartisan and there to listen to queries and concerns of residents and in this instance, I feel Councillor Bannerman was not.

6.11 Mr Fred Pavey, the Chairman of the Sports Association attended the meeting. In his witness statement (Appendix G) he said (paragraph 9) that it "**all blew up**" when it came to the "Buy a brick"; that Mrs Farmer had said something that caused "**a reaction**" and that Mrs Bannerman had said "**what is she complaining about now**". Mr Pavey said that Mrs Farmer had asked questions on earlier occasions – but that Mrs Bannerman's comment was an "**unnecessary remark**". He said that "**Mrs Bannerman had a bullying sort of attitude and did not like anyone to contradict her**" (paragraph 10; although it was unclear whether that referred to the incident or what he perceived to be her demeanour generally).

6.12 Mrs Bannerman did not accept this interpretation of events although she in part accepted that she made a similar comment, but did so only once, as she could not understand what criticisms were being made and maintains this was a question. In her statement (Appendix D paragraph 36-38):

"36. When Alex Farmer spoke she had a whole list of things she was asking about during the residents' comments.

37. She started speaking again and that was when I said to Tony Baxter "what is she criticising". It was a question. Alex Farmer was criticising and that is why I asked the question. I only used the phrase once. I couldn't work out what she was trying to say. I did not say "what is she criticising now" as claimed...."

6.13 Dr Baxter did not recall these exact comments being made at the time. He says that Mrs Farmer asked a question relating to the funding of the Pavilion and this was answered by Mrs Bannerman, that she was not happy with the answer and she asked virtually the same question again:

"43. Alex Farmer asked a question relating to the funding of the pavilion and this was answered by Selina Bannerman. Alex Farmer was not happy with the answer and she asked pretty much the same question again. She asked the questions a couple more times."

- 6.14 He says that after this Mrs Bannerman leant across to say something like **“what is she on about”** but that this was not loud enough to be heard. He accepted that Mrs Bannerman was **“pretty irritated”**, as he felt that Mrs Farmer had basically said that they had stolen the money.
- 6.15 Mr Ingham, the MHPC Clerk who was clerking the meeting, says (Appendix F) that he did not hear any comments by Mrs Bannerman during the questions by Mrs Farmer – although Mrs Farmer’s questions were, he believes, **“rude and accusing in an officious manner”** (paragraph 10).
- 6.16 Other witnesses that made complaints relating to *another Parish Councillor* make no reference to the “what is she criticising” statement and/or appear to have a different interpretation of events.
- 6.17 Minutes of the meeting of 6 October 2015 (extract at Appendix I) make reference to questions and assertions raised (under item 6(i)). That Mrs Bannerman provided a response on the expenditure. The minutes do not deal with the alleged conduct.

Finding – whether a breach of obligations 1 & 2

- 6.18 For the reasons set out below there would appear to be a case to answer in the failure to show respect (obligation 1). I have not concluded, however, that such a comment/ behaviour was bullying or intimidatory (obligation 2).

Reasons for finding – apparent case to answer:

Obligation 1 failure to show respect:

- 6.19 Since the enactment of the Localism Act 2011, relevant authorities have to adopt a Code of Conduct based on the principles in public life. With the exception of provisions relating to Disclosable Pecuniary Interests (*not relevant here*) the provisions can vary and interpretation of the provisions can therefore be uncertain and debatable. However, obligation 1 is a fairly standard phrase / term and there were similar provisions that existed under the pre-2012 regime. I am unaware of any judicial interpretation of similar Code of Conduct provisions post the introduction of the Localism Act 2011, therefore it is appropriate to look at the previous Standards Board Guidance for assistance in interpreting obligation 1.
- 6.20 Parish Councillors frequently have to deal with the coal-face of local authority work and do so without any allowance (unlike other levels of local government). Nevertheless, in public and to members of the public, Councillors should act appropriately and act (and be seen to act) in a respectful manner. It is understood that on occasion tempers become frayed, specifically over key issues. So whilst there is a balance to be struck, there is an emphasis (when dealing with the public) to “treat others with respect”. The previous Guidance on the relevant pre-2012 Code wording indicates that (highlighted sections my emphasis):

*“..Ideas and policies may be robustly criticised, but individuals should not be subject to unreasonable or excessive personal attack. **This particularly applies to dealing with the public and officers.** Chairs of meetings are expected to apply the rules of debate and procedure rules or standing orders to prevent abusive or disorderly conduct. **Whilst it is acknowledged that some members of the public can make unreasonable demands on members, members should, as far as possible, treat the public courteously and with consideration. Rude and offensive behaviour lowers the public’s expectations and confidence in its elected representatives”.***

- 6.21 Mrs Bannerman accepted that she said “what is she criticising” in a public Parish Council meeting with regards to a question from a resident (even if she did not say “now”). Whilst Mrs Farmer had been involved in other disputes with the Parish Council, she was not acting in that ‘formal’ Sports Association/ Tennis club or Pavilion Committee capacity at the time that the questions were asked. This was during an allotted slot for residents’ (public) questions at the meeting; that was heard by Mrs Farmer and others at that meeting. In the light of the above definition I believe that if someone unrelated to the Sports Association or Parish Council attended that Parish Council meeting and heard that comment (being the first

resident’s question of the evening) the statement “what is she criticising” by a Parish Councillor to the Chair, would, I conclude, have appeared to be disrespectful. I would not, however, consider this to be the worst contravention, as indeed if the comment/ or question from Mrs Bannerman had been phrased differently – such as “sorry Chairman, what criticisms are being made by Mrs Farmer” that this would not, in my opinion, have been disrespectful.

6.22 In reaching this conclusion:

- I accept that Mrs Bannerman only said this once (*taking account of the complaint statements made by Mrs Wetherall, Mrs O’Neill and statement of Mr Pavey*). I note that those witnesses attribute the rude / dismissive behaviour towards the responses provided by Mrs Bannerman to Mrs Farmer’s questions *as well as the “what is she criticising [now]” remark*; however, this was not the specifics of the complaint from Mrs Farmer (and indeed the latter is not accepted by Mrs Bannerman/ Dr Baxter or Mr Ingham).
- I accept that Mrs Farmer may have asked a number of questions or made comments (*as demonstrated by Mrs Farmer’s later comment on “Buy a brick”, which was not included in the prepared statement*).
- I have taken account that Mrs Bannerman may have *believed* that these questions/ comments were raised by Mrs Farmer to personally attack her, or her integrity, or were not genuine questions (as Mrs Bannerman believed Mrs Farmer already had the answers to these questions).
- I note that there was a history of challenges between the parties (Sports Association/ Parish Council as well as individuals) through emails, other meetings or other questions raised at the Parish Council, which (rightly or wrongly) contributed to a breakdown in relations and that Mrs Bannerman may genuinely have felt she was under attack and was unsure as to what she was being criticised for.
- I also note that post complaint Mrs Bannerman and others believed there had been pre arrangement on this issue (*I was presented with no evidence for this*); however, at the point at which the statement was made by Mrs Bannerman, no other questions had been raised by other parties.
- I have taken into account that Mrs Bannerman maintains that the statement “what is she criticising” was a question (as again confirmed to me as a comment on the draft report). This has not changed my conclusion on the case to answer.

6.23 Mrs Farmer says she saw Mrs Bannerman look upwards; this is not mentioned by others. Whilst inadvisable, I would not, however, have considered that to be sufficient to constitute disrespectful behaviour, but if it occurred in combination with the “what is she criticising” comment it would have added to a public perception of disrespect in my opinion.

6.24 I would only (finally) add on this issue, that Mrs Bannerman had not received any training on the Code of Conduct. She is correct that this is not a mandatory issue for Parish Councillors, but I believe it may have assisted with strategies of dealing with difficult meetings or issues.

***Reasons for finding of no apparent case to answer:
Obligation 2 - bullying or intimidatory.***

6.25 The wording of Obligation 2 is phrased in a fairly standard way. Once again I am unaware of any post Localism Act 2011 Code of Conduct judicial interpretation of such behaviour in the context of Local Authority standards cases. I would therefore look to the previous Standards Board Guidance on the pre-2012 Code for assistance. On this issue it stated (my emphasis in bold):

*“Bullying may be characterised as offensive, intimidating, malicious, insulting or humiliating behaviour. Such behaviour may happen once or be part of a pattern of behaviour **directed at a weaker person or person over whom you have some actual or perceived influence**. Bullying behaviour attempts to undermine an individual or a group of individuals, is detrimental to their confidence and capability....”*

6.26 Mrs Wetherall referred to “rude” comments and Mrs O’Neill to “rude and dismissive”. Mr Pavey refers to “unnecessary” remarks, and whilst he stated that Mrs Bannerman had a bullying manner, this was not specifically attributed to the comment “what is she criticising [now]” (more, I believe, to his perception of her demeanour/ or dealings with her in the context of the Pavilion Renovation or related disputes). There is no indication that Mrs Farmer was intimidated by this comment, as she asked further questions/ made other comments following this (as did others at the meeting - Mrs Wetherall and Mrs O’Neill, who did not, by their complaint statements describe the behaviour as bullying or intimidating). My consideration is of this comment in the context of the Parish Council meeting of 6 October 2015 and I would not consider “what is she criticising [now]”, as a one off phrase, in the light of those other observations and context of the above Guidance as bullying or intimidating.

7. **Mrs Bannerman, alleged breach of Member obligation 4**
“He/she shall use the resources of the Council in accordance with its requirements.”

7.1. Mrs Farmer stated in her complaint under 2.2:

2.2 Breach of Member Obligation 4

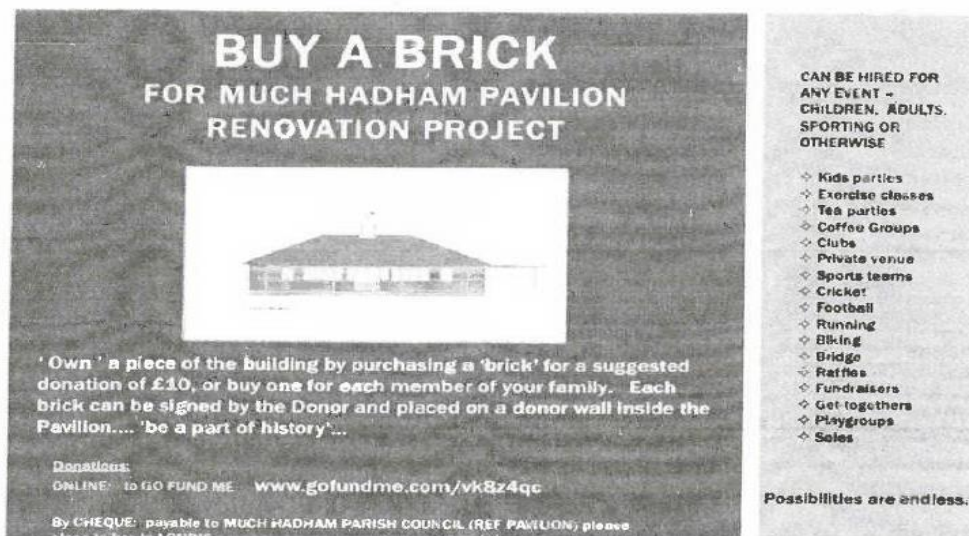
The Chair of MHPC, Cllr Baxter, then said that the organisation of the pavilion committee was going to be discussed later on so perhaps that part of my question could be answered then but he asked Councillor Bannerman to answer the questions as to expenditure. Cllr Bannerman said that the £13,000 raised from Buy a Brick and other donations had been earmarked to get the pavilion up and running and the cleaner for example had been paid from this fund and that the architect had been paid but didn’t explain from which pot of money or when this payment had been ratified. I said I did not think that people thought their Buy a Brick donations would be used for running costs. I believe that the resources (funds from Buy A Brick) of the Council have not been used in accordance with the Council’s requirements and expectation to pay down the loan but for other purposes and Cllr Bannerman breached **Member Obligation 4 of the MHPC Code of Conduct.**

Separately, I have seen the Pavilion Committee’s minutes for September (which have not been presented to the MHPC) which records that “£13k raised from donations and buy a brick Money to be used for equipment and initial costs (eg, TV, crockery, cutlery, framing, turf etc)....Funds are not to repay the loan – ongoing maintenance and running costs”. The Chair of the MHPC was at this committee meeting. I therefore believe both Cllr Baxter and Cllr Bannerman breached **Member Obligation 4 of the MHPC Code of Conduct** in using funds for purposes not required.

7.2 Mrs Farmer indicates in the above that she said she did not think people thought their “Buy a brick” donations would be used for running costs. Mrs Farmer elaborated (in paragraph 36 of her witness statement):

“I accept that the money raised was not to actually ‘buy a physical brick’ but I believe the donors thought it was to be used to offset the loan as indicated in the adverts for “Buy a brick” on facebook and in the parish magazine and as indicated in PC meetings. I do not think those donating thought the money would be used for running costs like paying for a cleaner or buying a television.”

7.3 The “Buy a brick” poster/ copy was included in Mrs Farmer’s complaint:



- 7.4 Mrs Farmer says that this was further evidenced in the MHPC minutes of June 2015 with fundraising “..**well under way to reduce the debt**”, which she suggested meant that the “Buy a brick” fund raising was meant to be used to pay down the loan as she was “**not aware of any other fund raising at this time.**”
- 7.5 Mrs Farmer had not contributed via this “Buy a brick” method and whilst I have seen complaints from Mrs O’Neill and Mrs Wetherall regarding this claim, I have not seen any other standards complaints about this or whether donors believed this was for general “up and running” costs or not. It is not within my remit to seek out other such standards complaints⁴. Mrs Farmer nevertheless maintained that the donations had not been used in accordance with the “**Council’s requirements and expectation to pay down the loan but for other purposes**”.
- 7.6 Mrs Farmer had attended other Parish Council meetings, as she said and asked questions in relation to funding. The first appears to be on 3 February 2015 when she asked why the Parish Council was considering raising a (PWBL) loan rather than grant or fund raising in the first stance. Mrs Farmer then attended the June 2015 Parish Council meeting and asked for more detail about the loan as none had been made public at this stage. Mrs Farmer says she then attended the October 2015 meeting and asked the questions regarding expenditure (detailed above previously). From her statement it is obvious that Mrs Farmer was concerned as to why other funding methods had not been considered, what she believed would be penalties if grant money was received after the loan had been taken out and the lack of transparency regarding expenditure and approval. She accepted, however, that the taking of the loan was an administrative matter for the Council. She says (at paragraphs 37 & 38 of Mrs Farmer’s statement) extracts:

“There appears to have been a decision by the pavilion committee in their September meeting (Exhibit AF7) about use of funds as it says under No2 “Funds are not to repay the loan – ongoing maintenance and running costs”. This does not appear to have been discussed at PC level, reported to the PC or ratified by the PC.”

I have not seen evidence that the Pavilion Committee was properly set up. There was no resolution that I have seen to do this. I understand that Mrs Bannerman appointed Mr Carey to Chair the committee, but he then became Vice Chair and Dr Baxter became the Chair. I’m not sure why this change was made..

The pavilion committee did not appear to report to the Parish Council its decisions or get consent for its expenditure. In failing to set up a committee properly and using

⁴ Mrs Farmer’s comment on this in the draft report was that I had not seen other complaints, as I had not approached any of the other witnesses who are resident in the parish. It is not within the remit of this investigation to seek out other standards complaints and I was not sent any others by the EHDC Standards Sub-Committee to consider.

the donated money for running costs etc rather than paying down the loan (which I believe was residents expectations), I believe that both Mrs Bannerman and Dr Baxter breached Member obligation 4..”

7.7 There was, clearly a perception by Mrs Bannerman, Dr Baxter and Mr Ingham that Mrs Farmer had attended many of the meetings and asked similar questions, but this may have related to other meetings (such as the Sports Association, Pavilion Committee) or in emails.

7.8 Mrs Bannerman (Dr Baxter and Mr Ingham) believe that there was reference to using “Council tax payers” money by Mrs Farmer and that she in some way accused them of misusing it. Mrs Bannerman says at (Appendix D paragraph 49) of her statement:

“I said at the meeting we did not use Council tax payers’ money to pay for things for the Pavilion. We used the donations. We raised around £14,000 from donations, some from Buy a Brick. We spent around £4,000. We received a donation of £5,000 from Mr Morrison for the Pavilion and he was happy for this to cover running costs. So we did not use Council resources or tax payers’ money. Also the Clerk sorted this out with John Carey and the expenses were approved. This is a statement of fact.”

7.9 Mrs Bannerman indicated that the Pavilion Committee was set up around May 2015. Two Sports Association members were to be part of the Pavilion Committee, and that Mr Pavey nominated himself and Mrs Farmer to sit on that Committee (the establishment of the Pavilion Committee was confirmed by Mr Ingham Appendix F (paragraph 4-5 & below). Mrs Bannerman went on to say (paragraph 50):

“Finances were discussed at the Pavilion Committee meetings and minutes distributed to at least Fred Pavey, the Sports Association Chairman. No issues were raised about this prior to the meeting of 6th October by them.”

7.10 Mrs Bannerman also stated (paragraph 39):

“Alex Farmer says in her complaint that she has seen the minutes of the Pavilion Committee. She not only saw the minutes, she was part of the Pavilion Committee and attended the meetings. A copy of minutes of the September meeting were sent to Fred Pavey, Chairman of the Sports Association, when items were discussed under item 2 “Finance” and these minutes were agreed. These were not questions, as she knew some of these things already, as she had been in the Pavilion Committee meeting. I exhibit SB3 a copy of the email from Fred Pavey of 2 July 2015 indicating that Alex Farmer would be one of the Sports Association reps for the Pavilion Committee and the minutes from July 2015; email from Mrs Farmer 2 September clarifying issues in the Pavilion Committee minutes; email of 24 August 2015 showing that the Pavilion Committee minutes from August 2015 were sent to Mrs Farmer; email from Mrs Farmer 26 August 2015 discussing finance from the Pavilion Committee minutes and minutes of September 2015 (that were sent to Fred Pavey). We also discussed the Pavilion project at the 15 September Sports Association meeting, the cafe and the TV when Alex Farmer attended as the rep (exhibit SB4).”

7.11 Mr Pavey and Mrs Farmer only attended the July 2015 Pavilion Committee meeting as the representatives, however, I have seen no evidence that they actually resigned from this and therefore would have been part of that Pavilion Committee as at October 2015.

7.12 Although not central to the actual complaint issue the Clerk (Mr Ingham) confirmed in his evidence that he arranged the PWLB loan. Mr Ingham provided the advice on financial matters. He stated (at paragraphs 4- 6 of his statement):

“I can confirm that the Pavilion Committee was approved by the Parish Council on the 19th of May 2015, which I attended and Clerked. It was part of an appendix item on the Pavilion update. I refer to the minutes and appendix which is exhibit J11. The

minutes refer to the Pavilion and the proposals in the appendix being fully supported....John Carey was appointed on or around this time.

The appendix included proposals for the structure and included representatives of the Sports Association. It also included how deposits were going to be taken and what sort of events were going to take place. In my opinion this could be considered effective terms of reference.⁵

In relation to obtaining a loan as opposed to grant funding or fundraising, I can confirm that I sorted out the loan with the Public Works Board... I can confirm that no penalties are going to be paid for early repayment."

7.13 Mr Ingham also states that:

"In terms of the allegation of misuse of Council resources, this was completely untrue. The money from the loan, the Chaldean Trust and the donations, as well as those providing funds under the 'Buy a brick' could be spent for the building. If putting a TV in helps the use of the building, then that would be acceptable. Some of the expenditure had to be retrospectively approved, for example the locks on the doors which Mrs Bannerman paid for herself and the Parish Council approved this at meeting on the 6th October. The sum of £2,840.77 was approved and Mrs Farmer was there when that took place (see exhibit J12). We had received more than enough money from, for example, the grant from the Chaldean Trust and other donations to cover things such as tables, crockery, cleaning materials and cleaner's overall time. Around £4,000 was spent and there was more than enough money to cover the cost of these things without touching the 'Buy a brick' money. So there was no use of Council resources and the expenditure was approved by the Parish Council."

7.14 Dr Baxter clarified (Appendix E paragraph 27) that William Compton was in charge as Chairman when the Loan was considered and the Parish Council agreed this. This was decided before he was Chairman. He also went to state (paragraph 29):

"We then intended to pay this community loan off with a grant or donations, but there were people who felt and stated (such as Alex Farmer) that if you get loan you could not get grants. I do not believe that to be the case as we had had discussions with the Hertfordshire cricket association and the ECB (and they indicated that they would be prepared to pay for the whole of the loan provided the recreation ground was open to all parishioners). There were also possibilities of funds from local stores like Tesco and those in the village."

7.15 Dr Baxter believed the Pavilion Committee had "full delegated authority" and (paragraph 56):

"We had money from three different pots of £12,000 from various sources and I am not sure what, if any of the £4000 was made from Mr Morrison's funds of £5000, Play Much Hadham or what was from 'Buy a brick'. It was up to the Parish Council. There was no loan or other funds to fit out the Pavilion or get a cleaner. The money that we spent was from the donation pot, not the Council's resources."

⁵ Mrs Farmer's commented on this on the draft report: "if the appendix referred to by Mr Ingham were effective terms of reference for the pavilion committee why did Tony Baxter draft new terms after the October meeting – I can only infer that it was a direct result of the shortcomings of the committee raised by either me or Councillor Hunt."

Part of response provided: This is an administrative matter for the Parish Council. It would be recommended practice to have clear and unambiguous terms of reference when setting up a committee or sub-committee, but it is not a specific requirement of sections 101 or 102 of the Local Government Act 1972 which cover the arrangements for discharge of functions by Local Authorities and appointment of Committees. The Parish Council Toolkit (2009) provides useful guidance (pg 58): "**Parish councils have a wide flexibility as to the number of committees (and sub committees) appointed and their terms of reference. Clear and certain written terms of reference confirm the nature, extent and limitations of the duties or powers which have been delegated. It is important that any delegation arrangements are regularly reviewed to ensure that they meet the needs of the parish council in changing circumstances. The scope of any delegation, including any limitation, should be reviewed to ensure the arrangements are efficient. There is no standard model in respect of the appointment of committees (and sub committees) and other delegation arrangements that will suit all parish councils.**"

7.16 I reviewed the website gofundme in December 2015. This was part of the funding mechanism (the other being by cheque, according to the Parish Council advert payable to MHPC). The “Much Hadham Pavilion Renovation” go fund me page (as at 16 December 2015), denoted that £1775 of £3000 had been raised at this point from donations to “Buy a brick”. More may have been received through the “Buy a brick” cheque route the funding site had apparently only raised £1775 in 6 months (extract below and as Appendix H):

Much Hadham Pavilion Renovation

BUY A BRICK
FOR MUCH HADHAM PAVILION
RENOVATION PROJECT

Own a piece of the building by purchasing a 'brick' for a suggested donation of £10, or buy one for each member of your family. Each brick can be signed by the Donor and placed on a donor wall inside the Pavilion... be a part of history...

CALLINE TO GO FUND ME www.gofundme.com/yk8z4qc

By CHEQUE: payable to MUCH HADHAM PARISH COUNCIL (REF PAVILION) please

Much Hadham, ENG

£1,775 of £3,000

Raised by 59 people in 6 months

Donate Now

SHARE ON FACEBOOK

Can be used for ANY EVENT - CHILDREN, ADULTS, SPORTING OR OTHERWISE

- Film parties
- Exercise classes
- Tea parties
- Coffee Groups
- Clubs
- Private parties
- Sports teams
- CYCLES
- BOOKING
- HOLIDAY
- BIRTH
- Weddings
- Birthdays
- Parties
- SALES

Possibilities are endless.

Finding – whether a breach of obligation 4

“He/she shall use the resources of the Council in accordance with its requirements.”

7.17 There would appear to be no case to answer for the reasons set out below.

Reasons for finding of no apparent case to answer:

7.18 I will start by indicating that I would consider the establishment of the Pavilion Committee and authorisation of expenditure to be an administrative, legal and/ or financial issue for the Parish Council as a whole (as opposed to a question of whether a Councillor has not used resources correctly).

7.19 The Parish Council is a statutory body that has a separate legal entity from the Parish Councillors. This means that the acts of a Parish Council (or failures to act) are distinct from acts of the Parish Councillors. Normally, therefore, the Councillors are not personally liable if the acts of the Council have some adverse legal effect; so the Parish Council as a body could fail to establish a Committee or fail to authorise expenditure / use of resources according to its rules and procedures and any administrative or financial challenge would have to be by way of, for example, of judicial review (on legality/ “vires” / or reasonableness of the actions) or via Audit. This is not something that EHDC would have remit/ jurisdiction to investigate. Local Authorities have legal power to delegate to (amongst other things) Committees under sections 101 and 102 of the Local Government Act 1972 – although these provisions do not specifically say that this has to be supported by terms of reference (or indeed a separate constitution).

7.20 That is not to say that the Pavilion Committee was established unlawfully or that expenditure was not authorised effectively – but that these are not issues which fall readily under individual Parish Councillor’s Code of Conduct responsibilities. The only exceptions I believe to this would be if the Councillors were obviously ignoring advice from the Proper Officer (the Clerk) on such matters *and in this case I find no evidence of ignoring the Proper Officer advice* (or – and *I stress there is no evidence of this*, Councillors have misappropriated/ misused resources personally).

- 7.21 The Councillors here were volunteers with relatively little experience in such *local authority* project matters. Advice was rightly provided by the Proper Officer (the Clerk) on the loan, Pavilion Committee and expenditure.
- 7.22 *To the extent that my interpretation on that issue is wrong*, however, I have considered whether (the Parish Council via Mrs Bannerman) seeking donations via the Parish magazine advert/ Gofundme site (to service the loan) as allege and then potentially using this for another (albeit related) Pavilion purpose of maintenance/ cleaning or other items (including the Pavilion locks) would be failing to use Council resources in accordance with its requirements.
- 7.23 Firstly it is debatable, in my opinion, as to whether these donations are even “Council resources” in the true sense. If, however, they are, then consideration needs to be given on interpretation of the MHPC obligation.
- 7.24 Again MHPC’s obligation 4 “**He/she shall use the resources of the Council in accordance with its requirements.**” is worded in a *similar way* to the paragraphs in the pre 2012 Code “**must use the authority’s resources for proper purposes only.**” There is no post 2012 judicial interpretation of this wording in Code of Conduct cases that I am aware of and therefore I will look to the previous Standards Board for England Guidance for interpretative assistance.
- 7.25 The Guidance at the time for this provision, on the whole, sought to prevent Councillors from using Council resources for improper/ personal or political purposes – it does not refer to the use for one Council project to another. It stated:

“Where your authority provides you with resources (for example telephone, computer and other IT facilities, transport or support from council employees), you must only use these resources or employees for carrying out your local authority business and any other activity which your authority has authorised you to use them for. You must be familiar with the rules applying to the use of these resources made by your authority. Failure to comply with your authority’s rules is likely to amount to a breach of the Code of Conduct. If you authorise someone (for example a member of your family) to use your authority’s resources, you must take care to ensure that this is allowed by your authority’s rules.”

- 7.26 I would conclude, from the documents and minutes (and evidence from Mrs Bannerman/ Dr Baxter and Mr Ingham) that the Parish Council’s requirements were to operate the Pavilion as a going concern.
- 7.27 Mr Ingham says that the Pavilion Committee was approved at the 19th May 2015 MHPC meeting, the Parish Council approved the setting up of the Pavilion Committee (Mr Ingham’s statement paragraph 4 & appendices – approved as indicated in the minute wording):

*“16. PAVILION UPDATE, FUNDING AND PAVILION COMMITTEE’S PROPOSALS
Cllr Mrs Bannerman referred to the proposals as outlined in Appendix B, the contents of which were fully supported by members.”*

- 7.28 The Pavilion Committee had a “**task**” for “**maintenance, marketing, booking fees, cleaning....to run the pavilion**” (Appendix B to MHPC item 16 minutes). After advice from the Clerk, the Pavilion Committee was chaired by the Chairman, Dr Baxter. The Pavilion Committee met and certain decisions were taken on expenditure which could generically fall under the terms “*maintenance, cleaning.. run the pavilion*”. Mr Ingham says these were approved by MHPC under the payment of accounts item at their Parish Council meetings; the Pavilion Locks were approved subsequently by the Parish Council on 6 October 2015.
- 7.29 The wording in the 19 May 2015 does not actually state that the Parish Council “resolved” to set up the Pavilion Committee, which would have been the preferable, advisable and clear,

wording. Nevertheless, the Clerk as Proper Officer has advised that this was approved by the Parish Council.

- 7.30 Furthermore, funding was received from other sources, and it is unclear whether the donations via "Buy a brick" could be shown to have been used to fund the running costs expenditure in any event. In comments made on the draft report, Mrs Farmer cited the fact that in December the Parish Council produced accounts after the resignation of the Councillors and ensured all donations received were applied to refurbishment project rather than covering operating costs. This does not alter my conclusion that again, this would normally be an issue for the person appointed by the Parish Council to administer its financial affairs (their section 151 Local Government Act 1972 Officer). That person is usually the Clerk and it is the duty of that Clerk in that situation to ensure that accounts and records are maintained according to proper accountancy / audit practices (for example the Local Audit and Accountability Act 2014, Regulations and/ or Transparency Code for exempt smaller authorities). Mr Ingham in that capacity has confirmed that there was other funding and that funding could have covered the running costs expenditure.
- 7.31 Moreover Mrs Bannerman and Dr Baxter *believed* that the Pavilion Committee had been set up properly, had used the donations and/or Council resources lawfully and were entitled to rely on the advice of the Proper Officer (the Clerk) on such matters.
- 7.32 On the evidence I have seen, the Council's purpose was wider than that stated on the Pavilion "Buy a brick" fund raising/ or otherwise and was more than just to service the loan. I would therefore conclude that, in the event that this falls under the Code of Conduct, that the Councillors used the resources in accordance with the Council's requirements.

8. Complaint relating to Dr Anthony Baxter:

Alleged breach of MHPC Code of Conduct obligation 4 "He/she shall use the resources of the Council in accordance with its requirements."

- 8.1. This allegation related to the same issues outlined above and I find no apparent case to answer for this reasons set out under 7.18-7.32.

9. Complaint relating to Dr Anthony Baxter

Alleged breach of principles of objectivity and accountability:

- 9.1 Mrs Farmer set out her complaint regarding this issue under 2.3 of her complaint form:

When agenda item 13 of the 6 October meeting was reached "Pavilion update and recreation ground activities" John Carey, a co-opted member of the Pavilion Committee, made a presentation and then the Chair, Cllr Baxter, said that as Cllr Hunt was a detail man and that the pavilion committee needed to be reviewed he would like to ask Cllr Ian Hunt to review the pavilion committee. Cllr Hunt first apologised to the residents for how the MHPC had treated some of the residents earlier in the meeting and said that all questions from residents should be treated with respect and that the councillors were here to represent the residents of the parish and they should attempt to answer questions as fully

as possible. Cllr Hunt then outlined the short comings of the Pavilion Committee and accepted Cllr Baxter's offer. At that point many residents clapped.

However 36 hours after asking Cllr Hunt to help review the Pavilion Committee the Chair unilaterally took Cllr Hunt off this task and has since drafted a new constitution and terms of reference himself (clearly copying the outstanding terms of reference put together for the Neighbourhood Plan Steering Committee by Cllr Hunt because the document still refers to the Steering Committee in 3.1). The terms of reference contains statements which suggest that this committee oversaw the design and building of the pavilion which was not the case. I believe that these actions by Cllr Baxter **breach the principles contained in the Introduction to the Code of Conduct of objectivity and accountability.**

- 9.2 Mrs Farmer says that she became aware of Cllr Hunt's removal following an email from Mr John Carey (a member of the Pavilion Committee). He was removed on 8 October 2015 by the Chairman, Dr Baxter, which Mrs Farmer believes demonstrated a lack of objectivity and accountability. Mrs Farmer acknowledged, however that there was no official appointment to undertake this role by the Parish Council, but maintained there had been a lot going on that evening; Cllr Hunt had made comments about the Pavilion Committee and its shortcomings and she believed Cllr Hunt should effectively have been given time to address the Pavilion Committee's issues.
- 9.3 Dr Baxter said in his statement that before the meeting on 6th October, Cllr Hunt had phoned him to say that he proposed disbanding the Pavilion Committee. Dr Baxter said he had asked him to help, to work with the Pavilion Committee and expected him to co-operate and show some grace.
- 9.4 At the meeting it would appear from the minutes that Mr Carey presented some information to the Parish Council regarding the Pavilion Committee and following the presentation of the item Dr Baxter asked Cllr Hunt, to work with the Committee. Cllr Hunt had said (as per the minutes **"that he was prepared to do so, but before he committed himself he wanted to make some conditions and request assurances"** (extract of amended minutes 6 October 2015 item 13 from Appendix I). A summary of the conditions were set out in the minutes together with the concerns raised by Cllr Hunt:

Cllr Hunt stated that he was prepared to do so, but before he committed himself he wanted to make some conditions and request assurances. Cllr Hunt then read to the meeting from a prepared statement. [REDACTED]

In summary, Cllr Hunt initially stated that, before providing assistance to the Pavilion Committee (as requested by the Chairman), he would want an assurance that the residents who had raised matters relevant to the pavilion project were afforded a civil response and that they would not be treated in future in the way he perceived they had been treated by Parish Councillors this evening. He would want the Pavilion Committee to have the full support of the Sports Association and he would want to see total transparency and full accountability before he offered any assistance.

Cllr Hunt ^{raised concerns about} [REDACTED] for their perceived failings on financial accountability, agendas, minutes and action of Pavilion Committee meetings, good corporate Governance, lack of a Constitution and terms under which the Committee was working.

9.5 The meeting was clearly heated. Things appeared to have been said that caused upset to a number of Parish Councillors, the Parish Clerk and Mr Carey as complaints were made against Cllr Ian Hunt regarding his behaviour at the meeting on 6 October 2015 via Dr Baxter (by Mr Ingham, Mrs Bannerman, Cllr Keys, Cllr Keogh, Mr John Carey and a member of the public). *I stress that this general complaint by those parties was not referred for investigation by EHDC, as the Standards Sub Committee found no evidence.*

9.6 Post meeting Dr Baxter says that he withdrew the request as following the meeting (paragraphs 61-62) as:

“there were 30 odd emails between John Carey (Vice Chairman of the Pavilion Committee) and Cllr Hunt where Mr Carey tried to elicit Cllr Hunts help but Cllr Hunt was obstructive in achieving the goal of getting a terms of reference in place. Cllr Hunt said he was, for example, not prepared to help John Carey until he “knew him better”, to come round for coffee first and John was not prepared to do this - he just wanted to get on with getting terms of reference in place.

I felt that Ian Hunt was being deliberately obtuse, deliberately unhelpful and unwilling to help. There were various pre-conditions set and I believed he was procrastinating and I took the decision, as I said in my complaint form to the Standards Committee, to rescind the request for assistance from him for the benefit of the village. I then got on with drafting the terms of reference myself, which was not rocket science as I based them on previous ones that Cllr Ian Hunt had prepared himself for the Neighbourhood Planning Committee. If I had not done so, days would have gone by with nothing being achieved with respect to the terms of reference and I felt I was justified and as Chairman had the authority to rescind my request of Cllr Hunt.”

9.7 Dr Baxter sent an email (extract) at 9am on 8 October to Cllr Hunt as follows (AF11) 9which was copied to the Clerk):

Dear Ian,

In the light of the communications I have read between you and Mr Carey and the failure to engage with urgency to complete the task I asked of you which was to work together to complete a constitution and terms of reference for the Pavilion Committee, and in the light of a letter of complaint I have received about your behaviour at the PC meeting on the 6th October, I am rescinding my request that you help with this task.

I will of course invite yours and other PC members comments on the updated Constitution and ToR when it is drafted which I expect will be done in a day or two.

Best wishes

9.8 Cllr Hunt did not make a complaint regarding this issue. He did, however respond to Dr Baxter on the matter and this email has been exhibited by Mrs Farmer at AF11 (copying in others). In that he defends his actions, he therefore disputed the reasonableness of the decision (extract):

- I received 18 e-mails from John Carey
- I sent 10 e-mails in reply, in one of which I had to spend time rebutting the assumption that “you clearly have the opinion of the SA firmly entrenched in your mind” – patently untrue as up to the time you appointed me on Tuesday evening to the review, I had never to my knowledge met anyone from the SA, as far as I’m aware
- at John’s request, I provided him with copies of a ToR and Constitution and advice on whether it was appropriate
- I agreed to his request for a meeting with him today, which he pulled out of, despite several attempts on my part to dissuade him from doing so

All of which you have been copied in on, so you are fully aware of the urgency I have exhibited and efforts made to achieve the goal you set.

I also wrote to you asking if you would intercede as you could see from the e-mails from John that he was not engaging with the task at hand (including one in which he said he was “on strike”, which presumably meant he was withdrawing from contributing to the urgent task you set us).

I also prepared and provided to John Carey, at his request, my recollection of the comments I made regarding the agenda item 13(ii) Pavilion Committee, which obviously took a little time too. It was, of course, after those comments that I accepted your offer to contribute to the task, so you must have seen some merit in them.

- 9.9 With regards to any alleged bias/ independency and ability to lead, Dr Baxter (paragraph 8) of his statement said:

“I had never met or knew Selina Bannerman, Mike Keogh or John Carey before I was on the Parish Council. I have got to know them since the Pavilion Project and I would even regard them now as friends. I do not, however, consider that this causes a compromise of my position. I am a Chief Executive of a public listed company for 10 years, chairman of two other companies. I have been a Chief Executive in the pharmaceutical industry overall for more than 30 years. I know how to be independent; I argue and disagree with people, including those I am friendly with. I supported Councillors, however, as they were, as you say, under my watch.”

Alleged breach of principles of objectivity and accountability – no apparent case to answer:

- 9.10 For the reasons set out below I have found no apparent breach of the principles.

Reasons for finding of no apparent case to answer:

- 9.11 There are, I believe two issues to consider. Firstly whether the principles are indeed part of the MHPC Code of Conduct and if so, whether there has been a breach.
- 9.12 As detailed above, under the Localism Act 2011, the statutory requirement is that “a relevant authority” must secure a Code of Conduct that when viewed as a whole document, be consistent with (amongst other things) principles of objectivity and accountability (section 28(1)). There is no statutory requirement that they be part of the Code of Conduct; the statutory duty is therefore place on the authority (in this case Much Hadham as a legal entity) to adopt a Code compliant with these principles. It does not, therefore, in my opinion place a specific statutory duty on a Councillor to abide by the principles. As such allegations of breach would not normally fall with the remit of consideration of Code of Conduct complaints. This is consistent with the approach adopted under the previous regime by the Standards Board.
- 9.13 To the extent that my interpretation is incorrect on this issue, I have considered whether there appeared to be a lack of objectivity and accountability in the light of the definitions and the factual issues.

- 9.14 Objectivity and accountability are two of the seven principles of public life. As defined by the Committee on Standards in Public Life⁶, Objectivity and Accountability mean that:

“Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias”.

“Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.”

- 9.15 On the evidence there was no official appointment of Cllr Hunt to the Pavilion Committee by Cllr Baxter or the Parish Council on 6 October. Cllr Baxter requested that Cllr Hunt helped to deal with the governance concerns that had been raised.
- 9.16 This was followed at the meeting by Cllr Hunt reading out a statement, which by the accounts given by Mr Ingham, Dr Baxter, Mrs Bannerman, Cllr Keys, Cllr Keogh, Mr Carey and Mr Morris critical of the Clerk and members of the Pavilion Committee. This caused upset to the Clerk, three Councillors, the Parish Clerk and a member of the public.
- 9.17 It would appear from the email at AF10 that Mr Carey tried to act on the concerns regarding the Pavilion Committee the evening of 6 October, by sending an email to Cllr Hunt (and Mrs Farmer, whom he believed and Cllr Hunt also appears to believe – see AF11 was a member of that Pavilion Committee). At least 28 emails were exchanged regarding the issue, which Dr Baxter was privy to. It is evident from the standards complaint made against Cllr Hunt that complaints were made to Dr Baxter regarding Cllr Hunt’s behaviour between 7-10 October 2015. At the point at which he rescinded his request for help to Cllr Hunt, he had received one of those complaints. In Dr Baxter’s witness statement he is of the opinion that Cllr Hunt was unwilling to help, had been working with Mrs Farmer on this issue and Dr Baxter believed he was justified as Chairman in rescinding the request for help. When he did so he sent an email to Cllr Hunt and Mr Ingham and Cllr Hunt copied various parties in to his response on 8 October.
- 9.18 Dr Baxter believed he was acting impartially, fairly and on the merits – given the exchange between Mr Carey and Cllr Hunt and had received a complaint at that stage. He would appear to have chaired the meeting of 6 October fairly. He did not withdraw the request for help after Cllr Hunt spoke at the meeting and whilst Dr Baxter was relatively inexperienced as the Chairman of the Parish Council, by his own words is *“a Chief Executive in the pharmaceutical industry overall for more than 30 years. I know how to be independent; I argue and disagree with people, including those I am friendly with. I supported Councillors, however, as they were, as you say, under my watch.”* In Mrs Farmer’s response to the draft report, she said that this conclusion Paragraph 9.18 and 9.20 – *(with regards to chairing the meeting fairly)* was in disagreement with EHDC Standards Sub-committee’s conclusion (as set out in the Monitoring Officer’s letter to the Parish Council dated 30 November 2015). In response to that I would state that the fact that the Standards Sub-Committee instructed the Monitoring Officer to write a letter before I investigated the issue does not, I believe, bind me to any specific conclusions on this particular complaint issue (of objectivity and accountability). The letter sent by the Monitoring Officer on 30 November, stated that whoever was chairing should use that office to achieve the “objective of mutual respect”, should treat fellow members with respect and when the meeting became heated should have called for a temporary adjournment. I would add in respect of the meeting, that Dr Baxter allowed additional time for questions by residents (Mr Ingham’s statement paragraph 13 – allowing an extra 25 minutes), and Mrs Farmer stated herself that Dr Baxter treated her respectfully in response to her questions. My opinion remains that he tried to chair a difficult meeting and in the round appeared to have done so fairly for all the parties concerned.
- 9.19 I therefore believe that on balance Dr Baxter was objective when he took the decision to withdraw the offer from Cllr Hunt. Equally, Dr Baxter considered the actions of Cllr Hunt to

⁶ <https://www.gov.uk/government/publications/the-7-principles-of-public-life/the-7-principles-of-public-life--2#objectivity>

have been, at best, unhelpful to dealing with the Pavilion Committee issue; considered that he would assist the issue himself by withdrawing the request for help and drafting the terms of reference himself. In the light of this and the complaint he had received he would on balance be seen to have shown leadership challenging poor behaviour in relation to the Council's employee and other Councillors. The decision to withdraw the request for help was not taken in a public forum, but given the complaint and Dr Baxter's perception of the issue, *he believed* (and I accept he believed this) that he needed to move things forward and therefore rescinded the request. There is no indication that Dr Baxter was not prepared to be accountable for his actions and I therefore also conclude that on balance in the circumstances he was acting accountably.

**10. Complaint against Mrs Bannerman
Pavilion Locks**

Alleged breach of MHPC Code of Conduct obligation 4 "He/she shall use the resources of the Council in accordance with its requirements."

10.1 I will set out the evidence in this matter, however, I believe that the same principle applies to this issue as under 7.18-7.32 above.

10.2 Mrs Farmer alleged in her complaint form (under paragraph 3) that:

On 30 September 2015 Cllr Bannerman sent the Sports Association an email which included the following paragraph "Fyi we have spent nearly £2000 on locks and keys to reach insurance standards. The whole time we were paying for the pavilion insurance it was invalid due to the locks and mainly lack of approved locks in place . If there was breakin and damage we would not have been covered . This hAs now been rectified through the money raised by the bricks ".

10.3 Mrs Farmer responded to this email setting out that there had been no requirement for this under the insurance policy and accordingly:

There is no record that the MHPC or Pavilion Committee had a requirement for this work or that it authorised its commissioning, there has been no evidence that a number of quotes were obtained as they should be, the identity of the provider is unknown and the cost appears to have been met from Buy a Brick funds, which were not, in my view donated for that purpose, or from general parish expenditure budgeted for other uses. I believe Councillor Bannerman breached **Member Obligation 4 of the MHPC Code of Conduct** in spending money (£2000) for locks that were not required.

10.4 Mrs Farmer said that she was aware of the provisions because (paragraph 44) the Sports Association had responsibility for obtaining insurance for the grounds and the facilities and buildings on the grounds. Following Mrs Bannerman's email Mrs Farmer checked with the insurance broker and it was confirmed to her that no specific locks or keys were required. Her concern:

"was not just that Mrs Bannerman was incorrect in relation to the insurance, but that spending £2000 had been unnecessary and that there was no record that the Parish Council had authorised or commissioned this work for replacement of locks or the other works mentioned in Mrs Bannerman's later email. There is no evidence in minutes I have seen of quotes being obtained and the expenditure for this appears, by Mrs Bannerman's own admission in the email to have come from the 'Buy a brick' fund raising – which I do not believe was for that purpose. I believe the donations were made to pay down the loan."

10.5 Mrs Bannerman believed the locks were required, that this was an emergency item and that anyone could have broken in. She stated (paragraphs 58-61):

“58..I was told by Charlie Sullivan (of the Football Committee) that we needed certain doors and locks to prevent the away football team from coming into the carpeted area. I believe this was approved in discussion.

59.The Sports Association said the Pavilion locks were sufficient but anyone could break into the Pavilion. We had to have a locking system, where the home team could have access. I was told we needed new locks. I did not have much choice, otherwise I was informed we would have been leaving a newly renovated Pavilion uninsured.

60.To the best of my recollection believe would have sent an email round or had verbal confirmation. There were discussions with various parties and this was not reported back until after the money was spent by me. In this issue time was deemed to be of the essence and action was required. ..

61.This was then approved by the Parish Council. Again the money we used was not Council Tax payers’ money, it was part of the £4000 spent that came from donations.”

10.6 Mrs Bannerman paid out the £2000 initially herself and the retrospective authorisation was given by the Parish Council (as confirmed by the Clerk, Mr Ingham and in exhibit J12).

10.7 Dr Baxter believed that the Pavilion Committee had authority to deal with such matters. He stated (paragraphs 64-67):

“65. When the Pavilion was near to being finished, the insurance person / locksmith expert came over and said that they were not insuring the building as the locks were not up to spec.

66. ... The contractor handed the Pavilion over to the Parish Council outside of a PC meeting. I was not at the meeting as it was midweek. I understand that the insurance company / locksmith was represented said that they would not insure the building as the locks were not safe. £110,000 had been spent and a rapid decision had to be taken to make sure the Pavilion building was insurable and insured. I am not sure if advice was sought or provided by the Clerk on this but we were caught between a rock and a hard place. Either the locks were repaired and the building insured or they weren't and the PC was liable if anything had happened to the Pavilion.

67. Because it was a large amount of around £2000, in retrospect it should have been authorised by a special committee meeting. If we had waited until the next Parish Council meeting and the building had burnt down and we were not covered by insurance then we would have been criticised. It was presented to the Parish Council after that for approval.”

10.8 Mr Pavey, who is the Chairman of the Sports Association (and deals with the Pavilion insurance) stated as follows (paragraph 12):

“12. In terms of the locks for the Pavilion I don't know why the locks were changed. The Sports Association had bought the insurance and the same insurers were dealing with it after it had been refurbished. It was never mentioned to us that we had to have different locks. I think they were told by a security advisor who attended that the locks needed to be redone. The Sports Association still holds the insurance; I am unaware whether the insurer asked the question about new locks so I don't know why they went down that road. The premium has increased because of the new value for the Pavilion but the insurance company did not ask any more.”

Alleged breach of MHPC Code of Conduct obligation 4 “He/she shall use the resources of the Council in accordance with its requirements.”

10.9 This allegation related to the same issues under 7 and I find no apparent case to answer for the reasons set out below.

Reasons for finding of no apparent case to answer:

- 10.10 For this reasons set out under 7.18-7.32 I believe this is an administrative/ legal/ financial matter for the Parish Council as a whole (not an issue to deal with under the Code of Conduct). If this interpretation is incorrect, then there is still a debatable question as to whether these donations would be a Council resource. If such donations were to be considered a Council resource, then I conclude that the donations have been used according to the Council's requirement, again for the reasons set out in 7.18-7.33 (and therefore there is no apparent case to answer on the alleged breach).
- 10.11 I would only add as an observations that it would have been desirable to have a more transparent decision making process on this issue (prior to the expenditure being committed and undertaken). I appreciate that this was seen as urgent by Mrs Bannerman and others, and indeed, even in larger Councils there are exemptions under procurement/ contract related standing orders to deal with this. However, there was no evidence produced to me that this was authorised by email or that the Clerk was consulted on the expenditure. Nevertheless, given that the Pavilion Committee task/ remit (Appendix B to the MHPC 19 May 2015 minutes) included "maintenance" and given Mrs Bannerman was concerned that the building would not be insured, this gave a degree of explanation as to why the expenditure had arisen in this way and no quotation exercise had been undertaken with potential contractors. The expenditure was, however, authorised by the Parish Council on 6 October 2015 and the Proper Officer has confirmed that this is correct. Again, as such any potential challenge would be administrative – i.e. to the powers of the Parish Council as to whether such authorisation was lawful or according to audit practices.
- 10.12 Note I have not dealt with the initial assertion by Mrs Bannerman that the building had not been insured previously. This appeared to be changed in later emails in any event.

11 ***Mrs Bannerman - Emails to Mr Fred Pavey***
Alleged breach of MHPC Code of Conduct obligation 1 –alleged failure to show respect in emails to Mr Pavey
Alleged breach of MHPC Code of Conduct obligation 2 –alleged bullying and intimidatory behaviour towards Mr Pavey in emails.

- 11.1 Mrs Farmer alleged that there have been a number of emails sent that were "unnecessarily combative" and prevent discussion taking place. This is set out under point 4 of the complaint form additional material:

4. Correspondence

Fred Pavey who is an elderly gentleman and the Chair of the Sports Association which is a local village charity which runs the recreation ground has received emails copied to the other members of the Sports Association including me, such as

"Get a grip and acknowledge when John and others who are on the PC are trying to help - or get others who will .

I for one have had enough .

Take a step back and just figure out what's important " *Cllr Bannerman 12/8/2015*

"I forgot your usual (and I speak from personal experience on several occasions) approach is to discourage, bully and disenfranchise anyone who has tried to use the facilities or help the SA, aside from the present incumbents of course.

I must not tread on your toes

I must not tread on your toes

Repeat to fade...." *John Carey 12/8/2015 (co-opted member appointed onto the pavilion committee by Cllr Bannerman)*

"Sorry for doing your job for you and encouraging youth (local and further afield) back to the playing fields of Much Hadham, oh and earning you some money." *John Carey 12/8/2015*

"Well either I can be helpful and find him for you in the village and then pass in his details or you are welcome to try to find him yourself ...

Or you could assume that I am trying to contact him on your behalf .

Do the leg work if you wish but as he didn't see or meet you he is more likely to be found by me when I meet him at the school gates to get his details ... "Cllr Bannerman 3/9/2015

These are just a few examples of endless emails containing unnecessarily combative language which leave little room for proper discussion or other views. All these emails were copied to the Chair, Cllr Baxter, and he has done nothing to try to stop this behaviour. I believe the e-mails constitute breaches of **Member Obligations 1 and 2 of the code of conduct** by Cllr Bannerman and the failure of the Chair, Cllr Baxter, to act decisively is a

- 11.2 Mrs Farmer expanded on the issue in her statement at paragraphs 51-56 of her statement. I have highlighted some relevant parts. She said:

51.Fred Pavey has chaired the SA which manages the recreation ground and pavilion for many years....

*52... **the relationship between the Sports Association and certain members of the Parish Council had experienced difficulties, specifically in relation to the take over of management of the Pavilion and public criticism made by those councillors of the Sports Association** (both in and out of the Parish Council meetings). Fred had tried to deal with this directly with the then Chairman, Cllr William Compton (who was Chairman up to the election in May 2015). **Fred Pavey had sent two letters to the Parish Council Chairman in February 2015 and an email to Mrs Bannerman dated 8 February 2015 attempting to set out the issues and resolve matters** (Exhibit AF13). Fred had a brief meeting on 29 March 2015 with Cllr Compton and it was apparently agreed then that if there was any points to discuss between the Parish Council and the Sports Association that they should be directed through the Chairman and Fred Pavey, rather than individual members publishing their views and this had followed an earlier letter from Fred Pavey dated 2 March 2015 - Exhibit AF14.*

53.This did not appear to improve, however, following the May 2015 election and that is why I arranged a meeting between the Sports Association and the Parish Council in June 2015.

54.Emails still continued relating to the management of the ground (which falls to the Sports Association, not the Parish Council)... Emails were sent from Mr Carey and Mrs Bannerman to Fred Pavey. The exchange of emails referred to in my complaint are at exhibit AF15.

*56.In sending emails of this nature I believe Mrs Bannerman breached Member obligation 1 & 2, in that there was a failure to show respect to Fred Pavey and the emails were rude and intimidatory. I have not had rude emails, but the tone was unnecessary. **I believe Fred Pavey spoke to Dr Baxter about that, and that emails should be through the Parish Council and Sports Association Chairs (see AF14).***

11.3 Mrs Bannerman's response is set out in paragraphs 63-66 of her statement:

“63. This is the full email referred to by Alex Farmer (exhibit SB6) of 8th August 2015. My son was ill in Turkey and I was at my wits end with worry and cumulative lack of sleep. I was not in a good place and quite frankly I had had about enough mental abuse.

64. The other email reference where I said on 3 September 2015: “Well either I can be helpful and find him for you in the village... get his details.” is taken out of context.

65. Fred Pavey had been terse, unhelpful and rude in meetings. I think the emails from Fred Pavey and Alex Farmer were an attempt at poking, passive aggressive bullying. It was clever but annoying.

66. I do not believe the emails that I sent were rude or disrespectful and Fred Pavey never complained about the email I sent to him, either to me, or to the Chairman of the Parish Council (as far as I am aware). It was frustrating, but in the context of the months before, the emails referred to by Alex Farmer were not rude, disrespectful, intimidating or bullying.”

11.4 Mr Pavey was asked about this issue and his response is set out in paragraph 13 of his statement:

*“13. In relation to the correspondence with Selina Bannerman, they were disrespectful, especially John Carey. It was unnecessary wording, especially for someone in that position. He couldn't bear to be spoken against. **I did not complain about the emails, I just ignored them.** I never sent rude emails to Selina Bannerman.”*

11.5 Dr Baxter's response covers his interpretation of the emails and also the complaint regarding against him regarding leadership:

*“70. **Fred Pavey never complained to me about the emails he received from Selina Bannerman.** I did not consider the emails sent by her, that are referred to by Alex Farmer as disrespectful, bullying and intimidating.*

71. If I believed this had happened, then I would have said to Mrs Bannerman to be careful, be factual and accurate and not offensive. Having read some of them, I can see it was a two way street - like chucking snowballs, and not sure who threw the first snowball. There were strong emails from both sides and there was frustration with the Sports Association and some came close to the mark.

72. In terms of my leadership, however, once the work on the Pavilion had started and there were individual things that needed to be done, there was correspondence between the Councillors and also others on the Sports Association – not just Fred Pavey. There were heated discussions and these came around July -September.

*73. **As I stated above, during my Chairmanship individual Councillors had portfolios and were expected to undertake a particular role.** If someone stepped out of line then I was critical. I remember when Ian Hunt wrote a very rude note about John Ingham and I addressed this.*

*74. **I spoke to Fred Pavey after I became Chairman and I said that I would try to sort the problems out. Various parties were involved on both sides – Alex Farmer and the footballers also sent emails. On their own the emails referred to may seem strong, but in the context of the exchanges of communications as a whole, the individuals on both sides were expressing strong views.”***

Finding – alleged breach of MHPC Code of Conduct Obligation 1 – that Mrs Bannerman failed to show respect to Mr Pavey in the emails of 12 August 2015 and 3 September 2015

11.6 No apparent case to answer for the reasons set out below.

Reasons for finding of no apparent case to answer:

11.7 I will start by clarifying that there was reference in the complaint on this issue to other emails, although the only emails provided as part of the investigation and statement to demonstrate the allegations against Mrs Bannerman were those of 12 August 2015 and 3 September 2015 detailed above. The consideration was therefore rightly restricted to whether Mrs Bannerman failed to show respect in those emails (and subsequently the allegations relating to bullying and intimidation).

11.8 I refer to the Standards Board Guidance on interpretation of this issue detailed under 6 above, which was used to consider these emails.

11.9 There was clearly a dispute between the two organisations regarding the Pavilion Renovation and the Committee and a great deal of frustration on all sides. There is therefore a danger of confusing the two issues of emails between the representatives of those organisations over contested issues and those being strongly worded, with a response in emails to a member of the public/ or conduct in public meetings.

11.10 Mrs Farmer refers to a letter (AF14) sent to the former Chairman, Mr Compton in March 2015, this letter was not sent to Dr Baxter and Dr Baxter says he was unaware of this. This letter refers to “offensive” and inaccurate emails sent – but does not name any party (other than an inaccurate letter by a former Councillor, Mr Blaise Morris).

11.11 Whilst Mrs Farmer also refers to an email sent by Mr Pavey to Mrs Bannerman dated 8 February 2015 attempting to set out the issues and resolve matters (Exhibit AF13), this was not a complaint regarding disrespectful emails – but the dispute between the Sports Association and the Parish Council.

11.12 Such was the degree of dispute that Mrs Farmer says she arranged a meeting between the Sports Association and the Parish Council (on 18 June 2015 – AF6). Many issues were discussed. There is reference in the minutes to emails, which was raised by Justin Akester at this meeting. Mr Akester apparently mentions some of the comments that had been made by the “Parish Council” in meetings were “**bordering on misconduct**” and the “**PC should be ashamed of the way they have conducted themselves on email and Facebook**”. This, however, appeared to be in connection with the Tennis Club fees – an issue of dispute regarding the Parish Council/ Sports Association/ Tennis Club (which Mrs Farmer was involved with) and public access. I therefore do not see this as directly relevant to the specific complaint that Mrs Bannerman was disrespectful to Mr Pavey.

11.13 In reaching the conclusion that there was no disrespect (or indeed bullying, see below) I am mindful that Mr Pavey states that he did not raise the specific issue with Dr Baxter; it was not raised at that meeting on 18 June. I note that at the meeting on 18 June Dr Baxter indicated (AF6) that parties could contact him if they had any problems:

“TB was keen to avoid fall-outs with the MHSA over the pavilion, wanting only the best for the village. He invited everyone to contact him to discuss any problems.”

11.14 Despite this offer in June 2015 the specific issue does not appear to have been raised with the Chairman prior to the complaint in October 2015 – which I would have expected between organisations if there was such a problem.

11.15 Dr Baxter stated that he allocated roles to Councillors. If the matter was not specifically raised with him it is therefore understandable why he was reluctant to be the only party who was dealing with the Project or the recreational ground disputes.

11.16 I am mindful also that this email was sent by a representative of one body (the Parish Council) to another body (the Sports Association) and there were significant disputes on many issues between the parties. The previous Guidance, which provides assistance in interpreting emails of this nature, indicates:

“In politics, rival groupings are common, either in formal political parties or more informal alliances. It is expected that each will campaign for their ideas, and they may also seek to discredit the policies and actions of their opponents. Criticism of ideas and opinion is part of democratic debate, and does not in itself amount to bullying or failing to treat someone with respect.”

11.17 I conclude that the emails related to dispute issues between the parties and accordingly do not of themselves amount to failing to treat someone with respect.

Finding – alleged breach of MHPC Code of Conduct Obligation 2 – that Mrs Bannerman was bullying and intimidatory towards Mr Pavey in the emails of 12 August 2015 and 3 September 2015

11.18 No apparent case to answer for the reasons set out below.

Reasons for finding of no apparent case to answer:

11.19 I would refer to the pre-2012 Guidance on what would constitute bullying or intimidation and the extract detailed above.

11.20 Mr Pavey says in his statement:

“13. In relation to the correspondence with Selina Bannerman, they were disrespectful, especially John Carey. It was unnecessary wording, especially for someone in that position. He couldn’t bear to be spoken against. I did not complain about the emails, I just ignored them. I never sent rude emails to Selina Bannerman.”

11.21 Mr Pavey says they were disrespectful – especially John Carey and he did not complain about them, he just ignored them. Mr Pavey said he found them disrespectful, not bullying or intimidatory. The emails related to organisational disputes (not personal ones) and were not in public. I would not conclude that the emails Mrs Bannerman sent on 12 August or 3 September 2015 would be considered bullying or intimidatory, in the light of this and the definition provided in the old Guidance.

12. **Dr Baxter as Chairman of the Parish Council did nothing to stop emails (referred to above in breach of the principle of leadership)**

12.1. Mrs Farmer stated in her complaint that the emails above were:

copied to the Chair, Cllr Baxter, and he has done nothing to try to stop this behaviour. I believe the e-mails constitute breaches of Member Obligations 1 and 2 of the code of conduct by Cllr Bannerman and the failure of the Chair, Cllr Baxter, to act decisively is a failure of the leadership principle contained in the code of conduct. The Chair should enforce proper procedure and the code of conduct.

12.2. Mrs Farmer further stated at paragraph 56 of her statement:

“..I maintain that while Dr Baxter was not rude in his dealings, he should, as Chair, have told others that they should not speak to people like that. I do not know whether it was because of his friendships or not, but as Chair he failed to act decisively and therefore failed in the principle of leadership.”

12.3. Mr Ingham (who clerks for other parish Councils and has worked with Parish Councils for approximately 30 years), did not specifically know about the emails referred to – but in relation to Dr Baxter and his Chairmanship of the Parish Council commented as follows:

“20. Tony Baxter was one of the best Chairmen that the Parish Council has had. He was very professional. Selina Bannerman is a doer. I feel very sorry for them and we have lost some really good Councillors.”

12.4. I would also again refer to Dr Baxter’s statement (paragraph 74):

“74. I spoke to Fred Pavey after I became Chairman and I said that I would try to sort the problems out. Various parties were involved on both sides – Alex Farmer and the footballers also sent emails. On their own the emails referred to may seem strong, but in the context of the exchanges of communications as a whole, the individuals on both sides were expressing strong views.”

12.5. Dr Baxter also attended the meeting of 18 June 2015 (AF6) and, as recorded in the minutes:

“TB was keen to avoid fall-outs with the MHSA over the pavilion, wanting only the best for the village. He invited everyone to contact him to discuss any problems.”

12.6. Dr Baxter is someone who is used to dealing with disputes and issues, but by his own account was relatively inexperienced at a senior level of the Parish Council. He undertook training in June 2015 on Chairing a Parish Council and believed he did so in a fair and reasonable manner. Mr Pavey did not raise the emails as a specific issue with him. By Mrs Farmer’s account he was not rude in meetings or emails.

Finding – alleged breach of the principle of leadership

12.7. Finding – no apparent case to answer for the reasons set out below.

Reasons for no apparent case to answer.

12.8. For the more detailed reasons set out in 9.11 and 9.12 above I have not concluded that the principles set out in the Localism Act 2011 place any statutory duty on the Councillors and therefore there can be no breach of the principles as part of an alleged Code of Conduct investigation.

12.9. To the extent that I may be wrong on this issue, I have considered whether there appeared to be a lack of leadership in the light of the established “Leadership” definition and factual issues.

12.10. Leadership is one of the seven principles of public life and is defined⁷ in the following terms:

“Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.”

12.11. In the first instance I refer to my conclusions that there was no apparent case to answer in relation to the emails sent by Mrs Bannerman to Mr Pavey on 12 August and 3 September 2015.

12.12. However, to the extent that this falls wider than those emails (i.e. comments made by Mr Carey in those emails), I would refer to the fact that Mr Pavey accepts he did not specifically raise this as an issue directly with Dr Baxter. It was not raised at the meeting on 18 June 2015 or subsequent (including after an offer by Dr Baxter to approach him with any issues). Dr Baxter presumably expected relevant parties to do so if there was an issue, and in my opinion was not expected in this instances to step in without such a prompt (given he believed this was effectively tit for tat/ “snowball” throwing). I would also refer to the previous Guidance given, and the break down in the relationship between the Sports Association and the Parish Council.

“..Criticism of ideas and opinion is part of democratic debate, and does not in itself amount to bullying or failing to treat someone with respect.”

12.13. Given the parties involved and the circumstances I conclude that these emails were part of the conflict between the two groups; they were criticism of the Sports Association practices and as such did not amount to bullying or failing to show respect towards the individuals. If this had been specifically raised with Dr Baxter and he had failed to address it, that may have been another element of consideration; however, it was not specifically raised and I therefore find there is no apparent case to answer.

13. The remedy (ies) sought by the complainant; and any recommendations.

13.1. Remedies sought by Mrs Farmer (and my comments below these):

- **A constitution which is representative of all ages in the village. The places available to members of the public on the committee should have been open to residents to gauge interest rather than three residents appointed to the committee by Cllr Bannerman.**

Comment: In my opinion a constitution would not be legally required for the previously mentioned reasons in the report (namely a requirement on Local Authorities under the Local Government Act 2000). Terms of reference would normally be acceptable for a Committee, and indeed as per the Parish Council Toolkit advisable. Given Dr Baxter prepared some terms of reference that would presumably be sufficient or could be reviewed (as per the Toolkit). I would comment that there is no evidence produced to me that Mrs Bannerman appointed residents to the Pavilion Committee.

- **A budget and spending limitations – neither budget or limitations on spend currently exist and there appears to be no process for ratification**

Comment: this would normally be taken on the advice of the Proper Officer – the Clerk. This can in theory be dealt with as part of the terms of reference or possibly Standing orders. Ratification can and has been dealt with at the Parish Council meetings – and it would be preferable for this to be open for public scrutiny.

- **Full reporting to the MHPC (only one set of minutes has so far been provided to the MHPC)**

Comment: I presume this issue has now been addressed, but I would remark that more information should be made available on the Parish Council's website (for example the minutes of 6 October 2015 or some of the earlier appendices).

- **Terms of reference that are fully discussed by the MHPC and agreed upon**

See comments in report and above regarding terms of reference.

- **Financial reporting to the MHPC to show all the costs of the refurbishment, how these costs are to be funded and a record of the ongoing receipts, donations, payments etc. As far as I am aware there has been no financial reporting to the MHPC to date**

Comment: I understand that this issue has since been reported to the Parish Council.

Transparency in discussions and decision making

Comment: see observations above regarding information to be made available.

- The Buy a Brick fund needs to be looked by the MHPC and the MHPC need to decide how to deal with its spend in the light of my complaint.

Comment: given my conclusions on the case to answer, this is a matter for the Parish Council.

- Questions from the floor during parish council meetings should be answered as fully as possible and with respect and this needs to be supported by the Chair

Comment: this will be a matter for the Parish Council under the time allowed in their Standing Orders (and on the advice of their Proper Officer the Clerk).

- Chair to be objective in his role and act in the best interests of the parishioners rather than supporting those councillors who are his friends when there are breaches of the code of conduct

Comment: given my conclusions I make no further observations in this regard.

- To stop the combative and disrespectful nature of emails
- Confirmation from the councillors that they are aware of their obligations under the Code of Conduct and will abide by them in future.

Comment/ recommendation: It would be preferable for emails dealing with the business of the Council to be kept to a minimum to prevent apparent decision making taking place outside of the Parish Council / Committee forum. To the extent that contact is involved between the parties they should, in my opinion, be formal, brief and only involve group e-mail if absolutely necessary.

The Code of Conduct should also be made available on the Council's website. I reviewed this in December and at the point of finalising the draft. It still says on the website: "**Code of Conduct** Details coming soon...".

- 13.2 In respect of any other recommendations, I asked the Councillors about training – but given they had resigned and there only appears to be one case to answer, this is no longer of relevance.

Jeanette Thompson,
Senior Lawyer & Deputy Monitoring Officer
NHDC

Appendix A - MHPC Code of Conduct

MUCH HADHAM PARISH COUNCIL

CODE OF CONDUCT

Introduction

Pursuant to section 27 of the Localism Act 2011, the Much Hadham Parish Council has adopted this Code of Conduct to promote and maintain high standards of behaviour by its members and co-opted members whenever they conduct the business of the Council, including the business of the office to which they were elected or appointed, or when they claim to act or give the impression of acting as a representative of the Council.

This Code of Conduct is based on the principles of selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

Definitions

For the purposes of the Code, a 'co-opted member' is a person who is not a member of the Council, but who is either a member of any committee or sub-committee of the Council, or a member of, and represents the Council on any joint committee or joint sub-committee of the Council, and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee.

For the purposes of this Code, a 'meeting' is a meeting of the Council, any of its committees, sub-committees, joint committees or joint sub-committees.

For the purposes of this Code, and unless otherwise expressed, a reference to a members of the Council includes a co-opted member of the Council.

Member obligations

When a member of the Council acts, claims to act or gives the impression of acting as a representative of the Council, he/she has the following obligations:

1. He/she shall behave in such a way that a reasonable person would regard as respectful.
2. He/she shall not act in a way which a reasonable person would regard as bullying or intimidatory.
3. He/she shall not seek to improperly confer an advantage or disadvantage on any person.
4. He/she shall use the resources of the Council in accordance with its requirements.
5. He/she shall not disclose information which is confidential or where disclosure is prohibited by law.

Registration of interests

6. Within 28 days of this Code being adopted by the Council, or the member's election or the co-opted member's appointment (where that is later), he/she shall register with the Monitoring Officer the interests which fall within the categories set out in Appendices A and B.
7. Upon the re-election of a member or the re-appointment of a co-opted member, he/she shall within 28 days re-register with the Monitoring Officer any interest in Appendices A and B.

8. A members shall register with the Monitoring Officer any change to interests or new interests in Appendices A and B within 28 days of becoming aware of it.
9. A member need only declare the existence, but not the details of any interest, which the Monitoring Officer agrees is a 'sensitive interest'. A sensitive interest is one which, if disclosed on a public register, could lead the member or a person connected with the member to be subject to violence or intimidation.

Declaration of interests at meetings

10. Where a matter arises at a meeting which relates to an interest in Appendix A the member shall not participate in a discussion or vote on the matter. He/she Only has to declare what his/her interest is if it is not already entered in the member's register of interests or if he/she has not notified the Monitoring Officer of it.

Where a matter arises at a meeting which relates to an interest in Appendix A which is a sensitive interest, the member shall not participate in a discussion or vote on the matter. If it is a sensitive interest which has not already been disclosed to the Monitoring Officer, the member shall disclose he/she has an interest but not the nature of it.

11. Where a matter arises at a meeting which relates to an interest in Appendix B, the member shall not vote on the matter. He/she may speak on the matter only if members of the public are also allowed to speak at the meeting.

A member only has to declare his/her interest in Appendix B if it is not already entered in his/her register of interests or he/she has not notified the Monitoring Officer of it or if he/she speaks on the matter. If he/she holds an interest in Appendix B which is a sensitive interest not already disclosed to the Monitoring Officer, he/she shall declare the interest but not the nature of the interest.

Where a matter arises at a meeting which relates to a financial interest of a friend, relative or close associate (other than an interest of a person in Appendix A), the member shall disclose the nature of the interest and not vote on the matter. He/she may speak on the matter only if members of the public are also allowed to speak at the meeting. If it is a 'sensitive interest' the members shall declare the interest but not the nature of the interest.

Dispensations

12. On a written request made to the Council's proper officer, the Council may grant a member a dispensation to participate in a discussion and vote on a matter at a meeting even if he/she has an interest in Appendices A and B if the Council believes that the number of members otherwise prohibited from taking part in the meeting would impede the transaction of the business; or it is in the interests of the inhabitants in the Council's area to allow the member to take part or it is otherwise appropriate to grant a dispensation.

Appendix A

Interests described in the table below.

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain by the member or by his/her spouse or civil partner or by the person with whom the member is living as if they were spouses/civil partners.
Sponsorship	Any payment or provision of any other financial benefit (other than from the Council) made to the member during the 12 month period ending on the latest date referred to in paragraph 6 above for expenses incurred by him/her in carrying out his/her duties as a member, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract made between the member or his/her spouse or civil partner or the person with whom the member is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the Council — (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land	Any beneficial interest in land held by the member or by his/her spouse or civil partner or by the person with whom the member is living as if they were spouses/civil partner which is within the area of the Council. ‘Land’ excludes an easement, servitude, interest or right in or over land which does not give the member or his/her spouse or civil partner or the person with whom the member is living as if they were spouses/civil partners (alone or jointly with another) a right to occupy or to receive income.
Licences	Any licence (alone or jointly with others) held by the member or by his/her spouse or civil partner or by the person with whom the member is living as if they were spouses/civil partners to occupy land in the area of the Council for a month or longer.
Corporate tenancies	Any tenancy where (to the member’s knowledge)— (a) the landlord is the Council; and (b) the tenant is a body that the member, or his/her spouse or civil partner or the person with whom the member is living as if they were spouses/civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.
Securities	Any beneficial interest held by the member or by his/her spouse or civil partner or by the person with whom the member is living as if they were spouses/civil partners in securities* of a body where— (a) that body (to the member’s knowledge) has a place of business or land in the area of the Council; and (b) either— (i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) If the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the member, or his/her spouse or civil partner or the person with whom the member is living as if they were spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

*‘director’ includes a member of the committee of management of an industrial and provident society.

*‘securities’ means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description; other than money deposited with a building society.

Appendix B

An interest which relates to or is likely to affect:

- (i) any body of which the member is in a position of general control or management and to which he/she is appointed or nominated by the Council;
- (ii) any body—
 - (a) exercising functions of a public nature;
 - (b) directed to charitable purposes; or
 - (c) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)of which the member of the Council is a member or in a position of general control or management;
- (iii) any gifts or hospitality worth more than an estimated value of £50 which the member has received by virtue of his or her office.

Appendix B - Mrs Farmer's Complaint form dated 14 October 2015

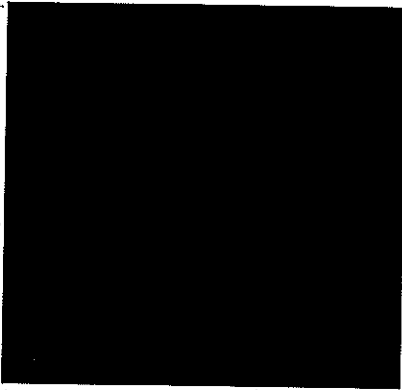


EAST HERTFORDSHIRE DISTRICT COUNCIL

**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:	MRS
First name:	ALEXANDRA
Last name:	FARMER
Address:	
Contact telephone:	
Email address:	
Signature:	
Date of complaint:	14 OCTOBER 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
MRS	SELINA	BANNERMAN
DR	ANTHONY	BAXTER

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.

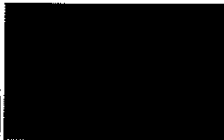
Please see separate document with details of my complaint headed "Details of my Complaint"

Listed below are some of the witnesses who attended the meeting on 6 October 2015 and were therefore witnesses to what happened at the meeting on that date:

Ken Howlett



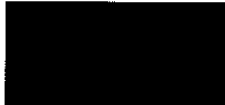
Sue Wetherall



Fred Pavey



Marianne O'Neill



Barry Brett



Sally Barra



EAST HERTFORDSHIRE DISTRICT COUNCIL

Karen Cope



(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:

(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.

Councillor Bannerman has worked tirelessly to get the refurbishment of the pavilion off the ground and this is to be commended, however the residents of the parish deserve a pavilion committee which fully represents their interests, properly constituted and with proper governance by the Parish Council to include:

- A constitution which is representative of all ages in the village. The places available to members of the public on the committee should have been open to residents to gauge interest rather than three residents appointed to the committee by Cllr Bannerman.
- A budget and spending limitations – neither budget or limitations on spend currently exist and there appears to be no process for ratification
- Full reporting to the MHPC (only one set of minutes has so far been provided to the MHPC)
- Terms of reference that are fully discussed by the MHPC and agreed upon
- Financial reporting to the MHPC to show all the costs of the refurbishment, how these costs are to be funded and a record of the ongoing receipts, donations, payments etc. As far as I am aware there has been no financial reporting to the MHPC to date
- Transparency in discussions and decision making
- The Buy a Brick fund needs to be looked by the MHPC and the MHPC need to decide how to deal with its spend in the light of my complaint.
- Questions from the floor during parish council meetings should be answered as fully as possible and with respect and this needs to be supported by the Chair
- Chair to be objective in his role and act in the best interests of the parishioners rather than supporting those councillors who are his friends when there are breaches of the code of conduct
- To stop the combative and disrespectful nature of emails
- Confirmation from the councillors that they are aware of their obligations under the Code of Conduct and will abide by them in future.

EAST HERTFORDSHIRE DISTRICT COUNCIL

(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
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<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

Details of my Complaint

1. Background

As a fund raising exercise for the pavilion rebuilding project, parishioners were asked to contribute £10 to "buy a brick", which meant their name would be written on a tile on an internal wall as an enduring record of who had donated towards the renovation project. It was promoted with this poster e.g in the parish magazine and in the village shop.

BUY A BRICK
FOR MUCH HADHAM PAVILION
RENOVATION PROJECT

Own a piece of the building by purchasing a 'brick' for a suggested donation of £10, or buy one for each member of your family. Each brick can be signed by the Donor and placed on a donor wall inside the Pavilion.... be a part of history...

Download:
ONLINE to GO FUND ME www.gofundme.com/vk8z4gc

By CHEQUE: payable to MUCH HADHAM PARISH COUNCIL (REF PAVILION) please

CAN BE HIRED FOR
ANY EVENT -
CHILDREN, ADULTS,
SPORTING OR
OTHERWISE

- ✦ Kids parties
- ✦ Exercise classes
- ✦ Tea parties
- ✦ Coffee Groups
- ✦ Clubs
- ✦ Private venue
- ✦ Sports teams
- ✦ Cricket
- ✦ Football
- ✦ Running
- ✦ Diving
- ✦ Bridge
- ✦ Raffles
- ✦ Fundraisers
- ✦ Get-togethers
- ✦ Playgroups
- ✦ Sales

Possibilities are endless...

In the PC minutes for Feb 2015: Cllr Bannerman stated that ".....Having secured the loan (to pay for the renovation) it was intended to undertake a marketing strategy involving fund raising from within the village on the lines of a "buying a brick", ie a plaque sponsorship.

The sums raised by this method would offset the total of the loan."

A fund-raising site Go Fund Me was used from May 2015 as the intended primary method of attracting a large number of parishioner contributions. Initially, the target was specified on the site to be £80k and in this extract (key phrases highlighted here for clarity):

"We would like to raise £80,000 to repay the loan for the build out but realistically a lot of that will come from Grants - what we would like is for every member of the parish to 'own' a piece of the building by purchasing a 'brick'

for a suggested minimum donation of £10. We encourage those who can, to buy more than one brick; perhaps one for each family member

Each brick (which is actually a tile) will be signed (or can be anon) and a note of your age if you wish- this will demonstrate the diverse age groups in our community and will enable children to look back at their contribution. This brick will be placed on a purpose built Donor wall inside the pavilion. Corporate and Group donations are very welcome and Acknowledgement Plaques will be arranged for the wall.

Generations to come can look back at the Donor wall and know that these people built this pavilion. "

Please note that MHPC has its own code of conduct and has not adopted the model code (I don't know why) and it is the MHPC code that I refer to below

2. Parish Council Meeting

On Tuesday 6 October 2015 I attended a Much Hadham Parish Council ("MHPC) meeting.

During agenda item 6 "Residents Comments" I raised my hand and said the following (I wrote down what I wanted to say so this is an accurate record):

"I am very concerned about the ongoing costs referable to the pavilion and the complete lack of accountability of the Pavilion Committee. The end of year accounts for the parish council do not show architect or surveying fees so I suspect these have yet to be paid and were they budgeted for? I understand that significant further expenditure which was not part of the original contract value of £114,000 has arisen, such as £2k on locks and bolts, presumably someone is paying for the cleaning after the open sessions after school and there are Much Hadham Parish Council Facebook page references to purchases of equipment (e.g. coffee machine, TV), do you have a licence?, references have been made to the proposed movement of items in the children's playground to make room for the reinstatement of a cricket square to bring Hertford cricket team in next year, now talk of a cafe on Facebook etc- all without any discussion or mandate from the Parish Council. Can you tell me please what are the costs referable to the pavilion which were not included in the contract value with Glenplan and are still to be paid e.g architect's fees and can you tell me what the pavilion committee's terms of reference are, its budget/spend limitations and the reporting structure in place?"

2.1 Breach of Member Obligations 1 and 2

During my statement and questions Councillor Bannerman raised her eyes to heaven a number of times and said in a voice loud enough for the whole audience to hear "what is she criticising now?", more than once and whilst I was speaking. I found it belittling,

embarrassing and intimidating. The witnesses listed on the complaint form saw/heard this and have offered to support this aspect of my complaint. I believe Cllr Bannerman was disrespectful and intimidatory, in breach of **Member Obligations 1 and 2 of the MHPC Code of Conduct**.

2.2 Breach of Member Obligation 4

The Chair of MHPC, Cllr Baxter, then said that the organisation of the pavilion committee was going to be discussed later on so perhaps that part of my question could be answered then but he asked Councillor Bannerman to answer the questions as to expenditure. Cllr Bannerman said that the £13,000 raised from Buy a Brick and other donations had been earmarked to get the pavilion up and running and the cleaner for example had been paid from this fund and that the architect had been paid but didn't explain from which pot of money or when this payment had been ratified. I said I did not think that people thought their Buy a Brick donations would be used for running costs. I believe that the resources (funds from Buy A Brick) of the Council have not been used in accordance with the Council's requirements and expectation to pay down the loan but for other purposes and Cllr Bannerman breached **Member Obligation 4 of the MHPC Code of Conduct**.

[Subsequent to this there was an altercation between Cllr Bannerman and other residents, which I understand is the subject of a separate complaint]

Separately, I have seen the Pavillion Committee's minutes for September (which have not been presented to the MHPC) which records that "£13k raised from donations and buy a brick Money to be used for equipment and initial costs (eg, TV, crockery, cutlery, framing, turf etc).....Funds are not to repay the loan – ongoing maintenance and running costs". The Chair of the MHPC was at this committee meeting. I therefore believe both Cllr Baxter and Cllr Bannerman breached **Member Obligation 4 of the MHPC Code of Conduct** in using funds for purposes not required.

At the time of writing, there has been no financial information presented to PC as to how much was raised in total through "Buy a Brick", when it was all banked, how much the fundraising site deducted from the donations and what the total raised has been spent on.

2.3 Breach of Principles of Objectivity and Accountability

When agenda item 13 of the 6 October meeting was reached "Pavilion update and recreation ground activities" John Carey, a co-opted member of the Pavillion Committee, made a presentation and then the Chair, Cllr Baxter, said that as Cllr Hunt was a detail man and that the pavilion committee needed to be reviewed he would like to ask Cllr Ian Hunt to review the pavilion committee. Cllr Hunt first apologised to the residents for how the MHPC had treated some of the residents earlier in the meeting and said that all questions from residents should be treated with respect and that the councillors were here to represent the residents of the parish and they should attempt to answer questions as fully

as possible. Cllr Hunt then outlined the shortcomings of the Pavilion Committee and accepted Cllr Baxter's offer. At that point many residents clapped.

However 36 hours after asking Cllr Hunt to help review the Pavilion Committee the Chair unilaterally took Cllr Hunt off this task and has since drafted a new constitution and terms of reference himself (*clearly copying the outstanding terms of reference put together for the Neighbourhood Plan Steering Committee by Cllr Hunt because the document still refers to the Steering Committee in 3.1*). The terms of reference contains statements which suggest that this committee oversaw the design and building of the pavilion which was not the case. I believe that these actions by Cllr Baxter breach the principles contained in the **Introduction to the Code of Conduct of objectivity and accountability.**

3. Pavilion Locks

On 30 September 2015 Cllr Bannerman sent the Sports Association an email which included the following paragraph "Fyi we have spent nearly £2000 on locks and keys to reach insurance standards. The whole time we were paying for the pavilion insurance it was invalid due to the locks and mainly lack of approved locks in place . If there was breakin and damage we would not have been covered . This hAs now been rectified through the money raised by the bricks ".

I responded later the same day:

"Dear Selina

The insurance documents were, as requested, sent to (*Chairman*) Tony (*Baxter*) and John Carey on 27th June. There are no conditions with regard to locks on the doors etc in the policy documents. Following your earlier email suggesting that our policy was invalid because of unapproved locks, I thought I better double check my understanding with our brokers. They have confirmed that there are no such conditions and the policy does not require any specific types of door locks or keys.

I'm not sure where you received the information which has resulted in expenditure of nearly £2000 on locks and keys to reach insurance standards.

Alex "

There is no record that the MHPC or Pavilion Committee had a requirement for this work or that it authorised its commissioning, there has been no evidence that a number of quotes were obtained as they should be, the identity of the provider is unknown and the cost appears to have been met from Buy a Brick funds, which were not, in my view donated for that purpose, or from general parish expenditure budgeted for other uses. I believe Councillor Bannerman breached **Member Obligation 4 of the MHPC Code of Conduct** in spending money (£2000) for locks that were not required.

4. Correspondence

Fred Pavey who is an elderly gentleman and the Chair of the Sports Association which is a local village charity which runs the recreation ground has received emails copied to the other members of the Sports Association including me, such as

"Get a grip and acknowledge when John and others who are on the PC are trying to help - or get others who will .

I for one have had enough .

Take a step back and just figure out what's important " *Cllr Bannerman 12/8/2015*

"I forgot your usual (and I speak from personal experience on several occasions) approach is to discourage, bully and disenfranchise anyone who has tried to use the facilities or help the SA, aside from the present incumbents of course.

I must not tread on your toes

I must not tread on your toes

Repeat to fade..." *John Carey 12/8/2015 (co-opted member appointed onto the pavilion committee by Cllr Bannerman)*

"Sorry for doing your job for you and encouraging youth (local and further afield) back to the playing fields of Much Hadham, oh and earning you some money." *John Carey 12/8/2015*

"Well either I can be helpful and find him for you in the village and then pass in his details or you are welcome to try to find him yourself ...

Or you could assume that I am trying to contact him on your behalf .

Do the leg work if you wish but as he didn't see or meet you he is more likely to be found by me when I meet him at the school gates to get his details ... " *Cllr Bannerman 3/9/2015*

These are just a few examples of endless emails containing unnecessarily combative language which leave little room for proper discussion or other views. All these emails were copied to the Chair, Cllr Baxter, and he has done nothing to try to stop this behaviour. I believe the e-mails constitute breaches of **Member Obligations 1 and 2 of the code of conduct** by Cllr Bannerman and the failure of the Chair, Cllr Baxter, to act decisively is a

failure of the leadership principle contained in the code of conduct. The Chair should enforce proper procedure and the code of conduct.

**Appendix C - Mrs Farmer's statement (signed 1 March 2016) and exhibits
AF1-15**

STATEMENT OF MRS ALEXANDRA FARMER

Before the interview the investigating officer ran through the process that she would follow and explained that a copy of the statement would be appended to the draft and final reports provided to her, Dr Baxter and Mrs Bannerman and that it was likely that the statement may get into the public domain.

I ALEXANDRA FARMER of
STATE as follows:

1. I am the complainant in this Code of Conduct matter and have made complaints regarding the conduct of Dr Anthony Baxter and Mrs Selina Bannerman, who were, at the time, Parish Councillors of Much Hadham Parish Council.
2. I make this witness statement further to the complaint and documents lodged with East Hertfordshire District Council as part of the investigation into the complaints, at the request of the investigating officer.
3. I believe that the facts stated in this witness statement are true. Except where otherwise stated, those facts are derived from my own knowledge or from the documents that I refer to.

BACKGROUND

4. I have lived in the village of Much Hadham for just over 15 years. In 2003 I was elected as a Parish Councillor with Much Hadham Parish Council and served a full term of 4 years until 2007. I did not, however, serve with either Dr Baxter or Mrs Bannerman on the Council (they joined some years later).
5. I was asked to carry on as a Parish Councillor by the Chair at that time, but I declined, as I believe it is important for the Council to have fresh "blood" and new ideas and new energy. I have always been involved in various charities in the village including being on the Fete Committee (from 2007 – 2011), which is responsible for organising the annual parish fete – the proceeds from which help to fund various charities/ charitable groups such as the village hall, scouts, 'Busy Weeks' childrens' holiday club, the Sports Association ("SA") and other projects in the parish. I helped organise the Royal wedding parish party and in the past have also been involved in Busy Weeks holiday club for children and Much Hadham playgroup. I do not know Mrs Bannerman socially although Mrs Bannerman lives a few doors from me. I did socialise with Tony Baxter and his wife about 8 or 9 years ago when our children were at the same school. Other than that I have not had much to do with either of them prior to the complaint-related issues in 2015.

6. I became involved in the Sports Association in 2015. My involvement relates to the Much Hadham Tennis club. The Sports Association is a charity and has a representative from all the groups that use the recreation ground – bowls club, tennis club, two football clubs, plus two Parish Councillors (plus three co-opted members under a defined constitution). The Sports Association is charged under the deed of conveyance which gifted the land, with managing and running the recreation ground. The 'underlying' land is owned by the Parish Council.
7. I was nominated as the tennis club representative on the Sports Association at the tennis club AGM in December 2014 (when the previous rep stood down) with my role as their rep to officially commence after the Sport Association AGM in April 2015. I was asked by the existing tennis club rep to attend the February and March 2015 Sports Association meetings with her so that I could get up to speed with current matters. I was familiar with the Sports Association as when I was on the Parish Council ("PC") I was the PC's Sports Association rep for a while.
8. The tennis and bowls club run their own facilities and finance them. The sports clubs are funded primarily by member subs and occasionally helped by grants from, for example the village Recreation Trust. The Sports Association meets every other month or once a month depending on what's going on and makes arrangements for, amongst other things, grass cutting, line marking, car park maintenance, insurance for the grounds, utilities, general maintenance, annual fire certificates and generally runs the recreation ground and prior to summer 2015, the pavilion. There is a children's play area - this was fairly recently completely overhauled with funding by 'Play Much Hadham'. The Parish Council does not fund the general running of the recreation ground or the buildings on it but it does pay for the insurance for the children's play area and annual safety certificate for the play area and it also gives a grant towards grass cutting and insurance.
9. The Sports Association has, since the pavilion was built in the 1950s, ran the pavilion. It was built I believe in the 1950s and it is essentially the same footprint now as it was before. Externally the major changes since the refurbishment are the addition of a veranda and clock tower. Internally there has been a complete overhaul and modernisation. The pre-refurbished pavilion was very old and it was in a poor state. The main users were the two football teams and it is them who largely kept it going and did lots of repairs and improvements over the years. I understand that they offered to refurbish parts of the pavilion e.g. the loos, but this was refused by the Parish Council reps on the Sports Association at the time on the basis there was talk of

demolishing the building. In 2012 the Parish Council was making noises that the pavilion should be refurbished or demolished and rebuilt, and I recall that a couple of the councillors were charged with setting up a committee with the SA to refurbish the pavilion but I do not believe it went anywhere. I can't see PC minutes for that time on the parish council website to verify this but I'm sure the clerk can shed some light on this.

10. It is commendable that Mrs Bannerman did pick up the ball and run with it to get the pavilion refurbished. However the way it has been gone about has caused upset amongst many parishioners. It is my opinion that the financing should not have been by way of loan. I am not aware of any serious attempt to fund raise and apply for grants prior to or during the planning process. As most people know, to get grants retrospectively is nigh on impossible. A lot of people in the parish were quite shocked when this loan raised its head at the PC. I do not really know what was said within the PC. I do not know why they went down the road of the loan, as I cannot see evidence in minutes that there was ever a full discussion about this (about the merits of a loan over fund raising which could have started back in 2013/14 when it appears plans were drawn up) – or why a committee was not formed with the SA to fund raise, and make grant applications. A group (Play Much Hadham) had very successfully fund raised and applied for grants etc to renew the childrens' play equipment a few years ago at a cost of about £80,000.
11. The Sports Association minutes indicate that the Parish Council was considering fund raising in June 2014. It seems quite odd that Mrs Bannerman was not one of the PC reps on the SA as it was clearly Mrs Bannerman driving the refurbishment of the pavilion at this stage. I understand that the Sports Association found that the PC reps on the Sports Association would say one thing and then Mrs Bannerman would say something else in respect of matters affecting the recreation ground and pavilion in the Parish Council meetings.
12. I understand the Sports Association was not consulted with on the plans or design of the pavilion and had been cut out of the process long before I joined. I understand the Sports Association were only shown the plans once, shortly before they were submitted and the minutes indicate that the SA had many concerns. It does seem very odd that none of the various sports clubs currently operating on the recreation ground were consulted or their views canvassed as to requirements for the refurbished pavilion. I don't know who was consulted on the plans as I have not seen any evidence of discussion at PC level either. The footballers were annoyed that they were not consulted on the internal design and also with regard to lack of consultation/notification about the renovation work and how it would affect their final league matches timetable for the season. The Sports Association requested involvement and

consultation on the refurbishment of the Pavilion many times and again in February and March 2015. There is reference in the February and March 2015 SA minutes (the previous meeting to that was November 2014 and the pavilion is not mentioned in those minutes) to no communication being received from the PC in answer to queries about the future of the pavilion. I have attached the February 2015 minutes of the SA - see item 9 of these minutes (Exhibit AF1). I have gone back to 2014 SA minutes in the file given to me by my predecessor as the plans for the layout and the extension of the veranda and clock tower to the pavilion were approved by the authorities in April 2014. In the January 2014 SA minutes it is clear that the layout plans were shown to the SA and it is minuted that "It was agreed by all that there were many concerns with the current design and that AP (Alison Purvis) would email Selina stating that we had reservations. The email would ask Selina (Bannerman) to hold back on forwarding the drawings to planning, especially as it had been agreed in November that she would have discussions with the SA before any plans were submitted". I understand the plans were submitted without further reference to the SA in February 2014. The interior specification was never, to my knowledge, discussed with the SA and was presented as a fait accompli via email to one of the football reps (Charlie Sullivan) on 16 March 2015. (Exhibit AF2)

13. There was also a disagreement between the tennis club and Mrs Bannerman. One of the issues related to use of the exterior access pavilion toilet in the refurbished pavilion and the demand by Mrs Bannerman that the club paid £10 for use per club session. The tennis club wanted access just in case anyone wanted the loo during a club session. The tennis club offered to pay for a digi lock on the toilet door, but this was refused. £10 per session for use would have cost the club £30 per week (approx £1500 p.a.) The tennis club already pays £30 per member per annum to the Sports Association and this amount had included use of the pavilion so this additional cost to have the loo available should someone need to use it was prohibitive.
14. I mention the above because I was asked these questions. However, this is background and not the basis of the complaint.
15. Prior to 2015 I did not regularly attend the Parish Council meetings. However I did attend in February 2015, because of concerns I had over the Much Hadham Parish Council's renovation project for the Pavilion.

BACKGROUND TO THE COMPLAINT

16. The background issues relating to my complaint were explained in my complaint form dated 14 October 2015 "Details of my complaint".

17. I went to the Parish Council meeting in February 2015 and asked questions about the loan the Parish Council mentioned they were applying for in respect of the pavilion renovations.
18. I did so as I was concerned about the effect the repayments were going to have on the council tax precept and therefore the residents payments. I had heard rumours that the PC was taking out a loan and as far as I am aware the PC had never taken out a loan before. Also the loan was to be of a considerable sum. I was concerned about the impact on the precept for the tax payer over many years and why grants had not been applied for since the planning stage in early 2014. I had difficulty finding this information from the Parish Council's website: not all the minutes are present and, many of them were incomplete with none of the appendices attached.
19. At the meeting of 3 February 2015 I asked why the Parish Council was considering raising a loan rather than grant or fund raising first. I was concerned that there had been no apparent effort to fund raise before seeking this loan. I was given an answer by Mrs Bannerman at the time – that it would take too long and they needed to update the Pavilion without delay.
20. The next meeting I attended was in June 2015 when I asked for more detail about the loan – no details of the loan had been made public at this stage. From my experience, the loan they were seeking from the Public Works Loan Board may penalise the Parish Council for any early repayments (breakage costs), if, for example they then managed to raise funds from grants etc. Interest would be based on a repayment period and if this was paid back earlier there may be breakage costs. This did not appear to have been considered, as, Dr Baxter asked the Clerk at the meeting if there were breakage costs – and the Clerk said he thought that there was. When asked how much, the Clerk said he was not sure and would look into it. Dr Baxter then stated some of the loan details at this meeting and also stated that fund raising was well under way to reduce the debt (PC Minutes June 2015 Exhibit AF3). This reference would suggest that the buy a brick fund raising was meant to be used to pay down the loan as I am not aware of any other fund raising at this time.
21. In January 2015 the PC minutes state under "Pavilion update" that "*following her discussion with the Clerk, Mrs Bannerman suggested an application be made to the PWLB with a view to securing a loan to cover the cost of the project...*" The minutes state "fund raising to mitigate the costs of the loan would continue at a leisurely pace with various grant aiding bodies being approached". I am unaware whether any such fund raising was being undertaken at this stage other than buy a brick which I believe did not start

until around May 2015 (although I cannot be sure exactly when the buy a brick fund raising started as the parish council facebook page was taken down by Mrs Bannerman following Mrs Bannerman's resignation from the parish council) See PC Minutes January 2015 Exhibit AF4.

22. I am not aware of any serious attempt to fund raise or obtain grants before the loan was sought, and as far as I am aware there was no apparent discussion within the PC about this or the details of the loan or the setting up of a committee by the Parish Council to oversee the expenditure of the loan and the building project (or none that I can see in the Parish Council meeting minutes).
23. The 'Buy a Brick' was in the form of a poster - as set out in my complaint form (under 'Background'). Money could be sent in, or donated via the fund raising site Go Fund Me. I recall that the go fund me Much Hadham Pavilion Renovation site said that the initial fund raising target was for £80,000. I think the target was later reduced. I believe people thought the money raised via this method was for paying off the loan as publications about the fund raising indicated this was the case. There was also an article by Mrs Bannerman in February 2015 parish magazine (which is circulated to nearly 600 households in the parish) in which Mrs Bannerman stated that the loan would be repaid through fund raising and grants (Exhibit AF5).
24. I am not complaining about the loan, a parish council is allowed to take a loan; I may not agree with it but we are where we are. The Parish is landed with the loan. When I went on the Sports Association it became clear to me that the refurbished pavilion was going to be taken out of the hands of the Sports Association without any discussion with the Sports Association. I have not seen any discussion about this decision at PC level either.
25. I understand that there had been a break down in the relationship between the Sports Association and the Parish Council since early 2014 and then Mrs Bannerman put forward a motion to disband the SA in a PC EGM in July 2014 (I'm not sure the PC could do this anyway as the SA was not a committee of the PC and was set up by the donors of the land). There was constant criticism of the Sports Association by certain councillors and things were being said at Parish Council meetings that were factually incorrect. I suggested that we had a meeting between the Parish Council and Sports Association and the issues could be discussed. This took place in June 2015; (Minutes of this meeting 17 June 2015 Exhibit AF6).
26. At the point I came to the October PC meeting, the PC had taken over the running of the sports pavilion.

PARISH COUNCIL MEETING – OCTOBER 2015

27. Prior to the October meeting I saw on the Parish Council's facebook page and in the pavilion committee minutes dated 10 September 2015 (Exhibit AF7) commentary about certain items to be purchased for the pavilion including a coffee machine and a TV and that the loo was to be opened every weekday afternoon and a cleaner to be employed. I was concerned as to where the money was coming from to pay for these items. This had followed on from the locks expenditure (see paragraph 43 below). Mr Pavey and I only attended the second pavilion committee meeting on 2 July 2015 and decided not to attend again. We had not been invited to attend the first one. The meeting on 2 July was attended by Selina Bannerman, Richard Key and John Carey. We were treated with disdain. We decided we would not attend again. We were also not clear whether this pavilion committee had been appointed by the PC and what its terms of reference were. I am not the AF referred to in those minutes, (those references are to a lady called Annica Farley). I have attached an email trail between Fred and Tony Baxter on this matter which needs to be read from the first email at the bottom. These emails arose out of the draft terms of reference that Dr Baxter put together after the October meeting asking for our comments (Exhibit AF8).
28. I was not aware of any proper discussion by the PC about the Pavilion Committee, its terms of reference, a budget or expenditure limits. I was concerned as to where the money was coming from for these unbudgeted items, where it was going to come from in the future and how the Parish Council was going to fund these expenses and the ongoing expenses of the cleaner for example who was being paid £10 a day each weekday (so a potential cost of £2,500 p.a). I accept this was more about the Parish Council's administration, as there had been no proper discussion that I could see about this. It had been a sports pavilion and was supposed to be run as a sports pavilion by the Sports Association (under the Deed gifting the land); but at the time I went to the meeting it was not clear because of what was being said by Mrs Bannerman on Facebook if it was to be run now as a community centre or a sports pavilion and certainly the pavilion committee formed by Mrs Bannerman had taken over the pavilion management (contrary to the deeds donating the land) and without discussion with the SA which had been running it since it was built in the 1950s. My question/ concern was where the money was coming from to do this and who had made these decisions and with what authority.
29. The meeting was in the Green Tye Mission Hall and I was sitting in the penultimate row of chairs that had been set out in the room, but I had a clear

view of the Parish Councillors sitting at the top. Mrs Bannerman was sitting next to Tony Baxter and there were around twelve residents at the meeting.

Breach of Member obligations 1 & 2

30. As outlined in my complaint, I read out a prepared question (see complaint no. 2).

31. I am used to public speaking, so I look up whilst speaking even when using notes and it was at that time that I saw Mrs Bannerman raise her eyes to heaven when I was speaking. She did this a number of times and said in a voice that was loud enough that I could hear from the back “what is she criticising now?” she did that more than once, whilst I was speaking and I found it disrespectful, belittling, embarrassing and intimidating, contrary to the Code of Conduct Members obligations 1 and 2. This was witnessed by others named in my complaint form. Some of these witnesses made their own complaints regarding the use of the buy a brick donations. The content of Mrs Bannerman’s remark would suggest I am criticising constantly. I was asking questions which were a matter of public interest and also I had only attended 3 out of the 9 previous parish council meetings in 2015 so clearly I had not been a regular member of the audience prior to the October meeting.

Breach of Member obligation 4

32. Dr Baxter responded to the question in a respectful way. He said that the organisation of the Pavilion Committee was going to be discussed later on so perhaps that part of my question could be answered then, as I set out in the complaint under 2.2. Dr Baxter then handed over to Mrs Bannerman to answer the question as to expenditure.

33. Mrs Bannerman provided the response in my complaint. She said that the £13,000 raised from Buy a Brick and other donations had been earmarked to get the pavilion up and running and the cleaner for example had been paid from this fund and that the architect had been paid, but didn’t explain from which pot of money or when this payment had been ratified.

34. In response I said that I did not think this money was used in accordance with what the donor’s expected or the Council’s requirements and people’s expectation was that it was to pay down the loan.

35. Mrs Bannerman appeared annoyed and acted as if my questions were irrelevant.

36. I accept that the money raised was not to actually ‘buy a physical brick’ but I believe the donors thought it was to be used to offset the loan as indicated in

the adverts for buy a brick on facebook and in the parish magazine and as indicated in PC meetings. I do not think those donating thought the money would be used for running costs like paying for a cleaner or buying a television.

37. Accounts of the pavilion expenditure and discussions on expenditure had never to my knowledge taken place in parish council meetings and accounts were not disclosed before or at the meeting in October 2015. Accounts were distributed for the first time at the end of October 2015 for the pavilion fund raising and expenditure. It was not clear what money paid for what. There is, amongst other things, a TV shown in the accounts, tables and chairs and cleaning costs that appear to have been paid out of the money raised (Exhibit AF9). The pavilion committee minutes were not distributed to the PC prior to the 6 October meeting apart from those of the July meeting. There appears to have been a decision by the pavilion committee in their September meeting (Exhibit AF7) about use of funds as it says under No2 "Funds are not to repay the loan – ongoing maintenance and running costs". This does not appear to have been discussed at PC level, reported to the PC or ratified by the PC.
38. I have not seen evidence that the Pavilion Committee was properly set up. There was no resolution that I have seen to do this. I understand that Mrs Bannerman appointed Mr Carey to Chair the committee, but he then became Vice Chair and Dr Baxter became the Chair. I'm not sure why this change was made. I do not know if any of the Councillors sought advice on setting up a committee, and this should in my view have been set up from the beginning of the planning stage in 2014. The pavilion committee did not appear to report to the Parish Council its decisions or get consent for its expenditure. In failing to set up a committee properly and using the donated money for running costs etc rather than paying down the loan (which I believe was residents expectations), I believe that both Mrs Bannerman and Dr Baxter breached Member obligation 4 as they failed to use the Council's resources according with its requirements. See item 10 in PC minutes of June 2015 which suggests Mrs Bannerman was setting up the committee in June 2015 (Exhibit AF3).

Breach of principles of objectivity and accountability.

Removal of Cllr Hunt

39. I have set out my complaint relating to the removal of Councillor Ian Hunt from reviewing the workings of the pavilion committee under my complaint no' 2.3.
40. Councillor Hunt was asked to review the Pavilion Committee by Dr Baxter as Chairman of the Parish Council. There was no resolution appointing him to do that, so I accept this was not an official appointment; but this was the night that a lot of things were going on. Cllr Hunt then made various comments about the

Pavilion Committee and its shortcomings. Cllr Hunt said that the PC needed to look at various aspects of the Pavilion Committee and make sure that residents comments were treated with respect. Many of the residents clapped. Then outside of the meeting he was removed from this role.

41. I became aware of Councillor Hunt's removal as I was sent an email from Mr John Carey (with Cllr Hunt, Selina Bannerman and Tony Baxter copied in) to attend a meeting to discuss the Pavilion Committee. I responded on 7 October, that, as Cllr Ian Hunt had been asked by the Chair of the Parish Council to take this forward, I would wait for Councillor Hunt and/ or the Chair to decide how to progress things. I then became involved in that email trail because I was copied into the email from Dr Baxter to Councillor Hunt, stopping him on 8 October for failing to engage urgently. He had only been asked to take on this task at the 6th October meeting I believe this breached the principles of objectivity and accountability (Exhibits AF10 and AF11).
42. I can confirm that I had never met Councillor Ian Hunt before the evening of 6th October. I rang the PC clerk, John Ingham, on 1 October to ask for a copy of the pavilion accounts as the year ending 31 March 2015 PC accounts John Ingham had given me did not show the loan monies or the buy a brick donations or pavilion expenditure which was being mentioned on facebook etc. John Ingham said he did not have any pavilion accounts. I mentioned some of the items which were being referred to on Facebook and he said he did not know anything about them and he also said that other than the 2 July pavilion committee meeting he was not aware that there had been any other meetings of the pavilion committee since then. During this same conversation we talked about the new members of the PC since May and John made specific reference to Ian Hunt as "excellent" and a "real asset" because he understood accounting and "the proper way" to do things. On the back of that I emailed Ian Hunt on 2 October to ask whether he was aware of the existence of any pavilion accounts as the clerk had told me that he did not have any. Ian Hunt was not aware of any pavilion accounts either.

PAVILION LOCKS

43. I have set out my complaint on this issue under point 3 of the complaint form.
44. The Sports Association were involved, as I explained above, because the Sports Association used to manage the pavilion pre renovation. The Sports Association had responsibility for obtaining insurance for the grounds and the facilities and buildings on the grounds.

45. I became involved when Mr Carey asked for the insurance cover documents to be sent by Fred Pavey (Chairman of the Sports Association). Fred had been unable to email these to Mr Carey, as his computer kept crashing.
46. I sent the documents on 27th June 2015. Following this I was surprised when Mrs Bannerman sent the Sports Association an email on 30th September (set out under complaint point no' 3), indicating that the Parish Council had spent £2000 on locks and keys to reach insurance standards on the Pavilion. She indicated that the insurance policy was invalid for this reason and that the 'Buy a brick' money had been used to rectify this.
47. As set out I responded that day that there were no conditions with regards to locks on the doors etc in the policy document. I checked with the broker to make sure my understanding was correct – and it was confirmed that no specific doors locks or keys had been required. Mrs Bannerman then wrote back that day saying that the £2000 had been spent for “ten doors – replacement fire escape bar – the additional external lock on said fire bar as that enable the footballers to lock their valuables but still adhere to fire regulations- privacy locks – a key safe and five full sets of keys - ...”. I was surprised that if these items were essential they should have formed part of the building specification with Glenplan. The emails are exhibited at AF12
48. My concern was not just that Mrs Bannerman was incorrect in relation to the insurance, but that spending £2000 had been unnecessary and that there was no record that the Parish Council had authorised or commissioned this work for replacement of locks or the other works mentioned in Mrs Bannerman's later email. There is no evidence in minutes I have seen of quotes being obtained and the expenditure for this appears, by Mrs Bannerman's own admission in the email to have come from the 'Buy a brick' fund raising – which I do not believe was for that purpose. I believe the donations were made to pay down the loan.
49. By spending this money I believe that Mrs Bannerman breached Member obligation 4, by failing to use the Council's resources in accordance with its requirements.

CORRESPONDENCE TO FRED PAVEY

50. The details of my complaint relating to this issue are set out under complaint form under no' 4.
51. Fred Pavey has chaired the SA which manages the recreation ground and pavilion for many years (the SA was previously known as the Committee of

Management). It has done so under the terms of a Conveyance dated 20th March 1947, which donated the land to the village.

52. As indicated, the relationship between the Sports Association and certain members of the Parish Council had experienced difficulties, specifically in relation to the take over of management of the Pavilion and public criticism made by those councillors of the Sports Association (both in and out of the Parish Council meetings). Fred had tried to deal with this directly with the then Chairman, Cllr William Compton (who was Chairman up to the election in May 2015). Fred Pavey had sent two letters to the Parish Council Chairman in February 2015 and an email to Mrs Bannerman dated 8 February 2015 attempting to set out the issues and resolve matters (Exhibit AF13). Fred had a brief meeting on 29 March 2015 with Cllr Compton and it was apparently agreed then that if there was any points to discuss between the Parish Council and the Sports Association that they should be directed through the Chairman and Fred Pavey, rather than individual members publishing their views and this had followed an earlier letter from Fred Pavey dated 2 March 2015 - Exhibit AF14.
53. This did not appear to improve, however, following the May 2015 election and that is why I arranged a meeting between the Sports Association and the Parish Council in June 2015.
54. Emails still continued relating to the management of the ground (which falls to the Sports Association, not the Parish Council). It became complicated after the renovation, because the SA couldn't hire out the pavilion with the grounds and vice versa because the pavilion had been taken out of the SA's hands. Emails were sent from Mr Carey and Mrs Bannerman to Fred Pavey. The exchange of emails referred to in my complaint are at exhibit AF15.
55. As indicated, these were a few of the emails sent, which were unnecessarily combative, leaving little room for proper discussion or other views and were copied to various people including the Chairman, Dr Baxter. Everyone is copied into these emails. I do not believe Dr Baxter did anything to stop this behaviour.
56. In sending emails of this nature I believe Mrs Bannerman breached Member obligation 1 & 2, in that there was a failure to show respect to Fred Pavey and the emails were rude and intimidatory. I have not had rude emails, but the tone was unnecessary. I believe Fred Pavey spoke to Dr Baxter about that, and that emails should be through the Parish Council and Sports Association Chairs (see AF14). I maintain that while Dr Baxter was not rude in his dealings, he should, as Chair, have told others that they should not speak to

Code of Conduct complaints – Cllr Anthony Baxter and Councillor Bannerman (former Councillors of Much Hadham Parish Council

people like that. I do not know whether it was because of his friendships or not, but as Chair he failed to act decisively and therefore failed in the principle of leadership.

I believe that the facts stated in this witness statement are true.

.....
ALEXANDRA FARMER

.....
Dated this 1st day of MARCH 2016

Much Hadham Sports Association Committee Meeting
Thursday 26th February, 2015 at 7.30pm

Present: Allison Purvis (MHTC), Fred Pavey (MHBC), Charlie Sullivan (MHFC/Sat), Ian Aldridge (MHFC/Sat), Jan Liversage (MHPC), Barry Brett (MHTC), Justin Godfey (MHPC), Dave Devoil (MHVFC/Sun), Darren Bruton MHFC (Sat), Alex Denison (MHTC) – Invited Guest – will replace AP as TC rep, John Jarret (MHVFC/Sun), Alex Young (MHPC) – Invited Guest

Item	Description	Action
1.	Apologies:- Jon Jarret (MHVFC), Darren Bruton (MHFC) – now stepped down from Committee	
2.	<ul style="list-style-type: none"> • Minutes of Meeting held on 25th November 14 • The Minutes were agreed to be a correct record and signed by the Chairman. 	
3	<ul style="list-style-type: none"> • Matters arising from 25th November meeting: • The 2 smaller Bins promised by the PC do not seem to have arrived. JL agreed to check what was happening. – Action remains • 2a) Regards the Extra Item re. Girls Football Pitch, JL had an email from Sherral Illston saying that 2 families in Green Tye have offered to raise £1000 to move the goal posts and get the necessary work done to keep the girl's football team in Much Hadham. Measurements were taken and even if the main football pitch was moved the size of the pitch being requested by the girl's football team could not be fitted onto the field - therefore this matter is closed. • 6 – Maintenance of Ground – Trees have been trimmed around the car park but those along the back hedge have not yet been done. It was noted that the PC had agreed to action this. JL to pursue. • FP reported that the grant from the Recreational Trust normally requested at the beginning of January can cause a cash flow problem as the insurance is due on 9th January each year. In 2014 FP requested the grant payments before the end of the year – which was made. Grant applications to the Recreational Trust in future will be made before the end of each year. • FP mentioned that the Bowls Club had had a break-in on Monday night, 17th November. The burglary had been discovered on the Tuesday morning. He said that £80 in cash had been taken and some spirits from the bar. His estimate was that the damage would amount to some £400. The incident had been reported to the Police and the insurance company have been notified. With an insurance excess of £150, IA questioned whether it was worth claiming for anything as the insurance premiums may go up substantially. FP said he would check with them and assess whether it would be worth claiming or not. IA and CS suggested taking money out of the Sports Association (SA) funds to pay for any repairs, particularly as the SA are in a good financial position at the moment. FP said he would email the insurance company. It was decided not to claim as the extra costs would outweigh the Claim. • FP pointed out that the MHSA has complied with the 1947 Agreement during the whole of 2014. FP agreed to put an email/notice together stating that the Committee agree to follow the 1947 Agreement and list who the Club elected members are until April 2015. Action complete 	<p style="text-align: center;">JL</p> <p style="text-align: center;">JL</p>

	<ul style="list-style-type: none"> • CS mentioned that there is a very bad dip in the road as you enter the driveway to the Recreation Ground. In fact, a driver had damaged his car a few days earlier. It seems that the bricks have broken away and it was agreed that this was a Highways action. JL will contact them. The Repair was carried out very quickly – Action complete • It was pointed out that a notice of the AGM must go in to the March Issue of the Much Hadham Parish Magazine. Therefore, the editor must be notified in February so that the deadline is met. This Action continues – mid March deadline 	BE
4	<ul style="list-style-type: none"> • Finance • FP reported that the finances were in good order and looks positive for the coming year. Approx £9K in the kitty. • The books are currently being audited. 	
5	<ul style="list-style-type: none"> • Burglary at Bowling Club • It was confirmed that the MHSA did not claim on the Insurance because of the Excess and the fact that the Premium would be likely to rise for next year. The costs were loss of cash and spirits, plus the cost of the replacement door and also a visit from the Alarm Company. • It was agreed that the MHSA should reimburse the Bowls Club for the losses - £220 	FP
6	<ul style="list-style-type: none"> • Telephone Box • The future of the telephone box is apparently still under discussion by the PC. The Sports Association agreed that they were not keen on the box being moved onto the Recreation ground unless there was a very good reason 	
7	<ul style="list-style-type: none"> • Tennis Courts • It was confirmed that the PC and in particular Blaize Morris wants open access to the Tennis Courts – mainly in the School holiday. • No meeting has been held between the parties and no letter has been received from the PC. • Alex Denison expressed her disappointment that she was not allowed an opportunity to speak on the matter at the recent PC Meeting. • AD also pointed out that the yearly fee for Junior Members of the Tennis Club was only £30 and payment of that would cover the costs and also ensure that the players were properly insured. • It was agreed that JL would organise a Meeting between the PC and the Tennis Club – notice required so that the Chairman of the TC could be present. 	JL
8	<ul style="list-style-type: none"> • MHPC • FP requested that all communications between the SA and the PC should be through the Chair i.e. FP / William Compton. This was to reduce the flurry of emails. JL requested that the PC reps (JL and JG) should be copied in so that they could fulfil their roles effectively – this was agreed. 	
9	<ul style="list-style-type: none"> • Pavilion Project • The SA stated that the main purpose of the Pavilion building was to allow outdoor sports such as Football and cricket and this should be implicit in the new plans. • The SA also expressed disappointment at the lack of consultation on the matter and the lack of visibility of the new drawings. 	

	<ul style="list-style-type: none"> • The two football Clubs have taken the action of bringing forward their home games so as to complete the season earlier and hence allow access to the Contractor. • FP wrote to the Chairman of the PC several weeks ago requesting a meeting on the matter but has received no response. • The SA also made it clear that the new building should be under the control of the SA for bookings and not the PC. • CS mentioned that there is Asbestos in the fabric of the building and wondered if that had been taken into account. • CS also wished to be assured that the floor covering would be resistant to muddy shoes and boots and easy to clean. • Concern was expressed about why a loan was being obtained rather than pursuing Grants from bodies such as the Football Association. This needed to be done up front as it would not be feasible after the building was complete. The SA also wondered who would guarantee the loan. • The SA also enquired if proper vetting of the proposed Contractor had been carried out as the Companies house records showed them to be dormant with no Accounts registered. • It was suggested that FP should email William Compton to request a meeting on the matter. 	FP
10	<ul style="list-style-type: none"> • MHPC Grant Application • Covered under Item 3 above 	
11	<ul style="list-style-type: none"> • Defibrillator • There was a discussion about financing the purchase of the defibrillator and also balancing accessibility to the public with security from damage. • DD said that at Sawbridgeworth £2500 had been raised to place one in a locked box on the outside of the Fire Station. The lock could be release by phoning a listed number. It was felt by all those present that this might be a better location than in the Recreation ground and was worth consideration. 	
12	<ul style="list-style-type: none"> • Roller • FP said that there was a sit on Roller stored in the equipment shed and that this had been donated to the Bowling Club. This Roller is the property of the Bowling Club and not the SA. 	
13	<ul style="list-style-type: none"> • Equipment Shed Security • FP said that as a key had gone missing then the lock on the equipment shed had been changed. 	
14	<ul style="list-style-type: none"> • Grass Cutting and Pitch • FP said that as 3 Quotes had been obtained last year then the Contract with Nick Lock would be considered valid for a 3 year period. This was thought to be acceptable by the PC representatives present. • On the subject of the overflowing Dog bin JG said that he would chase the Contractor responsible. JL also agreed to try to source warning signs for the back gate. Members of the public have been seen entering by that back gate and walking their dogs straight across the football pitch without picking up any droppings. . This is very dangerous for the players 	JG/JL

AF2

From: Charles Sullivan [
Sent: 16 March 2015 11:07
To: FREDERICK PAVEY; Brian & PatEllis; BarryBrett; AllisonPurvis;
AlexDenson
Cc: IanAldridge; DarrenBruton; DaveDevoll; JohnJarrett
Subject: FW: Much Hadham Pavillion Specification
Attachments: spec2revTA-610.pdf; Door SchRevTA-610.pdf; Finishes-610-Rev.TB.pdf;
SanitarySchrevTA-610.pdf; 610-02-01-TB.pdf; 610-02-02-TB.pdf; 610-
02-03-TB.pdf

Ladles and gents good morning copy of specifcation and plans for refurbishment of pavilion.
Charlie

From: John Clarke [<mailto:>
Sent: 16 March 2015 10:40
To: Charles Sullivan
Subject: FW: Much Hadham Pavillion Specification

Resend

John A Clarke
-
Hox Design Architects

From: John Clarke [<mailto:>
Sent: 14 March 2015 13:16
To: 'Justin Godfrey'; 'Charles Sullivan'
Subject: Much Hadham Pavillion Specifcation

Charlie as requested by Justin please see attached

John

John A Clarke
-
Hox Design Architects

From: Justin Godfrey [<mailto:JGodfrey@savills.com>]
Sent: 13 March 2015 20:19
To: 'Charles Sullivan'
Cc: John Clarke
Subject: RE: Dog bin emptying contract - Much Hadhamn - Account 10139156

Dear Charlie

Thanks for the email, sorry for not getting back to you sooner. I have located the planning reference number, so all of the plans can be viewed / downloaded from the councils website.

The reference is 3/14/0361/FP -- and you can access these via this link - <https://publicaccess.eastherts.gov.uk/online-applications/>

I have requested that the architect, John Clarke (copied into this email) forward a copy of the specification lists to you directly.

I hope this helps.

See you soon

Justin

Justin Godfrey
Director & Head of Office
Residential Agency

Savills, Chequers, 19 North Street, Bishop's Stortford, CM23 2LD



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From: Charles Sullivan [<mailto:>]
Sent: 12 March 2015 11:56
To: FREDERICK PAVEY; IanAldridge; BarryBrett; Brian & PatEllis; Justin Godfrey; JohnJarrett; JanLiversage; AllisonPurvis
Cc: DaveDevoll; DarrenBruton; AlexDenison
Subject: RE: Dog bin emptying contract - Much Hadhamn - Account 10139156

Justin good morning ,it has been two weeks since our last SA meeting. And if you remember you said to me that you would get a copy for the SA of the latest plans/specification, and interior materials/coverings that are being used, for the new pavillon. If there are no new tables and chairs being included we will have to store them in the shed ,with all the other equipment. Thank you

Regards
Charlie

From: FREDERICK PAVEY [<mailto:>]
Sent: 12 March 2015 09:32
To: IanAldridge; BarryBrett; Brian & PatEllis; JustinGodfrey; JohnJarrett; JanLiversage; AllisonPurvis; Charles Sullivan
Cc: DaveDevoll; DarrenBruton; AlexDenison
Subject: Fw: Dog bin emptying contract - Much Hadhamn - Account 10139156

Many thanks for your efforts. Forwarded for information of committee.

Fred

----- Forwarded Message -----

From: Justin Godfrey <
To: 'FREDERICK PAVEY'
Sent: Wednesday, 11 March 2015, 21:04
Subject: FW: Dog bin emptying contract - Much Hadhamn - Account 10139156
Hi Fred

For info – please see below.

Best regards

Justin Godfrey
Director & Head of Office
Residential Agency

Savills, Chequers, 19 North Street, Bishop's Stortford, CM23 2LD

 Sa
vill
s.c

 Before printing, think about the environment

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From: [jngihar](#)
Sent: 11 March 2015 18:42
To: PC Much Hadham;

Justin Godfrey
subject: FW: Dog bin emptying contract - Much Hadhamn - Account 10139156

Dear Councillor

For your information

Regards

John

Sent from Windows Mail

From: Poulton Allison
Sent: Tuesday, 10 March 2015 16:18
To: John Ingham

Dear John

Many thanks for your email highlighting your concerns that the dog bin on the recreation ground is not being emptied as per the contract.

I have checked with our contractor and can confirm that the bin was emptied on 9th, 16th and 23rd of February. I have attached the round sheets showing this, number 37 on the sheets is the relevant bin.

The bin is being emptied on a Monday but I am aware it was later last week but AEI Jon Hart has been monitoring the bin and confirms it was empty on Thursday 5th March. As we receive the round sheets a week in arrears I am currently awaiting the ones from w/c 2nd March.

As you appreciate from the invoice/letter you received the bins are emptied once a week from 1st October – 31st March so it may be that the bin in situ is not sufficient to cope with the usage in the recreation ground, however from 1st April this goes up to twice a week so this may alleviate any over-full bin issues. Dog walkers can also dispose of their bags in the nearby litter bin should the dog bin become full.

We will continue to monitor the usage of this bin, by inspection and round sheets, and should we feel there is an issue with capacity we will let you know.

Please let me know if I can be of any further assistance in this matter.

Kind regards

Alison

*Grounds Maintenance Administrative Assistant
Parks and Open Spaces*

East Herts Council
Wallfields
Pegs Lane
Hertford
SG13 8EQ

<http://www.eastherts.gov.uk/>

From: John Ingham
Sent: 06 March 2015 09:50
To: Operations Admin
Subject: Dog bin emptying contract - Much Hadhamn - Account 10139156

Dear Ms Poulton

I have just forwarded a cheque to East Herts Council in the sum of £599.18 in respect of the emptying of the bins for 2014/2015. However, I notice that the Parish Council is being charged for the emptying of the new bin on the recreation ground between 1 February and 31 March.

I write to advise you that this bin has not been emptied since the contractor was notified of the installation on 29 January 2015 and, therefore, I shall be grateful if you will kindly arrange a refund in due course.

Kind regards

John

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MUCH HADHAM PARISH COUNCIL

MINUTES of the Much Hadham Parish Council meeting held on Tuesday, 2 June 2015, at 7.30 pm in the Much Hadham Village Hall.

*Cllr Mrs S Bannerman (Vice Chairman)	*Cllr M P Keogh
*Cllr A Baxter	*Cllr R D Key
*Cllr T Baxter (Chairman)	*Cllr Mrs J Liversage
*Cllr S J Godfrey	*Cllr A J Young
*Cllr I Hunt	

* denotes present.

In attendance: 33 members of the public.
 Cllr Devonshire (EHC)
 Cllr McAndrew (HCC)
 PCSO Karen Broad

1. APOLOGIES FOR ABSENCE

None.

2. DECLARATIONS OF INTEREST

None.

3. MINUTES OF THE LAST MEETING HELD ON 19 MAY 2015

RESOLVED that the minutes of the last meeting held on 19 May 2015 be accepted as a correct record of the proceedings and be signed by the Chairman.

4. MATTERS ARISING

(i) Kettle Green Lane - Sign

The Clerk confirmed that a specification and quotation had been received to provide the new sign in the sum of £120 plus VAT.

Members authorised the Clerk to incur the expenditure and to arrange for the sign to be provided and erected.

(ii) Henry Moore Foundation

Continuing concerns were expressed concerning the damage to the roadside verges being caused by vehicles accessing from the north to the Henry Moore Foundation site. Whilst the Henry Moore Foundation had admitted to the damage being caused and, despite the assurance given at a recent meeting that the matter would be addressed, there would still not appear to be any control over the continual traffic ingressing and egressing the site.

The Chairman stated that he would arrange, as a matter of urgency, to meet with Mrs Wade, Henry Moore Foundation, and for Mr Bird and Cllr McAndrew to be in attendance.

(iii) Jolly Waggoners

An email had been received from Paul Dean, Principal Planning Enforcement Officer, which stated that he had recently visited the site and looked at the condition of the building and land. At this time he did not consider the condition of either would warrant the serving of a notice requiring the land to be cleared.

Cllr Devonshire had requested the Director of Development Control, Kevin Steptoe, to contact the owner of the site and Cllr Devonshire would report back on this matter.

(iv) Green Tye – Village Sign

It was noted that a letter had been forwarded to the Highways Liaison Officer (HCC) requesting a “Please drive carefully through our village” sign to be erected.

A response was awaited.

(v) Tennis Club

Cllr Mrs Bannerman reiterated the proposal which had been supported by members at the last meeting, viz:

“That the Tennis Club provide one hour per day from (say) 1.00 pm to 2.00 pm for a holiday membership for all children under 14 years of age during every school holiday.”

The Chairman referred to an email received from Justin in response to the Parish Council’s proposal in which it had been confirmed that the Tennis Club was operating a £15 youth holiday scheme, which allowed the courts to be used by local youths throughout the day. In addition, the school was now using the courts on two afternoons a week.

Cllr Mrs Bannerman stated that the Tennis Club had lost sight of the principle of the Parish Council's proposal for free use of the courts for the under 14s for one hour per day. The present proposal of the Tennis Club was a holiday membership for the sum of £15, which was totally unacceptable. The whole object was to encourage sporting facilities for the use of all the village children and the situation now presenting itself was a stand-off.

Cllr Mrs Bannerman stated that what the Tennis Club failed to realise was that the tennis courts were situated on land in the ownership of the Parish Council and the courts did not belong exclusively to the Tennis Club. In fact there would appear to be no reason why another Tennis Club could not be formed and be allowed the use of the facilities and there was already a move to start a new Tennis Club. The Parish Council could also consider taking over the courts and opening them up to a commercial tenderer or the Parish Council could take over the courts on a lease-back arrangement. Of interest was the fact that not all members of the Tennis Club had been consulted on the Parish Council's proposal and many were in favour of the Parish Council's proposal. However, the Tennis Club was not in favour. Clearly the Parish Council did not wish to be confrontational and it would wish to work towards an amicable solution with the Tennis Club.

Cllr Mrs Liversage felt that, despite the reluctance of the Tennis Club to meet with the Parish Council, members should press ahead and seek a meeting.

The Chairman concurred with the above and he agreed to write to the Tennis Club with a view to convening an early meeting with one or two of the Parish Council members being in attendance.

(vi) Financial Accounts

The Chairman informed members that the Clerk had supplied both him and Cllr Hunt with a written explanation as to the points raised at the last meeting. The explanation was such that the Chairman was now prepared to sign off the accounts.

(vii) Bank Mandate

Members had been handed the bank mandate documents with a request that they be completed and taken into the Bishop's Stortford branch of NatWest Bank.

(viii) Clerk's salary

The Chairman informed members that having discussed this matter with the former Chairman of the Parish Council, William Compton, it had been confirmed that with effect from 1 January 2015 the salary of the Clerk be on SP31 of the NJC Conditions of Service, ie £7,321.60 per annum.

5. RESIDENTS' COMMENTS

(i) Much Hadham Fete

A request was made by a resident for volunteers to come forward to assist with running the fete. A meeting was scheduled to take place in the Village Hall at 8.00 pm on 3 June 2015 to discuss the fete and it was hoped that as many people as possible would attend and offer their services on the day.

(ii) Apology

A public apology was given to the Parish Council by a former resident of Much Hadham in connection with the recent remarks he had made on Facebook concerning a Parish Council matter.

Members wholeheartedly accepted his apology with gratitude.

(iii) Pavilion

A resident referred to the decision of the Council to embark on the current refurbishment of the pavilion and she questioned the lack of information given to the public concerning the financial aspects of the project.

The Chairman responded by citing minutes of the Parish Council meetings held in January and February 2015, which, in essence, had set out details of the tenders received and he re-affirmed how the Parish Council intended to finance the project. The meeting was reminded that the lowest tender had been that received from Glenplan Ltd in the sum of £114,000 which had been accepted. It was intended to finance this project by way of utilising the New Homes Bonus money (£10,039), Earmarked Reserve (£30,000) and possibly receipt of Section 106 money (£12,364) coming from the Moor Place development. In the event of the latter not being forthcoming, the shortfall was being financed by an £80,000 loan secured from the Public Works Loan Board. The Chairman stated that Government approval had been secured for the loan, which would be repaid over a 20-year period at a rate of 3.08%. Half yearly payments would amount to £2,693.73 payable on 20 May and 20 November in each year. The intention of the Council was to seek grant aid towards reducing the debt and to this end fundraising was well under way.

CLlr Mrs Bannerman stated that, if the loan had not been taken up, either the total cost of the project would have had to have been met from the precept, which would have been unpalatable to the electorate, or the project would not have been able to proceed.

The resident stated that any premature payment would incur a penalty which she stated could be extremely expensive incurring the parish with an unnecessary debt.

A further question was raised as to whether the Parish Council had made any provision for an overspend on the contract. The resident was told that the contract was fully on target both practically and financially and there was every confidence that there would be no overspend.

(iv) Parish magazine

The Chairman stated that members had expressed a concern that no advertising appeared in the magazine, which was not only a financial loss to the publication, but denied potential traders from advertising their services.

Therefore, it was felt that every effort should be made to explore how best this could be addressed.

(v) Bus shelter opposite Red Lion

Members' attention was drawn to the condition of the wooden tiles which were rotten and in need of replacing.

(vi) Fencing at the Burial Ground

A resident referred to the poor state of the fencing to the right of the front entrance to the burial ground and he requested that remedial work be undertaken.

(vii) Recreation Ground

Members were informed that the recreation ground had been open to the public and maintained by the Sports Association for over 60 years. During which time the pavilion had been used as a regular base by the Football Clubs. Both teams had been very successful and a question was raised as to whether the Parish Council had a problem with the use of the pavilion by the Football Clubs.

The Chairman stated that the Parish Council had no such problem. However, the Parish Council did wish to see the pavilion run on a more professional basis and to be financially viable. He stated that the pavilion was a parish asset and it was the Council's intention to widen the scope of its activities in order for it to feature more prominently as a parish facility.

(viii) Village Hall

Cllr Key expressed his concern regarding the proposed repair work to the facade of the Village Hall at a cost of £10,000, which he felt to be an exorbitant sum and totally unnecessary. On an inspection of the premises it would appear that the facade was solid and showed no signs of disrepair. Cllr Key requested sight of the breakdown of the work proposed prior to any decision being taken. Cllr Mrs Liversage confirmed that she had requested this information and Roger would be happy to discuss this with Cllr Key.

The Chairman stated that the Village Hall operated much on the same lines as the Sports Association in that in the past the organisations had been left more or less to their own devices with no direct involvement by the Parish Council. The Council was now more pro-active and, whilst not wanting to 'take over', nevertheless, wished to see greater transparency.

Cllr Mrs Liversage stated that it was important to recognise the work of the individuals running both the Village Hall and the Sports Association, who were working on behalf of the community and the Parish Council did not want to create an aggressive situation.

Members took on board the sentiments expressed.

6. PLANNING

Minutes of Planning Sub-Committee held on 19 May 2015

RESOLVED that the minutes of the Planning Sub-Committee held on 19 May 2015 be received.

7. HIGHWAYS MATTERS

(i) General

Cllr Hunt gave his report on the highways issues relating to the parish as contained in the attached appendix A.

(ii) Vehicle activated sign

Cllr Key referred to an email which he had received from a local resident drawing attention to the excessive speed of traffic through the village and requesting that the proposal to site vehicular activated signs, previously proposed for Much Hadham and rejected, be revisited.

Cllr Key had responded setting out the history behind the proposal and the reason for rejection by the County Council. The sign for the northern end of the village had been rejected out of hand and agreement could not be reached on the siting of the southern sign which the Parish Council had wanted sited near the former Jolly Waggoners Public House.

The Chairman referred to an email which he had received from Cllr McAndrew which confirmed that a series of traffic surveys which had been carried out in 2011 had confirmed the average speed of traffic through the village ranged from 30 mph to 36 mph and only one person had been injured along the route in 2013, which was not sufficient evidence for vehicular activated signs to be considered at the time, as the required criteria had not been met.

Members were sceptical as to the recorded speeds, which they felt had increased over the years. They questioned what could be done to provide information on the current speed of the traffic, which could be used to open up new discussions with the County Council.

PCSO Karen Broad referred to the Smiley Face campaign which was a means whereby volunteers undertook to record speed data from a hand-held device. The recorded information would be forwarded to the Traffic Management Team to assess. A minimum of four volunteers would be required to operate the scheme, which would be deployed at designated locations following a site assessment.

Members were keen to progress this matter and initially to seek a nucleus of volunteers.

8. PARISH PATHS PARTNERSHIP

Cllr A Baxter informed members that notification had been received that a large tree had come down on FP32, Perry Green, and, in addition, the two bridges on the footpath were in need of repair. Both these matters had been referred to Nicholas Maddex, Herts County Council Rights of Way Officer.

Cllr Baxter further reported that Nicholas Maddex had been in touch with the developers of Moor Place and the previously blocked footpath was now open.

No further matters were reported.

9. REPORTS FROM COUNTY AND DISTRICT COUNCILLORS

Cllr Devonshire made the following comments:

- He confirmed that he was in communication with Liz Aston, Planning Officer, East Herts Council, with regard to the Section 106 agreement in respect of the development of Moor Place.
- He referred to the grant procedure and he reminded the meeting that all applications submitted to the District Council required his support and approval.
- He confirmed that he would be meeting with the Henry Moore Foundation on 12 June 2015 with regard to the traffic issues.

Cllr Mc Andrew made the following comments:

- He stated that he was arranging to meet with Cllr Hunt and Cllr Key and an officer of the County Council to discuss how to jointly move forward on matters of concern. Following this initial meeting he would like to arrange a meeting with Highways for both Councillors to meet up with the team.
- He also suggested monthly meetings with Ringway as a way of formulating an effective working relationship between the Parish Council and the Highways Authority.

10. PAVILION UPDATE

Cllr Mrs Bannerman confirmed that the project was on schedule and it was envisaged that work would be completed in time for the fete. Arrangements were being made for an official opening and for a "ribbon cutting" ceremony to be performed by two randomly chosen local children.

In view of the large capital expenditure for the project, members felt very strongly that the newly refurbished pavilion should be well managed for the good of the community and be financially viable. To this end a separate Pavilion Committee was in the process of being set up with Mr John Carey assuming the role of Chairman. The Committee would comprise two Parish Council representatives, three residents of the village and two members of the existing Sports Field Association. The brief of the Committee would be to honour the legal obligations as set out in the 1947 Conveyance to ensure that access to the recreation ground and the pavilion was for the benefit of all the parishioners at all times. All efforts would be made to ensure that expenditure on the day-to-day running of the pavilion would be met from the fees levied on the regular users and from casual bookings.

With regard to the running of the pavilion it was envisaged that a Booking Secretary, Caretaker and Cleaner would be engaged. Administrative functions, ie banking, insurance, security, etc, would be addressed as part of the overall strategic plan for the building. The general ethos was engagement with the public and it was hoped that this would be the theme for ensuring the future success of the building.

Cllr Mrs Bannerman gave details of the sponsorship arrangements which had been put in place and elaborated on the "buy a brick" campaign. Corporate sponsorship and individual sponsorship was also being pursued.

Cllr Young informed members that he was actively researching various grant making outlets and he would be exploring the possibility of seeking grant aid from the Football Federation.

11. HENRY MOORE FOUNDATION

This matter had been referred to in "Residents' Comments".

12. PARISH COUNCIL NOTICE BOARDS

Members were reminded that there was a need for a lock to be placed on one of the Parish Council's notice board situated at the Village Hall.

Cllr Godfrey agreed to action.

13. WEBSITE

In view of the difficulties which would appear to be apparent in securing advertising in the Parish magazine, it was suggested that the possibility of advertising via the Parish Council's website be investigated. Cllr A Baxter agreed to action.

With regard to the content of the website and, in particular, the Council minutes, Cllr Hunt asked whether an audit could be carried out as to what documentation was on the site and he suggested that, in future, draft minutes be included. Members re-affirmed the Council's previous decision in that it was opposed to draft minutes being included.

14. RIVER ASH CLEANLINESS

The Chairman stated that the River Ash was an environmental asset and one of the very few chalk streams in Hertfordshire with an abundance of wildlife. From an inspection it would appear the river through the parish was dead. Therefore, there was a very great need to insure that the bed of the river was regularly cleared of all overgrown vegetation.

The Chairman stated that he had been liaising with Mr Peter Illston on the cleanliness and he thanked him for his contribution.

The Chairman and Cllr Godfrey agreed to liaise on this matter with a view to ascertaining the work involved.

15. PARISH COUNCIL MAGAZINE

This matter had been discussed under "Residents' Comments".

16. NEIGHBOURHOOD PLAN

Cllr Hunt referred members to the attached document (see Appendix B) which he read out for the benefit of the public present.

Cllr Devonshire stated that he had a copy of the Silver Leys Neighbourhood Plan which he would provide for the members. Cllr Young stated that this was now a brilliant opportunity for the parish to secure its needs for the future and he stated that support for the Plan would require a broad commitment from the community.

Details of the Neighbourhood Plan and its future commitment would be placed on the website in the hope that as many people as possible would offer their services in support.

RESOLVED:

1. to prepare a Neighbourhood Development Plan (NDP) for Much Hadham;
2. that this Plan be for the whole parish;
3. to establish a Neighbourhood Plan Steering Group to lead on the formulation of the NDP;
4. to formally submit an application to East Herts Council for the designation of a Neighbourhood Area pursuant to the preparation of NDP in the form on the attached draft (see Appendix B).

17. PAYMENT OF ACCOUNTS AND FINANCIAL STATEMENT

(i) Payment of Accounts

RESOLVED that the accounts as set out on the attached statement (see Appendix C) be duly authorised for payment.

(ii) Financial Statement

The Clerk stated that as the loan of £80,000 had only been received into the bank very recently and without an up-to-date bank statement, he had been unable to produce a financial statement. However, when the necessary documentations was to hand the statement would be forwarded onto all members.

18. FINANCIAL ACCOUNTS, AUDITOR'S REPORT AND ANNUAL RETURN

The Chairman reaffirmed his earlier remark that the Clerk had satisfactorily addressed the issues raised at the last meeting by Cllr Hunt.

RESOLVED that the above document be approved and signed by the Chairman.

19. URGENT BUSINESS

Cllr Mrs Liversage reported that there was an abandoned car in the Village Hall car park and steps were being taken to seek its removal.

20. ITEMS FOR FUTURE AGENDA

- (i) Risk Assessments.
- (ii) Invitation to Mark Prisk, MP.

With regard to item (ii) above, the Chairman informed the meeting that both he and Cllr Mrs Bannerman had recently met with Mark Prisk, MP, at his office in Harlow and had had an excellent meeting with him with a wide range of topics being discussed. Mr Prisk, MP, had confirmed that he would make every effort to attend future Annual meetings of the Council and, subject to commitments, he would try to attend the meetings of the Council during the parliamentary recess period.

21. CONFIRMATION OF DATE OF NEXT MEETING

It was confirmed that the next meeting would take place on Tuesday, 7 July 2015, at 7.30 pm in the Much Hadham Village Hall.

There being no further business the meeting closed at 9.30 pm.

MUCH HADHAM PARISH COUNCIL

MINUTES of the Much Hadham Parish Council meeting held on Tuesday, 6 January 2015, in the Much Hadham Village Hall at 7.30 pm.

*Cllr Mrs S Bannerman	*Cllr S J Godfrey
*Cllr A Baxter	*Cllr Mrs J Liversage
*Cllr T Baxter	*Cllr B Morris (Vice Chairman)
*Cllr W Bird	*Cllr A J Young
*Cllr W Compton (Chairman)	

* denotes present.

In attendance: 4 members of the public.

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr Carver (EHC) and Cllr McAndrew (HCC).

2. DECLARATIONS OF INTEREST

None.

3. MINUTES OF THE LAST MEETING HELD ON 10 DECEMBER 2014

RESOLVED that the minutes of the last meeting held on 10 December 2014 be accepted as a correct record of the proceedings and be signed by the Chairman.

4. MATTERS ARISING

(i) Much Hadham Sports Association

To note that a meeting of the Association was scheduled for 26 February 2015 when the issue of the usage of the tennis courts would be addressed.

(ii) Highways matters - Vehicular Activated Signs

Cllr Bird stated that he was awaiting a response from Cllr McAndrew with regard to the changes in the criteria for providing vehicular activated signs.

(iii) Proposed development - Walnut Close

Members had been circulated with a copy of an e-mail from Strutt and Parker which stated that contrary to what had been mentioned at the presentation to the Parish Council meeting on 10 December 2014 the site had not been purchased in June 2014. No specific date had been given as to when the sale had been completed.

A concern was raised that coupled with the County Council's indication that it would be raising no objection to the application, Marden Homes was advertising on its website the sale of 7 new homes at Walnut Close.

5. RESIDENTS' COMMENTS

(i) Planning application 3/14/1514/FP - Chaldean Estate Grain Dryers/Storage

Cllr Morris referred to revised plans which had been submitted in respect of the above application and which would be discussed by the members of the Planning Management Committee to be held on 12 January 2015. A formal complaint had been made to the Case Officer, East Herts Council, with regard to the lack of plans being submitted to the Parish Council.

(ii) North Leys, High Street, Much Hadham

Cllr Morris informed members that the above property had recently had a change of ownership and the new owner was desirous of reinstating the house back to the original condition, which had existed prior to the change of ownership. The previous owner had undertaken extensive work, which had resulted in enforcement action being taken by East Herts Council. Whilst the reinstatement work was to be commended, the planning application recently submitted for a large scale side extension was deprecated.

(iii) Broadfield Close

Cllr Baxter (T) reported that with regard to the alleged abuse at the Circle Anglia establishment in Broadfield Close, three people had been identified, investigated and a report had now been compiled. Whilst the Parish Council would not be privy to the contents of the report, the resultant outcome would be made available in due course.

Cllr Morris expressed his concern regarding Cllr Carver's lack of involvement in this matter and he asked whether Cllr Carver had declared his interest with East Herts Council as being a non-executive director of Circle Anglia. Cllr Morris further stated that he had made a formal request to East Herts Council under the Freedom of Information Act requesting sight of all Cllr Carver's registered interests.

Cllr Baxter stated that the residents had expressed their sincere gratitude to members of the Parish Council for all their efforts in this matter.

6. PLANNING

(i) Minutes of the Planning Sub-Committee held on 10 December 2014

RESOLVED that the minutes of the Planning Sub-Committee held on 10 December 2014 be received.

7. HIGHWAYS MATTERS

Members had been circulated with a copy of the attached report (see Appendix A) compiled by Cllr Bird.

Other matters/Comments

- Widford Road - work not undertaken on 6 January as reported.
- Numerous discussions with Ringway were continuing on the many highways issues throughout the parish.
- Large pothole in Watery Lane - this matter had been taken off the county website - enquiries to be made as to why.
- Management not adhering to their own work programme.
- Removal of complaints from the website.
- Members needed to choose a convenient date when they could meet to log all of the highways matters.
- Cllr Bird had requested a meeting with Raj Goutham - no response.
- The Parish Council needed to be e-mailed with all the road closure information which affected the parish.
- High Street culvert work would not require a road closure. Work would proceed once land ownership had been ascertained.
- Cllr Mc Andrew had asked members not to contact him direct on highways matters, but to deal with problems via the fault reporting system.
- Cllr Mrs Bannerman felt that it would be useful for the Chairman to write an article explaining that the Parish Council was endeavouring to do something about all the highways problems in the parish and referring to the unsatisfactory comments made by Cllr McAndrew with regard to fault reporting.
- The grit box near the bus stop needed re-stocking
- The grit box on Winding Hill needed repairing - ideally it should be re-sited to the bottom of the hill.
- Bus shelter near Broadfield Close and the bench needed repairing.
- Street light outside Tudor Cottage was out of lighting.
- Street lamp number 159 had been damaged.

8. PARISH PARTHS PARTNERSHIP

(i) General

Cllr Baxter (A) confirmed that FP25 had been cleared and widened for which members expressed their gratitude.

- 3 -

9. PAVILION UPDATE AND FUNDING PROPOSALS

Cllr Mrs Bannerman informed members that the date for returning the tenders was 15 January 2015 following which documents would be opened and the total cost of the project ascertained. Members suggested that details of the tender opening date be advertised on the website. Cllr Mrs Bannerman was of the opinion that a ballpark cost for the project would be approximately

(i) Telephone box situated in Tower Hill

Cllr Mrs Bannerman stated that there were two options available, which were either for the box to remain in its present position or to be relocated to the edge of the car park on the recreation ground.

Members agreed to defer a decision on this matter until the next meeting.

(ii) Telephone box situated in Station Road

A suggestion to relocate the box to Green Tye was not supported. Therefore, members agreed to leave the box in-situ and for it to be used as a lantern.

(iii) Provision of K9 telephone box for Green Tye

Cllr Bird agreed to research the cost and feasibility of providing a box to be situated in the vicinity of the village green.

(iv) Defibrillators

Cllr Godfrey reminded members that they had previously discussed providing defibrillators in each of the telephone boxes referred to in (i) and (ii) above and he suggested that any new box should likewise house such equipment.

The general feeling was that defibrillators should also be provided at the Village Hall and on the recreation ground and that the Parish Council should look to both organisations to secure the necessary funding.

12. MUCH HADHAM SPORTS ASSOCIATION

Cllr Mrs Liversage confirmed that no Extraordinary meeting was to be convened and the Annual General Meeting would take place on 23 April 2015.

A discussion took place on the availability of the tennis courts, which Mr Pavey confirmed were available to the school during the summer months. However, they would not be left open for fear of vandalism.

Cllr Mrs Bannerman stated that during the school holidays the courts had been padlocked thus denying any access to them. The Parish Council should now be prepared to tell the Tennis Club that, as the Parish Council was the owner of the land, the courts should be available for use for at least 2 to 4 hours per day during the school holidays. It was agreed that this matter be discussed at the next meeting of the Parish Council.

- 5 -

13. VILLAGE IN BLOOM

Cllrs Mrs Liversage and Godfrey had been working in conjunction with each other on this issue and they had established that the Horticultural Society would be happy to be associated with providing floral decorations for the village. Cllr Godfrey suggested that it would be nice to provide hanging baskets at various locations in the village.

14. FLOOD PLAN

Cllr Baxter stated that he was still pursuing the production of a Flood Plan. The type of equipment required had been identified and locations where such equipment could be housed were being investigated.

15. PAYMENT OF ACCOUNTS AND FINANCIAL STATEMENT

(i) Payment of Accounts

RESOLVED that the following account be duly authorised for payment:

519 Green Tye Mission Hall

AF4

MUCH HADHAM PARISH COUNCIL MINUTES of the Much Hadham Parish Council meeting held on Tuesday, 6 January 2015, in the Much Hadham Village Hall at 7.30 pm.

*Cllr Mrs S Bannerman

*Cllr S J Godfrey *Cllr A Baxter

*Cllr Mrs J Liversage

*Cllr T Baxter

*Cllr B Morris (Vice Chairman)

*Cllr W Bird

*Cllr A J Young

*Cllr W Compton (Chairman)

* denotes present.

In attendance: 4 members of the public.

1. APOLOGIES FOR ABSENCE Apologies for absence were received from Cllr Carver (EHC) and Cllr McAndrew (HCC).

2. DECLARATIONS OF INTEREST None.

3. MINUTES OF THE LAST MEETING HELD ON 10 DECEMBER 2014 RESOLVED that the minutes of the last meeting held on 10 December 2014 be accepted as a correct record of the proceedings and be signed by the Chairman.

4. MATTERS ARISING

(i) Much Hadham Sports Association To note that a meeting of the Association was scheduled for 26 February 2015 when the issue of the usage of the tennis courts would be addressed.

ii) Highways matters - Vehicular Activated Signs Cllr Bird stated that he was awaiting a response from Cllr McAndrew with regard to the changes in the criteria for providing vehicular activated signs.

(iii) Proposed development - Walnut Close Members had been circulated with a copy of an e-mail from Strutt and Parker which stated that contrary to what had been mentioned at the presentation to the Parish Council meeting on 10 December 2014 the site had not been purchased in June 2014. No specific date had been given as to when the sale had been completed. A concern was raised that coupled with the County Council's indication that it would be raising no objection to the application, Marden Homes was advertising on its website the sale of 7 new homes at Walnut Close.

5. RESIDENTS' COMMENTS

(i) Planning application 3/14/1514/FP - Chaldean Estate Grain Dryers/Storage Cllr Morris referred to revised plans which had been submitted in respect of the above application and which would be discussed by the members of the Planning Management Committee to be held on 12 January 2015. A formal complaint had been made to the Case Officer, East Herts Council, with regard to the lack of plans being submitted to the Parish Council.

(ii) North Leys, High Street, Much Hadham Cllr Morris informed members that the above property had recently had a change of ownership and the new owner was desirous of reinstating the house back to the original condition, which had existed prior to the change of ownership. The previous owner had undertaken extensive work, which had resulted in enforcement action being taken by East Herts Council. Whilst the reinstatement work was to be commended, the planning application recently submitted for a large scale side extension was deprecated.

(iii) Broadfield Close Cllr Baxter (T) reported that with regard to the alleged abuse at the Circle Anglia establishment in Broadfield Close, three people had been identified, investigated and a report had now been compiled. Whilst the Parish Council would not be privy to the contents of the report, the resultant outcome would be made available in due course. Cllr Morris expressed his concern regarding Cllr Carver's lack of involvement in this matter and he asked whether Cllr Carver had declared his interest with East Herts Council as being a

non-executive director of Circle Anglia. Cllr Morris further stated that he had made a formal request to East Herts Council under the Freedom of Information Act requesting sight of all Cllr Carver's registered interests. Cllr Baxter stated that the residents had expressed their sincere gratitude to members of the Parish Council for all their efforts in this matter.

6. PLANNING

i) Minutes of the Planning Sub-Committee held on 10 December 2014
RESOLVED that the minutes of the Planning Sub-Committee held on 10 December 2014 be received.

7. HIGHWAYS MATTERS

Members had been circulated with a copy of the attached report (see Appendix A) compiled by Cllr Bird.

Other matters/Comments · Widford Road - work not undertaken on 6 January as reported. · Numerous discussions with Ringway were continuing on the many highways issues throughout the parish. · Large pothole in Watery Lane - this matter had been taken off the county website - enquiries to be made as to why. · Management not adhering to their own work programme. · Removal of complaints from the website. · Members needed to choose a convenient date when they could meet to log all of the highways matters. · Cllr Bird had requested a meeting with Raj Goutham - no response. · The Parish Council needed to be e-mailed with all the road closure information which affected the parish. · High Street culvert work would not require a road closure. Work would proceed once land ownership had been ascertained. · Cllr Mc Andrew had asked members not to contact him direct on highways matters, but to deal with problems via the fault reporting system. · Cllr Mrs Bannerman felt that it would be useful for the Chairman to write an article explaining that the Parish Council was endeavouring to do something about all the highways problems in the parish and referring to the unsatisfactory comments made by Cllr McAndrew with regard to fault reporting. · The grit box near the bus stop needed re-stocking · The grit box on Winding Hill needed repairing - ideally it should be resited to the bottom of the hill. · Bus shelter near Broadfield Close and the bench needed repairing. · Street light outside Tudor Cottage was out of lighting. · Street lamp number 159 had been damaged.

8. PARISH PARTHS PARTNERSHIP

(i) General Cllr Baxter (A) confirmed that FP25 had been cleared and widened for which members expressed their gratitude.

9. PAVILION UPDATE AND FUNDING PROPOSALS

Cllr Mrs Bannerman informed members that the date for returning the tenders was 15 January 2015 following which documents would be opened and the total cost of the project ascertained. Members suggested that details of the tender opening date be advertised on the website. Cllr Mrs Bannerman was of the opinion that a ballpark cost for the project would be approximately £100,000.

With regard to funding and following her discussion with the Clerk, Cllr Mrs Bannerman suggested that an application be made to the Public Works Loan Board with a view to securing a loan to cover the cost of the project less the current earmarked reserve of £20,000. Members felt that, as there had been no calls made on the New Homes Bonus received from East Herts, this sum could also be set against the project. The Clerk informed members that, as an example, repayment of a loan of £80,000 from the PWLB over a 25-year period would amount to £4,495 per annum. This sum would need to be provided annually from the Parish Council's future precepts. The funding proposed by this method would enable the project cost to be met in full thus enabling an early start. Fund raising to mitigate the costs of the loan could continue at a leisurely pace with various grant aiding bodies being approached. A marketing fund raising brochure could be considered.

RESOLVED: (i) that the current New Homes bonus fund held, £10,039, be utilised to provide funding for the pavilion refurbishment; (ii) that an application be made to the PWLB for a loan to cover the total cost of the project less the current earmarked reserve of £20,000 and the New Homes of £10,039; (iii) that authorisation be given to the following Councillors to open the tender documents: Cllr Mrs S Bannerman Cllr S J Godfrey Cllr A Baxter

10. PARKING The attached letter had been circulated to all members (see Appendix B). In discussion it was unanimously agreed that the car park was a Village Hall facility and not a general car park for the use of the village. The

general feeling was that nonpatrons of the Village Hall should be charged for the use of the car parking facility, although it was accepted that there would be difficulties in policing this proposal. Cllr Baxter was requested to respond to the letter from the Hon Treasurer confirming the views of members and that it was agreed that the matter be referred to the next meeting for further discussion. Cllr Godfrey asked that the Deed to the Village Hall be viewed which might be specific in the status of the car park.

11. TELEPHONE BOXES - UPDATE (i) Telephone box situated in Tower Hill Cllr Mrs Bannerman stated that there were two options available, which were either for the box to remain in its present position or to be relocated to the edge of the car park on the recreation ground. Members agreed to defer a decision on this matter until the next meeting. (ii) Telephone box situated in Station Road A suggestion to relocate the box to Green Tye was not supported. Therefore, members agreed to leave the box in-situ and for it to be used as a lantern. (iii) Provision of K9 telephone box for Green Tye Cllr Bird agreed to research the cost and feasibility of providing a box to be situated in the vicinity of the village green. (iv) Defibrillators Cllr Godfrey reminded members that they had previously discussed providing defibrillators in each of the telephone boxes referred to in (i) and (ii) above and he suggested that any new box should likewise house such equipment. The general feeling was that defibrillators should also be provided at the Village Hall and on the recreation ground and that the Parish Council should look to both organisations to secure the necessary funding.

12. MUCH HADHAM SPORTS ASSOCIATION

Cllr Mrs Liversage confirmed that no Extraordinary meeting was to be convened and the Annual General Meeting would take place on 23 April 2015. A discussion took place on the availability of the tennis courts, which Mr Pavey confirmed were available to the school during the summer months. However, they would not be left open for fear of vandalism. Cllr Mrs Bannerman stated that during the school holidays the courts had been padlocked thus denying any access to them. The Parish Council should now be prepared to tell the Tennis Club that, as the Parish Council was the owner of the land, the courts should be available for use for at least 2 to 4 hours per day during the school

holidays. It was agreed that this matter be discussed at the next meeting of the Parish Council. - 5 –

13. VILLAGE IN BLOOM Cllrs Mrs Liversage and Godfrey had been working in conjunction with each other on this issue and they had established that the Horticultural Society would be happy to be associated with providing floral decorations for the village. Cllr Godfrey suggested that it would be nice to provide hanging baskets at various locations in the village.

14. FLOOD PLAN Cllr Baxter stated that he was still pursuing the production of a Flood Plan. The type of equipment required had been identified and locations where such equipment could be housed were being investigated.

15. PAYMENT OF ACCOUNTS AND FINANCIAL STATEMENT (i) Payment of Accounts RESOLVED that the following account be duly authorised for payment: 519 Green Tye Mission Hall £27.00 Hire of hall (ii) Financial Statement RESOLVED that the contents of the attached statement (see Appendix C) be noted.

16. URGENT BUSINESS None.

17. ITEMS FOR FUTURE AGENDA · Village Hall Management Committee. · Village Hall car park. · Painting of street lighting columns in the High Street. · Duckling Green Children's Centre, Sawbridgeworth. · Tennis courts. · War memorial. · Village Fete Committee. · Review of Standing Orders. · Clerk's remuneration. · Telephone box situated in Tower Hill.

18. CONFIRMATION OF DATE OF NEXT MEETING It was confirmed that the next meeting would be held on Tuesday, 3 February 2015, at 7.30 pm in the Green Tye Mission Hall.

_____ There being no
further business the meeting closed at 9.35 pm.

REFURBISHED SPORTS PAVILION UPDATE

On 23rd January the Parish Council (PC) will open tenders for the renovation of the Pavilion. Work will start as soon as possible afterwards, and we hope to have the renovated Pavilion operating in the summer.

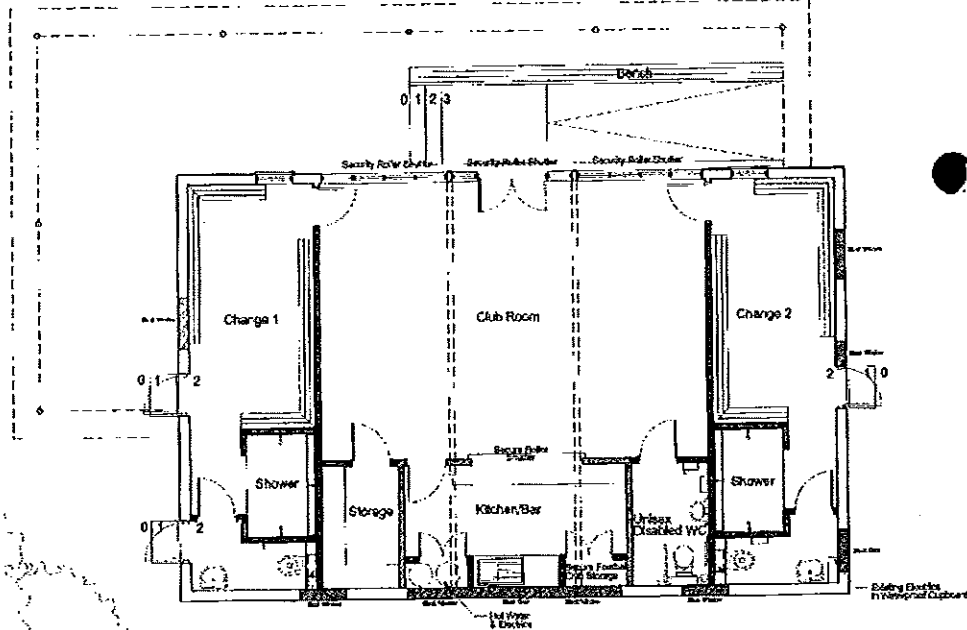
The PC has allocated £30,000 of its funds to the project. The extra money needed to complete the project will be raised as a loan, which will be repaid by fund-raising throughout the Parish, together with applications for various grants.

We have designed a large covered veranda, in the style of an old-fashioned cricket pavilion. This will provide shelter from rain and sun, according to the season and the vagaries of our weather. It means that, even when the pavilion itself is not open, the building will provide a covered space for those who get caught in the rain in the playground, or while watching sporting activities.

As you can see from the plan, there will be two changing rooms, each with showering facilities, and a central club room. The kitchen/bar will not be locked, so alcohol or other removable items cannot be left in this area. Renewed floors, electrics and plumbing together with reconstruction of the existing lay-out will create a brand new interior. There will also be an external toilet which hopefully will be open from 3-5pm midweek, with children playing after school in mind. It also allows teams in sporting footwear to use the toilet without having to walk through the building.

Hopefully, it will be available for Parishioners to have regular use throughout the day, and become a meeting-point where any members of the community, young or old, can get together and enjoy the best of our culture and traditions.

Cllr Selina Bannerman



**MEETING BETWEEN MUCH HADHAM SPORTS ASSOCIATION
AND MUCH HADHAM PARISH COUNCIL
AT 7.30PM ON WEDNESDAY 17TH JUNE 2015
AT VILLAGE HALL, MUCH HADHAM**

In Attendance:

For Much Hadham Sports Association ('MHSA') and Much Hadham Tennis Club

Fred Pavey – Chair (FP)
Alex Farmer (AF)
Justin Akester (JA)
John Jarrett (JJ)
Barry Brett (BB)
Charlie Sullivan (CS)
Ian Aldridge (IA)
Dave Devoil (DD)
Sally Barra (SBa)

For Much Hadham Parish Council ('PC')

Tony Baxter – Chair (TB)
Selina Bannerman (SB)
Richard Keys (RK)
Michael Keogh (MK)
Alex Young (AY)

Lynne Edmondson - Minutes

AIM: To discuss the legal status of the Recreation Ground, trust and co-operation between MHSA and the PC

After personal introductions were made around the table FP opened the meeting.

AF was permitted to make a formal introduction to the meeting, as follows:

"Introduction – Trust and Co-operation

First of all I would like to thank Fred for allowing me to make the introduction and thank you all for coming to what I think is the first full meeting between the MHSA and the PC for many years and long overdue.

This is Lynne Edmondson, who will take the minutes and send drafts to Tony and Fred for comment in due course.

I am the newest member of the MHSA having only joined on 23rd April this year. It seems I have entered a bit of a storm. To try to get to grips with the breakdown in the relationship between the MHSA and PC I have gone back as far as my predecessor's file allows me to January 2012 minutes and numerous emails between MHSA and the Girls' FC.

It is difficult to pinpoint exactly what happened because none of us here were party to every meeting or email but broadly until 2014 Bishop's Stortford Girls football had played alongside the

men's teams for 3 seasons since 2011/2012 without major issue. It seems from the MHSA minutes in June and July 2014 that the main issue came about last year re pitch size as the girls team grew older and who was going to pay for moving the pitch and it was these events last year that were the catalyst for the PC deciding to get involved.

The pavilion has been a problem for some years. Built in 1955 and really only repaired not refurbished since then, with repairs often being done by volunteers from the MHSA as no funds have been available to refurbish it. No-one had, until the PC became involved, taken on the mantle of driving fund-raising. We are all after all volunteers who leads busy lives and I suggest that as the pavilion just about worked, it staggered on as is. The PC's decision to refurbish the pavilion and drive this forward is commendable. It appears from MHSA minutes in January 2012 that the PC's decision to refurb pavilion was communicated at that time to the MHSA. With the prospect of refurbishment I have noticed in a number of the minutes during 2012 that Fred asked that some repairs be made to the pavilion "as it was in a terrible state" particularly for the Mothers and Toddlers group, but was told by Sandra McAdam (who was the PC rep at the time) to hold off on any repairs. It is slightly bizarre that in the 3 years since the PC's decision in 2012, nothing until recently was done to fund-raise and I can't see back in either the PC minutes or MHSA minutes why this is the case.

During the last 6 months the refurbishment of the pavilion has been driven forward on the basis of a loan and it seems that the MHSA have been very deliberately excluded from the refurbishment process. No-one on the MHSA or any of the clubs have been consulted as to the interior specification of the pavilion or the formation of a pavilion committee. Meanwhile the volunteers on the MHSA and the Club Committees have continued to fund and raise funds for the operating expenditure of the recreation ground in addition to the facilities on it, including the pavilion.

A pavilion committee has been formed, hand-picked by the PC. It appears from the minutes of the meeting held by the pavilion committee last week that that was in fact its second meeting.

Matters discussed at PC meetings don't allow for 2-way conversation, which is why the PC reps on the MHSA are so critical. There has clearly been breakdowns in communication between these reps and the PC in the past with the reps saying one thing to the MHSA and the PC something else. This has not helped matters. Added to which over the last 3 months there have been a number of comments made about the MHSA and the facilities which are incorrect and this has fostered further distrust.

For example: Statements made in PC meetings at a time when the public don't have a voice which are not accurate e.g. the PC subsidises the tennis courts when in fact the PC does not contribute to the running of the tennis courts at all. References on Facebook to a Sunday development boys team not being welcome. This is a reference to Pro-Link youth coaching (a private coaching service provided by an individual on a commercial for profit basis). Pro-Link refused to pay their invoice for use of the facilities and left. Pro-Link still owe the MHSA approx £200 which both William Compton and Jan Liversage have tried to recover without success. Statements in meetings about the Parish Council never being privy to the income and expenditure of the Sports Association when they have two reps on the MHSA and the accounts are sent out for each AGM.

All we hear is criticism but in the last 10 years alone the MHSA has raised and spent £130,000 on maintenance and improvements. In addition to this:

Bowling Club has raised £60,000 in the last 10 years to maintain the club house and grounds.

The Tennis Club has raised £69,000 in the last 10 years to maintain and improve the courts.

The men's football clubs have at their own expense tried to keep the pavilion, which was built in 1955, in as good order as possible given its shortcomings and age by replacing the floor coverings, furniture and areas of the ceiling.

In the last 30 years the PC has only contributed £9350 i.e. £311 p.a. towards the facilities at the Recreation Ground.

In 2014 the operating expenditure for running the Recreation Ground (not including those items paid for by the bowling club and the tennis courts directly) totalled £13,528.

The MHSA has abided by the documents pursuant to which the land was given by the Norman family to the village and these binding covenants run with the land. The 1947 deed states that management and regulation of the land is to be carried out by the MHSA. Also 1947 deed First Schedule 5 (b) states that the recreation ground should be paid for by those that use it and the people on the MHSA over the years have worked tirelessly to ensure that the tax payer has not had to fund the facilities. Funds from the fete have helped enormously. It is disappointing that the PC are so dismissive of those who have been running these assets of the village to date.

You should also be aware that in the 1949 deed the PC and MHSA covenanted with the county council to permit persons not resident in or paying rates in the parish to use the land on the same terms as those paying rates (Clause 1 (d)). I know that on Facebook the PC have said that they are looking at lottery funds but will not entertain an application if it forces the pavilion to be open to any member of the public "despite the bowls club having taken this route". The PC would be breaching its obligations if it charged different rates to non-parishioners.

I hope with the above in mind we can now have an honest and respectful meeting."

TB thanked AF for her introduction (without challenging any inaccuracies in her statement - a letter to AF and the MHSA will follow on this subject) and proceeded to agenda items.

TENNIS:

PC support of TC and full and accurate reporting of TC initiatives:

JA felt that PC response to TC initiatives had been disappointing. £69K had been fund-raised in the last 10 years and, additionally, goodwill had kept the courts in good condition. The perception that the Tennis Club was "exclusive" is unfounded.

TB referred to the 1949 Covenant, particularly that the whole ground be available to all, regardless of age or gender. He stated that he had received comments from villagers that the Tennis Club was "exclusive", particularly it's non-availability to children. The PC was anxious to heal the perceived breach between the PC and the Tennis Club on this matter. To this end the PC had suggested a plan for children to play for free for 1hr per day in school holidays. It was felt this was a good place to start and the proposal had been made to the Tennis Club.

JA responded that it was felt the PC was fuelling the fire in terms of "exclusivity" and the PC had not contributed to the running of the Tennis Club. There is no funding from the PC. There are already sessions for children/schools four afternoons per week (no membership charged), together with various open days throughout the season. The Tennis Club would like to see the PC take a more neutral approach and be more supportive of their initiatives. The courts could be used during the summer months for a one-off charge of £15. JA asked how and in what way the tennis courts are exclusive and that anyone could join the club.

JA said that some of the comments made by the PC in meetings were bordering on misconduct and the PC should be ashamed of the way they have conducted themselves on email and Facebook.

TB felt that £15 was quite a significant amount for some families and queried how many members the Tennis Club had. JA replied that there were 100 members (the PC said they had been told it was 42) and JA questioned why paying members should be funding the

overall condition of the grounds as well as the Tennis Club.

At this point AF stated that 47% of Tennis Club subscriptions go to the Sports Association to fund the rest of the recreation ground enjoyed by the public.

TB felt that the holiday membership proposal was a good idea and the £1 fee worthy of consideration. He could not be held responsible for the sins of the past and would very much like to see more youth involved.

JA responded that the Tennis Club would like to press ahead with the £15 holiday membership scheme.

TB felt that Tennis Club initiatives had not progressed since PC involvement, but the PC did not wish to tell Tennis Club members what to pay. The PC simply wanted to change the perception of "exclusivity" that is prevalent in the village.

JA in turn expressed a wish for proper support from the PC as progress up to this point had been disappointing.

At this juncture SB referred to an error in an email from the Tennis Club to its members with reference to insurance for damage to the courts. She stated that if damage is caused to the courts by youth holiday members, the PC would pay.

FP stated that the Tennis Club offered a good package. SB agreed, with the reservation that it be offered together with the 1 hour per day school holiday for £1 p.a idea. FP responded that perhaps someone could be found to supervise that hour – JA confirmed that no-one had come forward.

TB once again referred to the 1949 Covenant and encouraging youth. He stressed once more that the PC wants to be supportive of the Tennis Club and simply wants the best for the village. The key message is that everyone in the village is to have access to as many facilities as possible, be that tennis, football, bowls or cricket and that youth sport particularly is to be encouraged.

JA felt that the Tennis Club had already done more than they said they would in terms of initiatives. SB responded that the £1 per play scheme would amount to 80 hours per year during the school holidays, the £1 being simply a goodwill gesture. JA questioned whether this £1 charge indeed made it "exclusive". SB responded that the £1 charge was to ensure that there was full member insurance cover.

AF expressed a concern that children's memberships would be lost. Why would you pay to be members? The existing £15 per year to play whenever represented a very good deal. SB commented that the £15 provided all-day flexibility, whereas the £1 scheme was restricted to just 1 hour and, therefore, existing children's memberships will be lost.

TB agreed. DD stated that the £15 scheme amounted to just over £1 per month per child and that children spend more than this on sweets.

JA also voiced his concerns that family memberships would be threatened. How would the courts be opened and managed? SB answered that a caretaker would oversee this process.

JA thought that the village supported the Tennis Club. There are already 3 weeks of junior coaching (paid for) in place and they would consider raising funding for this next year. For the 6-week holiday, he felt that enough was already provided and had checked with other clubs who had considered similar schemes and concluded that the small response was not worth the effort.

TB reiterated once again the PC's desire to support the MHSA and invited everyone to get in touch with him on this matter.

JA was keen to repair the perceived damage to the image of the Tennis Club and TB agreed that he hoped all parties could come to a happy conclusion, acceptable to all and requested that the Tennis Club reconsider supporting the £1 scheme.

Use of the pavilion:

JA said the Tennis Club would like to use the pavilion, mainly the toilets.

TB reported that the PC is responsible for the pavilion as an asset. The initial proposal for the redevelopment was made in public with a total cost of £110K, with £30K from the PC and a government loan (with a favourable interest) for the rest.

TB went on to say that the Clerk of the Council had advised that because of the size of the funding involved, a separate Pavilion Committee had to be set up. TB is Chair of this Pavilion Committee.

AF queried how the specifications for the new pavilion were decided upon. No clubs who used the facility were invited to comment on the interior specifications.

TB confirmed he stands by all decisions made with regards to the design of the pavilion. The footprint remains the same and a professional consultant was involved with the refurbishment. TB was keen to avoid fall-outs with the MHSA over the pavilion, wanting only the best for the village. He invited everyone to contact him to discuss any problems.

DD asked if the pavilion remained on budget. SB confirmed yes, it was, because the build is a fixed price contract.

AF referred again to the Covenant and fees and that facilities don't have to be free. SB

quoted a section from the Covenant on this and the Covenant did not state you had to charge.

TB stated again that the intent of the Covenant was to have recreational facilities for children. It was not the place of the PC to rule on charging.

FOOTBALL:

Football pitches:

DD reported that 80% of the club members lived outside of the village, but that many of them used to live in the village and had to move out because they could not afford property in Much Hadham.

FP stated that in order to make more facilities for youth football, they were willing to move the main pitch.

AY said the Club had received an approach from a youth team wishing to use the facilities and they would be willing to change their name to incorporate "Much Hadham".

TB confirmed that it didn't matter if people lived outside the village.

BB stated that there had always been a Scouts youth team in the village. TB said the PC had always been a good supporter of the Scouts in the village and would expect this

to continue.

FP reported that moving the main pitch means that only two additional smaller pitches would be possible and not three as requested. DD said that the pitch at the bottom would be fine, although the senior pitch would be unable to cope with the traffic on Saturday/Sunday and he was concerned that the ground got too wet and would become unplayable.

TB suggested that maybe the SA and Pavilion Committee could discuss this?

DD said there was no way to fit in 3 pitches. SB asked if one was a 9mx9m. DD responded that a 9x9 was impossible as run-offs were needed. RK stated that a 9mx9m would enable older children to play. SB said that St. Andrew's School had children up to the age of 12 but no proper pitch to play on. DD informed the meeting that a full-size pitch is 106mx70m.

TB once again stressed that the PC would like to best utilise the space available and RK agreed the space was too small to fit a 9x9 pitch alongside the men's pitch in accordance with FA guidelines.

JA asked if the run-off could be changed. DD said this was impossible, CS and RK had marked out the pitch on the land available and a 9mx9m was not possible. DD and JJ overheard SB whisper to TB "We'll do it anyway".

SB asked RK what the youth club required and what about the girls? She said she had seen an email saying a 9mx9m would work. CS denied this and RK confirmed there is not room for a 9mx9m. SB replied that this essentially meant that under 15's could not play on the Recreational Ground unless they had access to the men's pitch. There would be the Saturday/Sunday men's sessions, but no children. DD, AF and Sba overheard SB whisper to TB "Get rid of one of the men's teams then".

AF said that there is room for a 7x7 and a 5x5 so there is room for pitches for children under 10.

DD again expressed his concern that the senior pitch could not take the volume of traffic, the drainage was not good enough as it was clay ground. RK had seen a table of drainage systems on the FA website and would investigate further.

RK suggested there may be grants available from the FA for work to take place to enable youth to play and thought it would be worthwhile looking into this with the FA. AF backed this proposal and suggested that RK look into this.

DD stated that with the condition of the ground at the moment, he could foresee problems with the state of the pitch.

TB asked if there may be an option to get more land? AF responded this would be from Foxley Homes land. TB agreed that at some point it would be worth him writing to Foxley Homes about extra land.

At this point SB stressed that more solutions to the above should be sought before the next PC meeting on 7th July.

JA queried if there was a membership fee for the youth football club. AY confirmed yes. SB said it was difficult to accurately charge as they didn't know what could be offered. FP stated that all charges have to be negotiated.

At this point CS directly asked SB why she was constantly whispering asides to TB when it

was an open meeting. Could she not address the room? TB assured the room that they were comments to assist him and were in no way disrespectful. SB offered CS her notes and CS declined.

Use of pavilion:

Addressed below.

Outside club using pitch:

AF suggested that the senior men's pitch could be used by schools during the week. SB replied that children needed a smaller pitch. AF said there was room for a 7mx7m and 5mx5m pitch. FP confirmed that the School have used this pitch. AF confirmed there was no charge for this.

Fee for use of pavilion:

SB confirmed that no fees had yet been set for usage of the Pavilion. These would be established by the Pavilion Committee.

CS asked about membership of the Pavilion Committee and asked if he could be a member. AF said that RK, MK and SB were on the Pavilion Committee. TB confirmed this and that he was Chair, with John Carey as vice-Chair. SB explained that the Committee was comprised of 3 x named PC members, any 2 MHSA members and 2 members of the public. She was keen to stress that although there had been two Pavilion Committee meetings so far, the first was essentially an establishing meeting and should not be considered a proper meeting, this occurring with the second meeting.

At this point TB conveyed his thanks to SB for her energy, vision and commitment to the pavilion project. The pavilion was scheduled to open on the day of the village fete at the end of August. TB thought it a fantastic achievement.

DD asked about changing facilities at the pavilion as the football season starts before the official opening. This would possibly mean 30 men getting changed in the car park. TB answered that work was going on very much to the wire, but that the pavilion would open as soon as possible. DD stated that friendly matches commenced in early August. With the pavilion not being ready until late August/early September, TB apologised for any inconvenience caused.

RK suggested maybe using the Bowls Club facilities, but AF responded that they had no showers.

PAVILION:

Insurance of pavilion:

SB confirmed that additional money for the increase in insurance due to the new value would come from the PC not the MHSA.

Utilities:

FP reported that there had been problems with a power outage caused by a faulty alarm, but the alarm was now fixed and power restored.

AF queried if there was a separate water meter for the pavilion. SB confirmed there is not. TB also asked about water usage and SB asked to be informed on this. FP responded that

figures for water usage were not big. AF confirmed that the electricity supply to the pavilion is separately metered.

Use by people outside of parish:

TB and SB confirmed that the charge for non-parishioners would continue (to marry up with the charge for the village hall). SB suggested marketing the pavilion with the village hall, although the pavilion offers less facilities. Use of the pavilion for free has been offered to the mothers & toddlers group.

AF queried the differing amounts being charged to parishioners and non-parishioners with regard to the Covenant. SB replied that the Covenant referred to land not the pavilion. AF said land included the pavilion. SB said it did not. AF felt this was a moot point and mentioned County Council regulations.

AF asked about the insurance value for the rebuild of the pavilion. SB stated this to be £250K.

How would bookings be made:

FP asked how bookings would be handled. SB responded that there is a booking clerk in place to deal with this.

DD was concerned as to what would happen if, as likely, fixtures change during the season, what should they do about this? SB hoped that there would be flexibility on both sides to enable events to take place. FP stressed that the Pavilion Committee need to know that Saturdays and Sundays are booked for football. SB announced that there would be an online facility for all to check dates/fixtures etc. She pointed out that the bookings would be in hourly slots and that other events could take place on those days within the boundary of the booking forms. CS agreed that they would, of course, try to accommodate other events.

Cost sharing:

AF raised the issue of the outside space at the pavilion. SB confirmed that the outside space was not included in interior bookings, this space being separate.

JA raised the issue of the costs for car park maintenance. TB said this had yet to be considered. FP was concerned that this be worked out as soon as possible as they may amount to a lot.

Operating expenditure:

SB explained that this was very much "suck it and see". The initial intention was for fund-raising, corporate donations, legacies, etc. However, active marketing will take place and hopefully it will self-fund. TB confirmed that lots was already going on with this.

At this point SB referred back to AF's introduction, particularly with regard to fund-raising. She was keen to stress that no fund-raising had taken place prior to her coming on board. AF responded that local women had worked tirelessly on fund-raising for the playground. TB agreed that it was very difficult to raise funds. SB replied that it was easy to criticise. She went on to say that the MHSA had not been excluded from input on the design of the pavilion and the design had been done along FA guidelines.

JA asked who would do the daily administration of pavilion operation. SB replied that a caretaker and book-keeper were already employed, as well as two cleaners. TB stated that the PC was very open about the costs involved.

SB reported that the cost of the loan amounted to 11 pence per tax-payer per week. TB said it was not intended for the pavilion to make a huge profit. This was his first major project and he hoped for more. SB confirmed again that the project was on budget (£120K).

Other issues:

TB reported that a member of the public, Rachel Woodward, had approached a local councillor about the ditch in the play area. Barbed wire present there had injured a child. CS mentioned that local children had also pushed a ground roller into the ditch and he had put tape around the area as a deterrent. TB was very concerned about this matter as the District Council was now involved. BB confirmed that the perimeter of the sports field was the responsibility of the PC. SB said there were also brambles and glass present and ideally this area should be strimmed to take away the cover and detract the children from going in there. TB agreed that the MHSA and PC should discuss this further and was especially important because of the injury mentioned above.

DD also raised his concerns about dog mess on the field. TB too was aware of a complaint about this and informed that two signs were to be put up. SB said it was also important that people kept dogs on leads as she had heard of some children being harassed by a loose dog. DD also mentioned about litter on the pitch – he and CS clear up after a match. TB confirmed that the PC was on the case and people needed to be educated.

SB reported that CCTV (3 cameras) was being installed in the pavilion, as well as an alarm and that there were roller shutters on the windows. Hopefully this would prove to be a deterrent.

TB reported that the Monday night football users had complained about goalposts being moved from the SA shed to outside. AF stated that the Monday night team had never paid for use of the field or storage of these goalposts. FP said the problem with storage currently is that the equipment shed is storing the furniture from the pavilion. FP was worried that the green-keeper was unable to easily access his equipment. SB suggested buying an extra (metal) shed for equipment storage. In response to AF's statement that they had never paid, SB responded that this was because they felt they got nothing for their money.

TB stressed it was very important that 2 members of the MHSA attend each Pavilion Committee meeting and it could be any 2 representatives. DD asked if this could be any combination, ie tennis, football, bowls or cricket. SB confirmed this.

CS asked if the old furniture was going back into the pavilion. SB replied that she had applied for a grant for new furniture. CS explained that the football club had bought the furniture and needed to know if they should get rid of it. AF asked to be informed about this as soon as possible.

Any other business:

JA queried the Tennis Club using the pavilion. SB confirmed that the external toilet was for use by all. If the club wanted to use more facilities on a Wednesday night, there would be a charge. SBA suggested maybe using a code on the toilet, but SB explained that this would present problems with maintenance and cleanliness. However, the toilets could be used whenever they were open.

TB asked whether the bench at the Tennis Club could be repaired? BB said that his father had donated money for a bench and the Boddington family had agreed that an additional metal plaque could be added and BB will mend the existing bench.

RK raised the issue of the poor condition of the cricket nets. DD said the poles had been stolen. RK said they were under the hedge near the Bowls Club. DD said money would need to be spent on new kit to get the nets up and running again. TB agreed with this, but RK thought they may prove expensive. FP stressed that a net was needed on top to prevent balls going into the Bowls Club – TB agreed. SB was keen to find a solution for the cricket as she claimed to have had about 20 messages from people wanting cricket facilities. DD said that about £15k would be needed to restore the cricket square. TB agreed that discussions should proceed on this.

CS asked who would hold the keys to the pavilion. SB said they would be with the caretaker and, in his absence, possibly with her or any member of the Pavilion Committee. This matter will be discussed at the next Pavilion Committee meeting.

No other business was declared and the meeting was adjourned at 9.25pm.

A date and time for a next meeting, if required, was not set.

Minutes approved:

FRED PAVEY
(MHSA)

ANTHONY BAXTER
(PC)

Date

Pavilion Committee

Meeting Minutes – 10th September 2015

1. Apologies
Present JC, AF, SB, RK, MK, CS – apologies from DD.

2. Finance
 - £13k raised from donations and buy a brick
 - Money to be used for equipment and initial costs (eg, TV, crockery, cutlery, framing, turf etc).
 - Locks not sufficient for insurance purposes, all replaced
 - Funds are not to repay the loan – ongoing maintenance and running costs
 - Cleaner and toilet opener/cleaner sourced and working
 - Bank account – we need a separate one to obtain grants separate from PC and VH – John Ingham to advise? JC to obtain card reader once bank account agreed
 - Other things to investigate – multicourt costs
 - CS asked if we could buy some covering to roll out into main room – agreed to source
 - Fire/extinguishers and H&S audit required asap

3. Website and Diary Management
 - T's and C's need to be adjusted for:
 - 11pm curfew; access/egress obligation; right to refuse bookings; £10 per hour hire, £12 cleaning, £50 for evening hire, £100 deposit; reference from parishioner; 32 seated, 40 standing max. Once done – pass to Annica for publishing on website.
 - Thanks to AF for website and booking diary!

4. Booking Update
 - Kids football starts 19th September
 - Kids parties booked – first one 12/9
 - NYE booked
 - Macmillan coffee morning – SB to organise
 - Tag rugby request with the SA
 - Diamond Cricket likewise
 - Nets cricket also with SA
 - RK updated on a meeting with Herts County Cricket and the Herts Groundsman Assoc
 - Cricket table can be resurrected for small cost (less than 5K)
 - A tenant will use the ground if ready next summer (Saturdays) – could even be a womens team interested
 - They will also help with local cricket on Sundays
 - Max 8-10 fixtures as season (July to Sept)
 - Equipment audit needed so we can identify what is required to maintain the table
 - Full support and mentoring from the Assoc is also available

- Initial work to be done now (weeding and seeding) – rolling to commence March next year
- Cricket can co-exist with football with no issues
- If we can get women and children on the rec ground – grants will be available from multiple sources (FA, Sport England, Biffa etc)
- RK/JC to meet with DD to discuss
- All agreed we need to find a way for the sport to co-exist, not clash

5. Ideas/Marketing

- Tag Rugby
- Diamond Cricket
- Nets Cricket
- Sport (on TV)
- Music nights
- Multicourt (see above)
- Car show
- Movie events

6. Keyholders

- SB, CS, DD, JC, Cleaner

7. AOB

- Pav Comm agreed we would still like the 7x7 pitch marked as previously requested and minuted – there is no demand but we can create it with the pitch marked and the goals purchased.
- We thanked DD for the training grids being marked for the kids football sessions.

AF8

From: FREDERICK PAVEY
Sent: 13 October 2015 16:20
To: Anthony Baxter
Cc: sellinabannerman@ ; John; Richard Key; Mike Keogh; Alex Denison; Alex Young; Ian Hunt; Jan Liversage; Justin Godfrey; Dave Devoll; Barry Brett; John Jarrett; Ian Aldridge; Brian & Pat Ellis; Charles Sullivan
Subject: Re: Pavillion Committee

Dear Tony

I have nothing against you personally and I think we could build on the relationship built so far but unfortunately the lack of respect is with the other members of the pavillion committee who at the meeting I attended made a hostile environment and gave little hope for genuine debate.

You ask for a list of decisions made out of the committee. I will decline to do this as I do not wish to start a trail of emails but will just mention the many items that have appeared on facebook not having been discussed in committee e.g. the café. One out of committee decision which affected the football teams was that at the meeting I attended the price was agreed for the charge to be made for the use of the pavillion by the two Much Hadham football teams and also Real Stortford. It was agreed the charge would be the same for all but out of committee Real Stortford were offered a reduced charge presumably to try to tempt them to play at Much Hadham. Who has free use of the pavillion or its facilities has never to my knowledge been discussed either.

All the committee members from the Much Hadham Sports Clubs forming the SA have been contacted and at the moment in time all decline to be members of the pavillion committee.

If the pavillion committee have a football issue to discuss the members of the two football teams are willing to attend any meeting to discuss any football item but this will be as representatives of their football team and not the SA.

It is a shame this situation has arisen. It is my view that had the SA been involved in discussions at the very outset all the subsequent problems would have been avoided.

Kind Regards

Fred

From: Anthony Baxter
To: FREDERICK PAVEY <
Cc: "sellinabannerman" <sellinabannerman@>; Richard Key <Richard.Key@>; Mike Keogh <Mike.Keogh@>; John <John@>; Alex Denison <Alex.Denison@>

Sent: Monday, 12 October 2015, 17:08
Subject: RE: Pavillion Committee

Dear Fred,

Thanks for your e-mail.

I completely accept that the Sports Association were not involved at the beginning with deciding how the refurbishment of the pavillion was to be managed and financed. I am sorry if that message has been misrepresented. The Sports Associations involvement has been largely down to sporting matters from what I have read of the minutes of the Pav comm meetings.

The constitution is confirming what has already been in place with regard to the Pav comm and its attendees. I am concerned that you say the SA will always be outvoted and has little respect from the other members of the committee. Could you please provide me with the evidence to support this statement? I would be very disappointed if the SA did not want to engage with the

Pavilion and its committee. I was wondering if Charlie Sullivan and David Devoil would be prepared to join the committee as their views seem to be more aligned with the current Pav Comm committee.

In any event, the Pav Comm, requires a constitution and terms of reference as I promised the last PC meeting we would deliver as planned now the Pavilion is open for business. Could you please reassure me that this matter has been discussed with the whole of the Sports Association? I would find it hard to believe that the SA would not want to part of this facility and the decisions the Pav Comm make.

I would also be grateful if you could give me a list of what decisions have been made out of committee?

Lastly, you say that the SA does not have any confidence in the current Pavilion committee members. As Chairman of the Pavilion Committee, I assume you are including me in that statement. I would be disappointed if that were the case as I have nothing but respect for you and what you have given to the village and I thought we had reached several accommodations over recent months and had built a good working relationship that I thought we could continue to build on.

Kind regards

Tony

Dr Anthony D. Baxter
Chairman MHPC

From: FREDERICK PAVEY [mailto:fred.pavey@mhpc.org.uk]
Sent: 10 October 2015 20:32
To: Anthony Baxter <anthony.baxter@mhpc.org.uk>
Subject: Pavillion Committee

Dear Tony

The wording of the terms of reference and the constitution for the pavillion committee appear to show that the Sports Association were involved at the beginning with deciding how the refurbishment of the pavillion was to be managed and financed. I would like to make it clear that the SA were not involved in any discussions as to how the refurbishment was to take place or how it would be financed.

The SA members at pavillion committee meetings will always be out voted and we have had little respect from the other members of the committee. Many of the decisions seem to be made out of the committee meetings and have already been decided on without any discussion.

The SA does not have confidence in the current pavillion committee members so there appears to be little point in our members attending any further meetings of the pavillion committee or being part of its constitution.

Yours sincerely

Fred Pavey
(Chairman MHSA)

This email has been scanned by the Symantec Email Security.cloud service.

Pavilion Income & Expenditure

	£	£
Income		14,333.18
Expenditure	4,967.75	
Surplus/(Deficit)	9,365.43	

Pavilion Expenses Summary

Date	Name	Cheque	Gross	VAT	Stationery	Signs	Rec Improvement	Turf	Banners	Balloons	Locks/Keys
01-Sep	Clr Key	581	38.55	5.43	27.13				5.99		
03-Sep	Balloons	582	100.99	16.83						84.16	
19-Sep	Clr Bannerman	586	2,840.77	439.21	187.36	39.19		155.44			1,164.20
22-Sep	Clr Key	587	56.70	9.40							47.30
	Glenplan	588	816.00	136.00							
	Clr Bannerman	588	945.90	157.65							
	Insurance	591	162.62	0.00							
	Alarm	592	186.00	31.00							
06-Oct	Clr Key		78.88	13.14							
4 weeks	Cleaner		200.00								
7.5 hours	Cleaner						350.00				
	J Dovey		350.00								
			5,776.41	808.66	214.49	39.19	350.00	155.44	5.99	84.16	1,211.50
			0.00								

TV	Alarm	Tiles/Benches	Insurance	Cleaning	Cleaner	Tables/Chairs	Urn
415.83		187.02	202.52	50.00			
		680.00				788.25	
	155.00		162.62				65.74
				200.00			
<u>415.83</u>	<u>155.00</u>	<u>867.02</u>	<u>162.62</u>	<u>202.52</u>	<u>250.00</u>	<u>788.25</u>	<u>65.74</u>

AF10 - Email John Carev to me dated 7 Oct 2015

From: Alex Denison |
 Sent: 07 October 2015 15:33
 To: 'john'
 Cc: 'ianhunt'; 'Selina Bannerman'; 'Tony
 Baxter'
 Subject: RE: Pavilion Committee

Thank you for your offer John, but as the Chair of the PC has asked Ian Hunt to take this matter forward, I will wait for Cllr Hunt and/or the Chair to decide how to progress things.

-----Original Message-----

From: john [mailto:
 Sent: 06 October 2015 14:58
 To: ianhunt
 Subject: Pavilion Committee
 Alex Farmer; Selina Bannerman; Tony
 Baxter

All

Can I offer to host a meeting, either at mine or a neutral venue?

I feel after tonight's onslaught we need to find out why, on face value from what ian stated, we all want the same (kids and adults using the asset of the pavilion and rec ground) but then seem to feel the need to do the opposite by attacking the work done thus far by individuals giving their time and money to deliver such?

Us five are equal stakeholders (PC chair, Pav comm VC and slightly gobby bloke, champion of the pavilion build, PC member who has no real idea what has gone on in detail but feels the need to question our existence and progress so far and an SA member with the most criticisms and unanswered questions) and I phrase all of those descriptions without bias, just fact and a slight hint of irony! Come on, we do have a sense of humour don't we??

If we can sort this, find a common ground and move forward in ONE direction to quote a group, imagine what we could achieve instead of pulling in opposites?

I await your acceptance to an off the record, honest open discussion, not in the laps of the parishioners but with one common goal?

I hope this is not too much to ask from five adults of this village.

Let me know

John

AF11

From: The Farmers
Sent: 15 January 2016 19:33
To: 'Alex Denison'
Subject: FW: Pavillion Committee

From: Ian Hunt **On Behalf Of**

Sent: 08 October 2015 12:11
To: 'Tony Baxter'
Cc: Sellna Bannerman; Alex Farmer; John Carey; John Ingham
Subject: RE: Pavillion Committee

Tony

It's difficult to understand how you could drop me from the Pav Comm review, concluding that I have failed to engage with urgency to complete the task you asked of me. Between Tuesday evening, when you made the appointment, and your note below:

- I received 18 e-mails from John Carey
- I sent 10 e-mails in reply, in one of which I had to spend time rebutting the assumption that "you clearly have the opinion of the SA firmly entrenched in your mind" – patently untrue as up to the time you appointed me on Tuesday evening to the review, I had never to my knowledge met anyone from the SA, as far as I'm aware
- at John's request, I provided him with copies of a ToR and Constitution and advice on whether it was appropriate
- I agreed to his request for a meeting with him today, which he pulled out of, despite several attempts on my part to dissuade him from doing so

All of which you have been copied in on, so you are fully aware of the urgency I have exhibited and efforts made to achieve the goal you set.

I also wrote to you asking if you would intercede as you could see from the e-mails from John that he was not engaging with the task at hand (including one in which he said he was "on strike", which presumably meant he was withdrawing from contributing to the urgent task you set us).

I also prepared and provided to John Carey, at his request, my recollection of the comments I made regarding the agenda item 13(ii) Pavillion Committee, which obviously took a little time too. It was, of course, after those comments that I accepted your offer to contribute to the task, so you must have seen some merit in them.

In addition to that activity, I received several e-mails and phone calls from residents who were at the October PC meeting on Tuesday (all supportive of the comments I made about the situation with regard to Pav Comm and / or upset about some of the responses to Residents' Comments) and dealt with other PC portfolio matters.

So, as I say, the conclusion reached about my failure to engage seems at odds with the reality of what happened in the space of the last day or so. I've not seen any correspondence from other members of the task force, if I may call it that, so am unaware if they have exhibited greater urgency and engagement than me. If not, have they been asked to stand down too?

I've not read Cllr Bannerman's complaint about me yet but presumably you are treating us equally and she will be stood down from the task force too. With John Carey "on strike", I think the task force is now

just yourself and Mrs Farmer. I look forward to the draft ToR and Constitution that you will, no doubt, be jointly preparing.

I've copied the other members of the task force, as they ought to be aware that I'm no longer part of it.

Regards

Ian

From: Anthony Baxter
Sent: 08 October 2015 09:00
To: [ianhunt](#)
Cc: John Ingham
Subject: RE: Pavilion Committee

Dear Ian,

In the light of the communications I have read between you and Mr Carey and the failure to engage with urgency to complete the task I asked of you which was to work together to complete a constitution and terms of reference for the Pavillon Committee, and in the light of a letter of complaint I have received about your behaviour at the PC meeting on the 6th October, I am rescinding my request that you help with this task.

I will of course invite yours and other PC members comments on the updated Constitution and ToR when it is drafted which I expect will be done in a day or two.

Best wishes

Tony

Dr Anthony D. Baxter
Chairman MHPC

AF12

From: Alex Denison
Sent: 30 September 2015 20:45
To: 'sellinabannermar'
Cc: 'Dave Devoil'; 'Barry Brett'; 'John Jarrett'; 'Ian Aldridge'; 'Brian & Pat Ellis'; 'Charles Sullivan'; 'Jan Liversage'; 'John'; 'Richard Key'; 'Mike Keogh'; 'FREDERICK PAVEY'; 'Tony Baxter'
Subject: RE: Finance

There is no lack of understanding on my part- I was simply addressing the point raised in your email below and I quote *"Fyl we have spent nearly £2000 on locks and keys to reach insurance standards . The whole time we were paying for the pavilion insurance it was invalid due to the locks and mainly lack of approved locks in place . If there was breakin and damage we would not have been covered . This hAs now been rectified through the money raised by the bricks ."*

From: [sellinabannermar](#)
Sent: 30 September 2015 20:16
To: Alex Denison
Cc: Dave Devoil; Barry Brett; John Jarrett; Ian Aldridge; Brian & Pat Ellis; Charles Sullivan; Jan Liversage; john; Richard Key; Mike Keogh; FREDERICK PAVEY; Tony Baxter
Subject: Re: Finance

Just to state the obvious , as one can never be sure what assumption has been made and there is obviously some lack of understanding , the 2k was for ten doors - replacement fire escape bar - the additional external lock on said fire bar as that enables the footballers to lock their valuables but still adhere to fire regulations - privacy locks - a key safe and five full sets of keys - plus additional keys for toilet- bolts that pass the test as they have to be able to lock themselves and plenty of labour .

Just in case anyone thought the 2k was for the external lock only ... All set to UK insurance standards and comply with fire regulations.

Selina

Sent from my iPhone

On 30 Sep 2015, at 17:14, Alex Denison ·

wrote:

Dear Selina

The insurance documents were, as requested, sent to Tony and John Carey on 27th June. There are no conditions with regard to locks on the doors etc in the policy documents. Following your earlier email suggesting that our policy was invalid because of unapproved locks, I thought I better double check my understanding with our brokers. They have confirmed that there are no such conditions and the policy does not require any specific types of door locks or keys.

I'm not sure where you received the information which has resulted in expenditure of nearly £2000 on locks and keys to reach insurance standards.

Alex

From: FREDERICK PAVEY
Sent: 30 September 2015 16:37
To: [selinabannerman](#) Tony Baxter
Cc: Alex Denison; Dave Devoil; Barry Brett; John Jarrett; Ian Aldridge; Brian & Pat Ellis; Charles Sullivan; Jan Liversage; john; Richard Key; Mike Keogh
Subject: Re: Finance

Hi Selina

I note that the Abel Alarm bill is now being paid.

I am not going to make a big thing about the water bill but you did agree that the pavilion committee would pay half of the bills and the period covered by the latest bill was during the time that the pavilion was being refurbished by the builders who no doubt used quite a lot of water with the cement workings.

Not sure what you mean about the PC paying the insurance. This has always been paid by the SA and small grant is made towards the overall cost of the insurance by the PC. The SA will continue to arrange the insurance other than for the pavilion.

The only reason some of the SA bills are passed through the PC is by the suggestion of the PC is so that the VAT can be claimed back.

I understand from the SA insurers that there was no problem with the cover in respect of the locks on the pavilion and other buildings so the replacement of the locks was probably not necessary.

I note that enquiries are being made regarding every sport under the sun - I trust that when more information is available the SA will be asked to comment!

Regards

Fred

From: "selinabannerman"
To: FREDERICK PAVEY ; Tony Baxter
Cc: Alex Denison ; Dave Devoil ; Barry Brett ; John Jarrett ; Ian Aldridge ; Brian & Pat Ellis ; Charles Sullivan ; Jan Liversage ; Tony Baxter ; john ; Richard Key ; Mike Keogh

Sent: Wednesday, 30 September 2015, 10:32
Subject: Re: Finance

Hi Fred

I have given all the bills to our clerk .

He was unsure why the alarm bill was ours so I have explained that the assumption is that the builders set off the alarm . This will be paid.

He has also queried the fact that the water bill is from Feb to August and the pavilion hasn't had any greater use over that period of time than it did before it was rebuilt - it didn't use any water at all from April to August when we refurbished with the exception of some for cement.

We can discuss this further but the PC had agreed to pay half the water bill from the opening of the pavilion not retrospectively, so I think that water bill is for the SA to pay.

We pay the insurance anyway through your application for a grant so that should actually go into the parish councils name rather than be a grant application.

Fyi we have spent nearly £2000 on locks and keys to reach insurance standards . The whole time we were paying for the pavilion insurance it was invalid due to the locks and mainly lack of approved locks in place . If there was breakin and damage we would not have been covered . This has now been rectified through the money raised by the bricks .

I think the whole addressee situation for bills should be looked at so that the PC is getting bills - it doesn't make much sense the way this is currently structured .

We will discuss this further at the PC meeting on Tuesday and I will notify John Ingham that this goes under urgent business .

I note the email to John re tag rugby and we are discussing plans for the girls sports to coincide with Johns rugby so that it benefits families more .

The cricket is coming together nicely and I have been in touch with Wiksteed to move the flying fox to make room as per our discussion with Dave Charlie.

Additionally we have asked Wiksteed to give us quote for a multi court for ladies and girls net ball / children's football and hockey and numerous other winter opportunities all of which attract families and also grants.

Regards
Selina

Sent from my iPhone

On 30 Sep 2015, at 09:03, FREDERICK PAVEY -

wrote:

Hi Selina

1. I received an overdue note from the alarm company which I dropped through your door yesterday. Can you confirm that this account has been paid or will be paid please.
2. I am still awaiting a cheque for the part payment water use - will this be paid at some time please?
3. In respect of the pavilion insurance - the premium for the old pavilion was £275.35 for the year. The PC presumably took over the building on 28th August as you asked for the insurance to be adjusted from that date. It therefore appears that the SA are due a rebate in respect of the 134 days they were no longer responsible for the insurance and are therefore due a rebate of £101.09. Can I ask that this amount is reimbursed please.

For your information I have told John to go ahead with his tag rugby on the understanding that as he is not charging the SA will not at this stage make a charge for the use of the field. We will see how this progresses and may review at a later date.

I have also given Richard access to the field for the worm treatment to be done this week.

Regards

Fred

AF13

From: FREDERICK PAVEY |
Sent: 08 February 2015 15:19
To: sellinabannerman@btInternet.com; William Compton
Cc: William Bird; Jan.Liversag; Justin Godfrey < Alex
 Baxter; Alex Young; Blaise Morris; Anthony Baxter; IanAldridge;
 BarryBrett; Brian & PatEllis; JustinGodfrey; JohnJarrett; JanLiversage;
 AllisonPurvis; CharlieSullivan; DaveDevoil; DarrenBruton;
 AlexDenison; JustinAkester
Subject: Re: Refurbishment & Extension of Pavilion

Dear Selina

My understanding regarding the grounds and the buildings is that legally the recreation ground referred to in the First Schedule to the 1947 conveyance means that the "Recreation Grounds" (includes by law all buildings on it at any time) and the SA position is therefore the management over all the land and anything on it. The PC responsibilities under the Second Schedule does not give the Parish Council any authority over the management of the ground or buildings.

It is a reasonable request that any building work does not take place until after the current football season, which will probably be at the end of April, and any builder should be required to comply with this request. The use of the bowling club is not a suitable alternative as the building does not contain any bathrooms or showers.

As mentioned in my letter to William Compton I think it is essential that the PC and SA representatives meet to discuss the way forward for the benefit of everyone.

Kind Regards

Fred

From: "[sellinabannerman](#)

To: FREDERICK PAVEY ; William Compton

Cc: WilliamCompton
Jan.liversag

; William Bird
; "Justin Godfrey"

; Alex Baxter

Alex Young

; Blaise Morris

Anthony Baxter

Sent: Saturday, 7 February 2015, 18:25

Subject: Re: Refurbishment & Extension of Pavillon

Dear Fred and William

I wonder if the 'grounds' and 'pavilion' are one in the same as the pavilion wasn't built when the land was donated i believe ?

Additionally, if the project waits until the end of May or close of football season , the builder won't be available and the 20 week build out would take all summer thereby seriously diminishing the use of the Rec ground by the Parishioners.

The idea of waiting until the existing teams have finished is for the good of a very few and mostly non-parishioners vs for the benefit of the many parishioners . This does not stop them playing football . It prevents showers .

Perhaps they can share the bowls club for bathrooms for this short period . As it stands we are waiting for the loan indication and the due diligence required of the selected contractor so building takedowns won't be starting for at least a month as we have to put this through the council .

However once that has been achieved the contractor needs to start immediately .

If we wait until May we will miss the fete and the summer which seems a large price to pay and inappropriate .

The ReC ground you keep referring to as open to the public and no one is disputing the grass or the play ground - however the Pavilion and the tennis courts which sit upon the rec ground is another story , as is the bowls club. This is what we keep referring to regarding access , not the grass.

Kind regards
Selina

Sent from my iPhone

On 7 Feb 2015, at 15:40, FREDERICK PAVEY <

> wrote:

Dear William

Please find the attached letter and two other attachments in respect of the above subject.

Yours faithfully

Fred Pavey
Chairman - M.H. Sports Association.

<mhsa - letter re Pavilion Project 6.2.15.docx>

<mhsa - statement of policy.docx>

<mhsa - con.doc47-sch.1.jpeg>

MUCH HADHAM SPORTS ASSOCIATION

Email:

Mr William Compton
Chairman of Much Hadham Parish Council

Dear William

Refurbishment and Extension of Pavilion at Much Hadham Recreation Ground (the Project)

I understand that at the Parish Council meeting (the PC) on 3rd February 2015 a discussion took place regarding the pavilion Project and as chairman of the Sports Association (the SA) I think it may be worthwhile my responding to a number of points that were discussed and raised at that meeting and perhaps repeating a number of points mentioned in my Note recently passed to the PC on the 12th January this year. Although members of the PC have seen it, I enclose for ease of reference a copy in full of the First Schedule to the Conveyance of the 20th March 1947 (the Schedule).

As you know the Schedule governs and authorizes the position of the SA (previously known as the Committee of Management in that Schedule). The Schedule says in effect:

- (a) The grounds shall be available for "clubs, organizations and bodies" ie the general public can come and use the grounds but must be part of a club etc.
- (b) The SA will be the managers of the grounds and "will determine all matters" relating to the management and use of the grounds.
- (c) The SA will determine all payments by those using the grounds.

This is simply how the Norman family Trustee (through their solicitors who drew up the 1947 conveyance) chose to set up the arrangements for the grounds. Some may not like the set up but this is what it is. Although the freehold was given to the PC, the PC were not given the power to exercise the functions above. It also happens that the Norman family Trustees entered into an almost identical confirmatory conveyance dated the 10th November 1988 which no doubt the PC has seen.

So far as the SA is concerned it might be helpful to comment as follows:

1. The SA fully support and approve the Project initiated by the PC.
2. As the SA are the managers and therefore in charge of the grounds as set out above, it is essential that a meeting is held between the PC and the SA to discuss how and when the work can progress, the future management of the Pavilion after completion of the work and the funding implications all to the satisfaction of everyone concerned. For instance on timing it would not be reasonable for there to

be any clash with the current football season and matches already fixed until the end of the season.

3. We commend the considerable work that has been undertaken by Selina Bannerman relating to the proposed plans, the tendering process and the funding for which the SA is very grateful particularly as the resources of the SA for such a Project are obviously very limited. It would be helpful for us to receive written details of these matters which we have not seen.
4. The meeting could be between you and Selina and three members of the SA.
5. Can I repeat what I said in the last issue of the Parish Magazine about the clear policy of the SA to allow free access to the grounds by anyone wishing to use it and I enclose a copy of the article.

Yours sincerely

Fred Pavey

Chairman – Much Hadham SA.

6th. February 2015

MUCH HADHAM SPORTS ASSOCIATION

Email:

28th February 2015

Mr William Compton
Chairman of Much Hadham Parish Council

Dear William

Refurbishment and Extension of Pavilion at Much Hadham Recreation Ground (the Project)

I refer to my previous letter dated 6th February 2015 to which I have not yet received a reply.

My committee have asked me to write again to request a meeting between the PC and the SA to discuss the above project.

At a recent committee meeting of the SA it became apparent that some members of the PC do not appreciate that the SA are legally the managers of the recreation field and buildings and as such will be responsible for the management of the re-furbished pavilion.

I request that you suggest possible dates for a meeting so that some agreement can be obtained to take the project further.

Yours sincerely

Fred Pavey
Chairman – Much Hadham SA

Yours sincerely

Fred Pavey
Chairman – Much Hadham SA.
6th. February 2015

MUCH HADHAM SPORTS ASSOCIATION

Email

2nd March 2015
Mr William Compton
Chairman of Much Hadham Parish Council

Dear William

Much Hadham Sports Association

I acknowledge receipt of the letter dated 1st March 2015 received from Councillor Blaise Morris.

The letter which contains a number of inaccuracies will be discussed by the Sports Association committee and a reply will be sent in due course.

The committee will, as stated at the meeting on 1st March 2015, also discuss the request for flood safety equipment to be kept at the recreation ground. I do not see a problem with this but a formal reply will be sent.

Will you please note that in future all correspondence from the Sports Association to the Parish Council will be directed through you. The reason for this is that a number of emails are being received from individual members of the Parish Council, many of which do not appear to have the backing of the Parish Council as a whole. This will also hopefully prevent the number of offensive and inaccurate emails that have been circulating.

The posting of inaccurate messages on "Facebook" also does not help with the "building of bridges" between the Parish Council and the Sports Association. It has been noted that the inaccurate report of the meeting yesterday morning and Blaise Morris's inaccurate letter have already been posted on Facebook.

I again attach copy of "Policy of Access" document which both SA and PC have accepted, and also copy of minutes from the meeting held between the PC and SA on Sunday 1st March 2015.

Please feel free to forward this letter to other members of the Parish Council.
I will reply further in due course.
Yours sincerely

Fred Pavey
Chairman – Much Hadham SA

Yours sincerely

Fred Pavey

Chairman – Much Hadham SA.

6th. February 2015

From: Alex Denison
Sent: 19 December 2015 17:10
To: 'Alex Denison'
Subject: FW: Pavilion & Use of Pavillion

AF15

From: [sellnabannerman](#)
Sent: 12 August 2015 16:16
To: john; FREDERICK PAVEY
Cc: FREDERICK PAVEY; Anthony Baxter; Ian Aldridge; Barry Brett; Dave Devoll; Brian & Pat Ells; Alex Farmer; John Jarrett; Charles Sullivan; Mike Keogh; Richard Key
Subject: Re: Pavillion & Use of Pavillion



Dear all this is my son critical in hospital in Turkey - I ask now what the hell is wrong with everyone ?

John and ourselves in the Pavcom have bent over backwards to make something work for all the parishioners and the kids in particular -

You are so hell bent on posturing Fred that nothing will be achieved without many unnecessary arguments and barriers .

If you want this Rec ground and the pavilion therein to be a success for the parish just let it happen and stop this negative obstruction assisted by Mrs Farmer .- our lives are too short .

Get a grip and acknowledge when John and others who are on the PC are trying to help - or get others who will .

I for one have had enough .
Take a step back and just figure out what's important .

S
Sent from my iPhone

On 12 Aug 2015, at 17:38, john wrote:

Fred

I think you missed the subtlety of my inference.

Apologies, I ignorantly thought that engaging with coaches who want to use an under utilised asset of the village on behalf of the Parish Council and therefore helping you achieve an income stream and attract more people to use the facilities and therefore generate more cash to improve said facilities would be welcomed? I am only a humble parishioner with kids who will want to use said facilities in the coming years.

I forgot your usual (and I speak from personal experience on several occasions) approach is to discourage, bully and disenfranchise anyone who has tried to use the facilities or help the SA, aside from the present incumbents of course.

I must not tread on your toes
I must not tread on your toes
Repeat to fade....

JC

On 12 Aug 2015, at 14:47, FREDERICK PAVEY <
wrote:

John

Many thanks for the information - I await details of whom the SA are letting pitch to.

You are not doing my job because it is not your job hiring out the recreation field. In addition we are in discussion with the Monday footballers and do not need you to get involved as again it is not your responsibility.

Fred

On Wednesday, 12 August 2015, 14:11, john <
wrote:

Fred

Process over progress yet again.

The coaches requiring use of the pitch want it from 9.30 to 10.30 Saturday mornings commencing September at a fee to the SA of 15 pounds per session, a rate that was agreed at a previous Pav Comm meeting in your presence.

They coach at the school and wish to carry this on with sat morning sessions for kids from 5 to 10.

Sorry for doing your job for you and encouraging youth (local and further afield) back to the playing fields of Much Hadham, oh and earning you some money.

Be my guest and take a backward step by over ruling our invite to them and making it more difficult than it really needs to be.

I will pass you their contact details.

John Carey

PS you also need to have the same conversation with the Monday football gang. I was trying to get you 30 quid per session from them as I know them but good luck taking them on

AF15

From: Alex Denison
Sent: 21 December 2015 15:38
To: 'Alex Denison'
Subject: FW: Football Coaching

From: [sellinabannerman](#)
Sent: 03 September 2015 20:23
To: FREDERICK PAVEY
Cc: Alex Denison; john; Tony Baxter; Jan Liversage; Dave Devoll; Ian Aldridge; Barry Brett; Brian & Pat Ellis; Charles Sullivan; John Jarrett; Richard Key; Mike Keogh
Subject: Re: Football Coaching

Well either I can be helpful and find him for you in the village and then pass in his details or you are welcome to try to find him yourself ...

Or you could assume that I am trying to contact him on your behalf .

Do the leg work if you wish but as he didn't see or meet you he is more likely to be found by me when I meet him at the school gates to get his details ...

We were rather tied up with signing a wall and showing people around to hold back parents with small children who were all wet to get his email address and phone number .

Sent from my iPhone

Appendix D - Mrs Bannerman's statement (signed 3 March 2016) and exhibits SB1-6

Code of Conduct complaints – Cllr Anthony Baxter and Councillor Bannerman
(former Councillors of Much Hadham Parish Council)

STATEMENT OF SELINA BANNERMAN

Before the interview the investigating officer ran through the process that she would follow and explained that a copy of the statement would be appended to the draft and final reports provided to her, Dr Baxter, Mrs Farmer and the Monitoring Officer and that it was likely that the statement may get into the public domain.

I, Selina Bannerman, state as follows:

1. I am a former Councillor and various complaints have been made against me by Mrs Alexandra Farmer (also known as Alexandra Denison) regarding my alleged conduct when at Much Hadham Parish Council.
2. I make this witness statement in response to the complaints made by Mrs Farmer ('Alex Farmer') against me and Dr Anthony Baxter.
3. I believe that the facts stated in this witness statement are true. Except where otherwise stated the facts are derived from my own knowledge or from the documents that I refer to.

General background

4. I have lived in the village of Much Hadham since my daughter started at the school in 2009.
5. Prior to the complaints I only knew Alex Farmer in her capacity as a representative on the Sports Association, after she came onto it about a year ago. We had no social interactions.
6. She came to every Parish Council meeting and my interaction was with her there, on the Pavilion Committee and with the Sports Association (and emails). Alex Farmer was one of the representatives of the Sports Association on the Pavilion Committee. She attended some of the Pavilion Committee meetings that we had.
7. I did not know Dr Baxter ('Tony Baxter') before I went on the Parish Council. I did not know John Carey until we moved to our current home. John Carey had been recommended as an accountant to my husband. I had only had interaction with Mr Carey on the basis of that, although people may think we are really close friends, we were not at that stage until he joined the Pavilion Committee. John Carey initially put his name forward to be a Parish Councillor in May 2015, but then Justin Godfrey was co-opted instead. John Carey was appointed to the Pavilion Committee then and I would now count them all as friends.
8. Prior to becoming a Parish Councillor, I had no experience of working in local government. I was originally asked to join the Parish Council because Richard and Lisa Keys were running a campaign against 'The Jolly Waggoner' pub which was being proposed for development. I

Code of Conduct complaints – Cllr Anthony Baxter and Councillor Bannerman
(former Councillors of Much Hadham Parish Council)

asked a number of questions of the developer at the Parish Council meeting and William Compton, who was the Chairman at the time, ask me to come on the Parish Council.

9. I was elected to the Parish Council in a contested election on the 18th July 2013.
10. I was not a Parish Councillor when the new code of conduct was adopted on 19th October 2012. I was, however, provided with a copy of the code of conduct when I joined the Parish Council, by the Clerk, John Ingham.
11. I have had no training on the code of conduct. Training courses have been passed on to us by email by the Clerk. These were general email courses available from the Hertfordshire Association of Parish and Town Councils. I did not take any of the training offered as we had not been encouraged to believe this was a necessity. One of the accusations made by a Councillor Ian Hunt in the meeting of 6th October 2015, was that we were in dereliction of our duty if we did not take courses. We were highly offended by this accusation. At no point have any of us, to my knowledge, been told we have to take them. If we had to take these courses then it should be stated as being compulsory.
12. I resigned from the Parish Council on 1st December 2015 and exhibit my resignation letter as SB1.
13. My responses to the complaints made by Alex Farmer are detailed below with reference to the numbering on the separate sheets to her complaint form.

1 Background: The Pavilion Renovation Project

14. When I became a Parish Councillor William Compton and Blaise Morris (who was also a Councillor at the time) suggested that I take on the Pavilion as a project, which I knew was in a disgusting state of disrepair and probably not fit for purpose. This would have been some time in 2013.
15. There were historical problems as to how the Pavilion had been managed and conflicting opinions between the Sports Association and the Parish Council over its management.
16. I was asked to take the Pavilion renovation on and it became my main responsibility for the Parish Council. I have a long track record of property renovation and development and completed similar projects in the past. Specifically I had built four houses in Scotland and I have been renovating as opportunities arise for a number of years. Although I have not done it in a local authority setting, which was certainly different.

Code of Conduct complaints – Cllr Anthony Baxter and Councillor Bannerman
(former Councillors of Much Hadham Parish Council)

17. In terms of the Project, the first thing I had to do was to figure out what had happened up until that point with the Pavilion. Some things had started to happen and various people had tried. Rough plans had been drafted by John Clark, an architect, who I had worked with before (as a Governor at the St Andrew's primary school). With my experience I knew we had to tighten up and finalise the design. It is recognise that not having a final and though through design can lead to serious cost over runs. For example, moving the ladies and men's' toilets.
18. At the end of 2013 there had been some discussions with the football committee (the main club that used the Pavilion) over design. We incorporated all their requirements that they put forward in terms of a bar, shower and changing rooms.
19. I sent copies of amended plans and elevation drawings to Fred Pavey who was the Chairman of the Sports Association in January 2014. At that time I receive some objections from Alison Purvis on behalf of the Much Hadham Sports Association and the footballers asking for further changes. I offered to meet them and discuss any changes or to deal with it by email. It was all very civil and we sorted this out in January 2014. I exhibit SB2 a copy of the emails sent at that time (22-26 January 2014). Then we put the work out to tender and went through a tender process.
20. As indicated, there had been a dispute between the Sports Association and the Parish Council about the management of the Pavilion. In my opinion (and Parish Council's opinion at the time), the Sports Association had done an appalling job looking after and maintaining the Pavilion building and had not demonstrated that they were fit to manage it. We were, however, still trying to work with the Sports Association at the time to deal with the football pitches and to allow access to the tennis courts. We also had problems with the tennis club over use of the Pavilion toilets and their willingness to pay for access and cleaning of these. After Alex Farmer went on to the Sports Association there were a lot of emails from her and the relationship with the Sports Association deteriorated further.
21. The Parish Council was trying to work with the Sports Association on the football pitches and one of the main things was to get the Pavilion into state where various people could use it. Up until the renovation the only people that could use it were footballers because it was in such a poor state and not fit for any other purpose, no one else wanted to use it. It was one of the main Village assets and a Parish Council, in my opinion, rightly decided but this should be addressed.
22. One of the reasons I got involved with it is was because a lot of people in the village community were complaining that they couldn't use the facilities. They would have to join the tennis club, for example, to use the tennis courts. It was all private clubs at the recreational ground and the whole site was managed by the Sports Association.

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23. The dispute with the Sports Association had been ongoing over management of the Pavilion and the facilities; and I then questioned them about use of the facilities; no one had done that before (which I did not know). I asked them why they were not opening up the grounds more to children. I put a proposal forward that the tennis courts (for which Alex Farmer was the Sports Association rep), were opened up to children for an hour in the summer holidays. I spent a year trying to get them to do that. Eventually they came up with the 6 free hours and access to the court with their tennis pro available.

Grant/ loans and donations

24. No one had done anything with grants when I took over.

25. The Clerk sorted out the Public Works Board Loan.

26. What people don't realise is that you can't put out a tender and then get the loan or grant after that to employ the contractor. What we were trying to achieve was to get the Pavilion up and running and get this sorted and funding to pay off the loan.

27. Alex Farmer alleged that there would be penalties on the Loan if we paid this back, I am not sure where this information was sourced from as no evidence was provided to support the position. It appears she oversimplified a more complex arrangement. John Ingham, the Clerk was asked to advise; this followed on from a question at June 2015 Parish Council by her, when the Clerk said he would find out. He checked the Loan and confirmed that there would be no penalties, but if we paid off the loan before the due date there may be some early repayment penalties, but they would be very small relative to the loan. You do not pay off the Loan in dribs and drabs, but decide after the first year what you pay off. So for example, if we had received a grant of £50,000 through cricket funding, we would have held that in the account until the opportunity arose to pay down the loan. This I believe would be annual. I was more focused on creating that opportunity. So in May 2016 the Parish Council could vote to pay down the Loan with any grant or donation.

28. What we had started to do, in particular Cllr Richard Key was to contact Hertfordshire cricket. If we could get the Pavilion up and running they said that they could get grants to pay off the loan and we were working on that. Also, if you get children and women in sports then more grants are available.

29. In the Pavilion Committee discussed the financials of what to charge for the use and work out how much income we could generate. We only started in June 2015 and finished in the October meeting. The Clerk sorted out all the financial side of things.

30. John Carey distributed the minutes after the Pavilion Committee to those that attended (and Alex Farmer was a Sports Association was a

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rep on the Pavilion Committee). John Carey presented a report at each Parish Council meeting.

The Pavilion Committee

31. I can't remember when the Pavilion Committee was actually set up. I think this would have been about May 2015. We were aiming to open up the Pavilion on the 31st of August 2015 and we were getting to the summer. I started realising how many jobs needed to be done and we needed some type of structure to take bookings and deal with marketing strategy.
32. When we met we were not considering terms of reference, we were considering the practical things like the booking form. John Carey was away for most of the summer and I would highlight the time scales this was taking place in. Maybe in hindsight what I should have done was have the Pavilion Committee set up at the very beginning so I didn't have to run around and do everything myself. But I didn't do that. I thought the Clerk was there to give guidance on this and I didn't care about a resolution to set it up, so I would refer to him. All I know is the amount of time and energy I was putting into it. You asked me to do a job and I get it done (and that is what I did on time and on budget). Our Clerk provided advice on the fact that this would have to be a Sub Committee of the Council and that Tony Baxter would be Chairman, and that John Carey should be Vice Chairman.
33. What is forgotten in all of this is that we were simply people donating time to get the Pavilion up and running. I have no personal benefit or interests, unlike others such as Alex Farmer, who were members of clubs there.
34. Comments were made about the Parish Council minutes and those being on the website and that is a good question who deals with those. The Clerk did not put the minutes up on the website; he provided the minutes on pdf format to upload. Will Phillips spent about a year trying to set up the website and that was then taken over by Alex Baxter when he was a Parish Councillor. I started up the Facebook site. Volunteers send off some of the minutes that the Clerk writes to get loaded up - that was only in the summer. If they are not on the website now, it is not down to me.
- 2 & 2.1 Parish Council Meeting of 6th of October
Member obligations 1 & 2; alleged breach: respect, bullying and intimidation
35. I was sitting next to the Tony Baxter in the Parish Council meeting.
36. When Alex Farmer spoke she had a whole list of things she was asking about during the residents' comments.
37. She started speaking again and that was when I said to Tony Baxter "what is she criticising". It was a question. Alex Farmer was criticising and that is why I asked the question. I only used the phrase once. I

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couldn't work out what she was trying to say. I did not say "what is she criticising now" as claimed. She had criticised me for buying a coffee machine, this is wholly untrue and a claim without foundation as I had not purchased a coffee machine; she stated and accused that I had misappropriated taxpayers money, this is a very easy and damaging statement to make however there was no evidence to support this claim and I whole heartily refute such a claim. At best I viewed it as mischievous and at worse possibly slander.

38. I was then accused of raising my eyes, I can not recall if I did or did not but this is a very subjective issue. A complaint was being presented in an aggressive and accusing manner. I felt very demeaned as it was all directed at me.

39. Alex Farmer says in her complaint that she has seen the minutes of the Pavilion Committee. She not only saw the minutes, she was part of the Pavilion Committee and attended the meetings. A copy of minutes of the September meeting were sent to Fred Pavey, Chairman of the Sports Association, when items were discussed under item 2 "Finance" and these minutes were agreed. These were not questions, as she knew some of these things already, as she had been in the Pavilion Committee meeting. I exhibit SB3 a copy of the email from Fred Pavey of 2 July 2015 indicating that Alex Farmer would be one of the Sports Association reps for the Pavilion Committee and the minutes from July 2015; email from Mrs Farmer 2 September clarifying issues in the Pavilion Committee minutes; email of 24 August 2015 showing that the Pavilion Committee minutes from August 2015 were sent to Mrs Farmer; email from Mrs Farmer 26 August 2015 discussing finance from the Pavilion Committee minutes and minutes of September 2015 (that were sent to Fred Pavey). We also discussed the Pavilion project at the 15 September Sports Association meeting, the cafe and the TV when Alex Farmer attended as the rep (exhibit SB4).

40. I therefore believe she used her 'questions' to direct criticism at me personally. I had responded that it wasn't tax payers' money we were using but donations. I also responded that we had not bought the coffee machine as this had been bought by someone else who runs the cafe. Alex Farmer responded that I had put this on Facebook and I said that as I had been typing that "this was being bought" not that we had done so. Obviously Alex Farmer was desperate to hang onto any fact that could be twisted in an attempt to discredit and humiliate me. I believe facts were knowingly misconstrued to her advantage – for what ultimate purpose I am still at a loss to explain except that I was continuing to challenge the private tennis club giving no free access to the courts that belong to the parishioners and particularly the children. She is a member of the tennis club and is their representative on the Sports Association.

41. I do not consider the use of the term 'criticising' to be disrespectful bullying or intimidating, as I was just trying to understanding what she was asking about and I only used the term once. In my opinion it was

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factual because she was continually antagonistically critical and looking to inflame the situation.

42. I accept that the Parish Council is a forum for asking questions, but this was above and beyond. It is not reasonable to set the questions, to which you know the answers and to frame them in a way to demean public servant. I believe that Alex Farmer planned her questions so as to be combative and became dogmatic as she would ask the same questions over and over even if she had an answer. Alex Farmer is a clever lady, and I believe she was manipulative with the things she said looking to illicit a reaction of a response she would use to her own ends.
43. I have reflected on the meeting numerous times and I have concluded on each occasion I don't believe the answers that I gave Alex Farmer were dismissive or rude. I simply corrected what she said about the coffee machine and corrected the assumption she had made as to regard the TV and answered all her points – several times when the same question was asked. .
44. Alex Farmer was sitting in front of Mrs Wetherall and Mrs O'Neill who also then made complaints against me (which were both dated 6 October – the night of the Parish Council meeting, but then clearly referenced my apologies to them personally the next morning).
45. The questions from Mrs Wetherall and Mrs O'Neill were the same questions that Alex Farmer had asked. I offered their money back to them and they refused this.
46. All three parties asked the same question in the same way. The way they asked the questions with reference to tax payers' money being misused – I believe and can only assume that they had already had a discussion with Alex Farmer and agreed to ask the same question. On the back of that, she said she wanted her donation to go to the structure of the building and not the every day costs of the cleaner. This statement was reiterated approximately eight or nine times. I accept that I said that if this was not acceptable, I could arrange for her money to be refunded by me.
47. I did pass a note after this to Tony Baxter and I said I would apologise for any offence caused and he said to do so at the end of the meeting. I did apologise at the end of the meeting, if I said or did anything that offended them. I went round to speak to both of them, and did so with Sue Wetherall the next day. I sent a message to Marianne O'Neill and she responded that it was unnecessary to come round, she understood that I was upset and really 'hope that things are better now'. I exhibit as SB5 those messages of 8 October. I was surprised that they then put complaints in. I can only assume this was a collective decision by the parties after the event.

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48. I personally think that there was collusion in the complaints and they were made to marry up and support what Alex Farmer had said. I think they supported Alex Farmer as they did not want to pay for the cleaner. Also please consider this is a small community and people are reluctant to upset “powerful” wilful people. As with all small communities the complainants are all connected through one group such as the Tennis Club, Drama Group, the Neighbourhood Plan, the Sports Association, the Recreational Trust and the Church etc. They found a common enemy in the person who was challenging what they were protecting for themselves and that was me. Also we had had Cllr Hunt on saying he was going to apply to disband the Pavilion Committee, I could be wrong, but they appeared to say the same thing.

2.2 Member Obligation 4: alleged breach not using Council resources in accordance with its requirements, cleaner, architect, TV etc:

49. As I said at the meeting we did not use Council tax payers’ money to pay for things for the Pavilion. We used the donations. We raised around £14,000 from donations, some from Buy a Brick. We spent around £4,000. We received a donation of £5,000 from Mr Morrison for the Pavilion and he was happy for this to cover running costs. So we did not use Council resources or tax payers’ money. Also the Clerk sorted this out with John Carey and the expenses were approved. This is a statement of fact.

50. Finances were discussed at the Pavilion Committee meetings and minutes distributed to at least Fred Pavey, the Sports Association Chairman. No issues were raised about this prior to the meeting of 6th October by them.

51. I wrote the advertising for the Buy a Brick. I do not know whether people misinterpreted how this would be used. I do not believe so. The fundraising was for the Pavilion, at the end of the day the idea was to get the Pavilion up and running and the money was used for that. If we had not been challenged about this, then no one would have objected. Alex Farmer did not buy a brick, so I find it ironic that she was questioning where that money was being used. I believe this was a “mud slinging” exercise hoping something would stick.

52. I would add that I’m not an accountant, I’m not a legal adviser or have any accountancy expertise, but apparently I’m alleged to be an accountant. I just did the task as requested by the Parish Council as a benefit for the community as a whole. As training was not mandatory I relied on the Chairman, the Clerk and those that had experience for guidance. At no point did I believe I had done anything that was contrary to procedure; if I had done something wrong then I would have corrected it. I do not think either Tony Baxter or I did anything wrong.

2.3 Alleged breach of principles of objectivity and accountability against Tony Baxter:

53. I have nothing but positive things to say about Tony Baxter and his monumental efforts as Chairman. He was balanced, fair, extended time

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for residents' questions in a huge push to be inclusive and open and he worked extraordinarily hard to the detriment of his own Company. I fail to understand how it is claimed he breached the Code of Conduct and continue to maintain that neither of us did.

54. The accusation that he treated me differently or not the way Mrs Farmer would have liked, because we were friends, is, in my opinion, ludicrous, without substance and fanciful
55. We became friends during our time in the Parish Council as did Mike, Richard and John. We became friends as we all worked together and gained mutual respect for each other through that work.
56. There have been occasions where Dr Baxter and I have disagreed and he has never just given me lip service or showed me any special lenient treatment. I believe the facts and minutes will bear this out.
57. Again in the balance of history and context, combined with my experience of a lot of vocal provocation and obstruction from Mrs Farmer in her role in the Sports Association, I think he and I were, frankly, restrained.

3 Member obligation 4 – alleged use of resources contrary to Council requirements by me- Pavilion locks

58. Alex Farmer was not at the Pavilion Committee when we discussed the locks, as this was an emergency item that arose and needed immediate attention thing. I was told by Charlie Sullivan (of the Football Committee) that we needed certain doors and locks to prevent the away football team from coming into the carpeted area. I believe this was approved in discussion.
59. The Sports Association said the Pavilion locks were sufficient but anyone could break into the Pavilion. We had to have a locking system, where the home team could have access. I was told we needed new locks. I did not have much choice, otherwise I was informed we would have been leaving a newly renovated Pavilion uninsured.
60. To the best of my recollection believe would have sent an email round or had verbal confirmation. There were discussions with various parties and this was not reported back until after the money was spent by me. In this issue time was deemed to be of the essence and action was required. Lack of communication and hindsight notwithstanding.
61. This was then approved by the Parish Council. Again the money we used was not Council Tax payers' money, it was part of the £4000 spent that came from donations.

4 Member obligations 1 & 2 – alleged failure to show respect, bullying and intimidation by me - correspondence with Fred Pavey:

62. Fred Pavey has been referred to as "elderly" by Alex Farmer. However I am not a human rights lawyer but I believe this is at best ageist. It

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also does him a disservice to his ability by its implication. He is the Chairman of the Sports Association. All these words are being bandied about to create an image in other people's minds. He is not "elderly" if you were to ask him to step down from running the Sports Association. I would never refer to people on their age, just ability. My only issue is that Fred Pavey is politically territorial and he is lobbying for his/their own interests – Alex Farmer has an interest in the tennis club and Fred Pavey has an interest in the bowls club.

63. This is the full email referred to by Alex Farmer (exhibit SB6) of 8th August 2015. My son was ill in Turkey and I was at my wits end with worry and cumulative lack of sleep. I was not in a good place and quite frankly I had had about enough mental abuse.

64. The other email reference where I said on 3 September 2015:
"Well either I can be helpful and find him for you in the village... get his details." is taken out of context.

65. Fred Pavey had been terse, unhelpful and rude in meetings. I think the emails from Fred Pavey and Alex Farmer were an attempt at poking, passive aggressive bullying. It was clever but annoying.

66. I do not believe the emails that I sent were rude or disrespectful and Fred Pavey never complained about the email I sent to him, either to me, or to the Chairman of the Parish Council (as far as I am aware). It was frustrating, but in the context of the months before, the emails referred to by Alex Farmer were not rude, disrespectful, intimidating or bullying.

Allegations that Tony Baxter did not stop the alleged behaviour:

67. I understand that there was an agreement between William Compton and Fred Pavey in March 2015 that correspondence would go between the Chairs of the Parish Councillors and Sports Association. That stopped after William left the Parish Council and lots of other people became involved. We started up the Pavilion Committee as I needed help running it as I was doing everything. Fred did not complain about the emails as far as I am aware and various people were involved, including members of the Sports Association.

68. Finally, I would like to say that I am torn between not wanting to spend any more time on this and drag the fight on, and responding because of the complete injustice of it all. The complaints are a snap shot of a longer piece of time (over a year) and there is too much of it. It was relentless. The Sports Association did not want to give up what they had and share and this is why they put the complaints in. If they could get rid of me, then they would not have to share. I have no motivation to do any of this, but they had huge vested interests.

69. I do not think that I have breached the code of conduct. I believe I have always acted in the best interest of the parishioners; I have no angle or personal gain in anything I have done whereas Alex Farmer is trying to

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protect the tennis club. She has fought against any free use by the children and fights hard to keep it private. I threatened that position for two years by questioning the management and legal status of the deeds and the Sports Association. She joined the Sports Association to act as the tennis rep and the feeling is that this was to counteract me. She then became one of the people who was supposed to attend the Pavilion Committee meetings, of the few that we had.

70. Where I have been wrong I have taken responsibility and where necessary I have apologised, but an apology that does not constitute a breach of the code. I am not flippant and take this all very seriously as I did my role on the Parish Council. I felt that I had to stand up for the parishioners and represent them even if that meant upsetting clubs that were using the parishioners' grounds and land.

I believe that the facts stated in this witness statement are true.

SELINA BANNERMAN

Dated this 3rd day of MARCH 2016

1

Dear Chairman

Please consider this my resignation letter. I would like to read this statement and attach it to the minutes of this meeting in its entirety.

This statement has been prepared with the assistance of a solicitor and each word has been approved. This is detailed because it represents an accurate account of the pavilion set up and aspirations of the Pavilion committee including those who have already resigned from the Parish Council and intends to clear up the accusations levelled at the Pavilion Committee and particularly myself for the sake of those parishioners who cannot believe what they are hearing amongst the High Street chatter... and for good reason they are not believing what they hear. I would like to thank all the people who have sent emails, and called to express their support for myself and those others on the pavilion Committee since the Oct 6th meeting and since the article in the paper was published. It was quite overwhelming.

When I put my name up for election to the Parish Council over two years ago, I did so because I was made aware at the school gates of a great deal of dissatisfaction at the lack of use by children of the Recreation Ground. There was a swell of feeling that the Sports Association was run by three lobbying groups who looked after their own interests before those of the Parish as a whole; men's football, tennis and bowls. These concerns were expressed to me directly by residents.

After I was elected I was asked by the Chair if I would like to take on refurbishing the existing run down and not fit for the purpose, pavilion. I said I would be pleased to do that. We managed to get a pavilion completely renovated and opened on time and on build-budget. It took a huge amount of personal effort and time from several of us to ensure this was the case. We did this because we wanted to create a facility for our generation to use and for generations to come.

On top of that, after some research into fund raising I devised and executed a donation scheme called Buy a Brick which would help to tie in the children of the Parish to the Pavilion in terms of them taking responsibility for the building if they felt some sort of ownership of it rather than being excluded. It was an opportunity to donate specifically to a parish asset and by the names of those who donated being written on the "brick wall" it was a visible community statement of asset ownership.

This idea took a considerable effort to develop, design, advertise and implement through setting up the on line donations and much behind the scenes action that no one ever sees or hears about. All of this was done with great enthusiasm and excitement about the new building taking shape and getting finished on time and a lot of help and ideas came from Helen Baxter and Lisa Keys, who in the process became friends. Fete day came and we opened with a flurry of manic activity and with the wall already set up so that people could come and sign their names on the wall for a donation if they wished. It was a huge success and many came that day and paid £10 per "brick" to write their name on the wall. Kids and adults ranging from 6 months to 99 years old have their names on this wall now.

The ultimate aim was to ensure that this pavilion was well maintained and looked after going forward and protecting this community asset. To this end a Pavilion Committee was formed in the summer of 2015. This committee was a subcommittee of the Parish Council with delegated powers as represented in the minutes.

Myself and Tony Baxter asked John Carey to come on as Vice Chairman because his energy, time and enthusiasm for the pavilion and the Rec ground was well known. He has three young children and wanted them to have the use for the Pavilion and the field as they grew up. He was a chartered accountant and in fact is my families chartered accountant and as such had the required skill set to assist with the finances. We then asked Mike Keogh to come on as a parishioner and in fact shortly after that he put himself forward for co-option to the Parish Council. Likewise Richard Key joined as a Parish Councillor as he had joined the Parish Council also with a view to establishing cricket on the Rec ground again and promoting that sports ground. Annica Farley was asked if she would help set up a booking system and despite being very busy she said would set this up for someone else to then take over and manage as needed. All these people were giving up many hours and worked tirelessly which is why the PC needed them to be on the committee in the first place.

Once we had the pavilion up and running and a fully functioning booking system and self funding the intention was to for a couple of us to step away to concentrate on other parish matters but it was essential that a system of responsible management was in place before that could happen. Hence the Pavilion committee has been working tirelessly to ensure that this is the case.

It was and still is, intended that the Pavilion becomes self sufficient so it can sustain itself financially and to achieve that, we needed to collect an income. To collect an income we needed to furnish it and make it fit for this purpose. We needed to protect the building by buying locks and ensuring that we are within insurance regulations, Fire regulations and Health and safety. We needed to provide toilet paper and cleaning materials and a cleaner for

John Carey and myself have acted as caretakers. We met people that needed access and made sure the building was locked back up and often in unsociable or awkward times. We did it for free. We have not hired a caretaker in order to keep the costs down. Ideally we should have a caretaker and ultimately if we can achieve enough rental this is what should happen rather than rely on volunteers who have no real reporting obligation. The cleaner that cleans the pavilion is a local lady who was totally flexible and is paid for by the money that any rental incurs. She only cleans if there has been use of the building and that is then paid for by the hirer so she is no cost.

Another local lady Jill, opens up the outside toilet at 2pm on weekdays, cleans and locks it again at 4pm and is paid £10 a day. In the holiday she opened at 11am and cleaned and locked at 4pm so that children and families in the play ground could access a toilet for a greater part of the day- still for £10 a day. This has provided a huge amount of community involvement in the play ground and the Rec after school. Families stay longer to play and

kids get fresh air and exercise. Family time is spent outside and the children have social interaction and play-time which is what the space should be all about.

We were thrilled. Thrilled as the majority of the Parish and those who donated money for Buy a Brick. The £10 cleaning bill for the playground and the the fixtures and furnishings did not come for free as any reasonable person would realise. These were paid for from the pot of money that came in via the marketing strategy including Buy a Brick. We used the concept to engage with people to ask for donations privately. One was with a gift of £5000, a very significant contribution to the campaign with the request that his name was not acknowledging on a brick. The other was The Play Much Hadham group who gave us £4448.00 towards the cost of the toilet that would service the playground that 'Play Much Hadham' had built and also towards the veranda for kids and parents to shelter under whilst using the playground and recreational field. Rachel Lawson who represented that charity has received a confirmation of this from the PC .

All this money went into one account and that was the Much Hadham Parish Council bank account. The private cheques, the cash donations, the Go Fund Me online donations all went into the only account that the Parish Council has. This is not precept money raised through taxation. These are donations. It is accounted for as donations and an account of income and expenditure has been kept in a running tally by the Vice Chairman of the Pavilion Committee John Carey. This was in coordination with our very experienced Clerk John Ingham. All receipts were kept and handed into John Carey for logging and then were checked again by John Ingham for reimbursement. Only John Ingham has the cheque book. No cheques have been written without the proper signatures of which there have to be at least two, and none without an accompanying receipt.

The work was a huge team effort from the Pavilion Committee with The Key family, The Carey family, The Baxter family and the Keogh Family and Annica Farley, who also spent their own time, donations, fuel and energy on these expeditions as well as hours on line and on the phone trying to work out where the best deals were, Costco trips for cheaper cleaning supplies and researching the cost of the tables and chairs trying to keep costs to a minimum all for the benefit of the Parish pavilion. A significant amount of free labour was provided by us all and our children. Calum and Richard spent a whole weekend and follow up every evening preparing and bedding in turf around the pavilion to ensure it looked great for the opening despite this not being the remit of the Pavilion committee.

The Pavilion was finished on August 28th. Three days early and on budget. A dishwasher and fridge was donated by John Carey .

With the Pavilion built everyone was happy; kids and parents happy to have a toilet to use whilst in the play ground, parents happy that their kids are outside playing, church lunch happy as they have tables and chairs to sit around, children's parties and footballers with great new change rooms; all happy.

We have a lady who wants to sell cake that she's made at home and coffees that she has made so she bought a machine with her own money. She set up her mobile cake and coffee business and pays money to the pavilion at the same rate as everyone else of £10 per hour.

She very kindly saved us a trip to Ikea and spent her own time and buying cheap and easily replaced, white crockery for the use of the pavilion. She has been refunded for this.

She is a local Mum with two very small kids at the local school. She had noticed there is nowhere for local parents to go to after the school run for a social gathering with the children and somewhere for parents and also dog walkers to meet and chat, compare notes and their young children interact.

We thought this was a great idea. The community spirit and support that we all aspire to live amongst, in a venue others aspire to have and with someone who benefits as an entrepreneur and offering a service as well. This provides the Pavilion with £20 per day income from 9-11 am Monday to Friday, That's £100 per week. That pays for the cleaner for the outside toilet which is £50 per week and leaves £50 extra which goes into the account on the plus side.

And there we were! Self sufficient to a degree within less than 4 weeks and providing a free service to the families of this community covered by the café rent alone. We have rent from the Café, the footballers and parties, lunches etc all within four very short weeks.

However, since then there have been allegations made by a member of the public in an open committee meeting on Oct 6th that the Pavilion Committee had misappropriated tax payers money. The specific allegation was the Buy a Brick money was there to repay the loan but was in fact being used to pay the toilet cleaner which was not what they wished their donation to go towards. As I have previously stated, all monies raised through donations have been used to finance the setting up of the pavilion and establishing it as a venue to rent with the rental income thus supporting its running costs. The exact penny that was raised through the Go Fund me site and the selling of the 'bricks' is still in the bank account. That member of the public had site of the accounts and the running costs have always been transparent to the Clerk for the entire 5 weeks that the furnishing etc occurred.

However, during this time and since my joining the Parish Council, there have been several attempts at trying to get the Sports Association and some of its members to understand that they were viewed as non contributing and in fact exclusionary of the Parish residents to no avail. I made no secret of the fact that I thought that this process was deeply flawed and benefitted no one other than the three existing inhabitants of the Rec Ground and Sports Association. This was a group who clearly did not want change and particularly not if it involved sharing. It demonstrated no initiative to encourage sport.

Since challenging the Sports Association there have been readings of the 1947 and 1949 Deeds when the land was given to the Parish and also many questions asked by some, as to the use of the Rec ground by a private tennis club and the lack of benefit of the rec ground as a whole to the Parish and particularly the children who were mentioned specifically in the deed. It is quite clear that the land was intended as a community asset.

This line of enquiry and my point that in my view there has been a dereliction of duty on the part of the Sports Association towards the Parish not been popular with some members of the sports association although I would like to say that the gentlemen footballers have been

really helpful since we started the last leg of the pavilion and have treated it like gold since its opening.

The fundamental problem we have in the parish is very simple. There is a conflict that is derived from the makeup of three parties and their legal and social responsibilities.

There are assets that you the parishioners own. The main assets you own are the Village Hall and the Pavilion and Recreation Ground. The assets are owned by the Parish Council on your behalf and are therefore responsible for them.

However, the management of the Rec Ground and until Aug 31st 2015, the Pavilion, is the responsibility of the Sports Association. They are not answerable in any proper fashion to the Parish Council, which is you. The Deeds written state that the grounds are to be for the benefit of the school children and others. There is no method of redress however when the Sports Association does not do what is stated in the deeds.

There is a huge conflict of interest in having a ground being run by a group of people that lobby for their own interests and not necessarily those of the Parish. There is no neutral party but a group of individuals who, unless they are selfless and community spirited, look after the ground, tennis courts and bowls club for themselves.

A simple request to allow children one free hour of tennis a day during the school holidays started what we have here today. A few people, and by no means the majority of the members of the tennis club, who seem to demonstrate a sense of entitlement so great that sharing is beyond them. The deeds didn't specify that the children should get free access but the courts are empty most of the time, most days. Sharing was free. After one and half years of trying there has been 6 free hours given under the supervision of a tennis instructor who was there to promote the club getting new paid members. The idea was that the kids didn't have to become members.

If this parish wants to have fully functioning and maintained assets there needs to be some work done to bring the deeds in line with accountability. There is little scope to remove the existing SA body and until some of those personnel are changed there will always be conflict.

It is with great regret that I am resigning but the campaign to derail all the good that has been done by building the pavilion and the appalling way I feel myself and the members of the pavilion committee have been treated makes it impossible to continue. I wish I could say I am leaving you the shiny new pavilion in safe hands but in my view I am not. Cllr Hunt has already proposed that the pavilion be handed back to the Sports Association so I have no doubt that this will soon become a venue for the use of the tennis club and not much else.

As George Orwell said:

"The further a society drifts from the truth the more it will hate those that speak it".

Jeanette Thompson

From: Selina Bannerman <
Sent: 17 February 2016 17:19
To: Jeanette Thompson
Subject: SB2 part one ... Pavilion plans

From: Fred Pavey [mailto:
Sent: 21 January 2014 17:28
To: Allison Purviss; Barry Brett; Brian & Pat Ellis; Charlie Sullivan; Darren Bruton; Dave Devoll; Ian Aldridge; Jan Liversage
Subject: Fw: Pavllon floor plan

Forwarded for information.

Fred

From: S BANNERMAN
Sent: Tuesday, January 21, 2014 12:51 PM
To: JanLiversage ; frederick.pavey ; WilliamCompton
Subject: Pavilion floor plan

Please find attached the floor plan fyi.

Many thanks
Selina

----- Forwarded Message -----

From: John Diaz <
To: 'S BANNERMAN' < >
Sent: Tuesday, 21 January 2014, 9:54
Subject: RE: Planning application acknowledgement and Pavilion

Hi Selina,

Please find attached the pavilion plan. We are just about there with all the forms and aim to submit the application by the end of the week.

Best Regards
John Diaz

-
Hox Design Architects

From: S BANNERMAN
Sent: 20 January 2014 18:15
To: John Diaz
Subject: Re: Planning application acknowledgement and Pavillion

Hi John
Any chance I could bug you for the floor plan as well John ?
Many thanks
And is there an update on how long it will take to present to Planning department ?
many thanks
Selina

From: John Diaz
To: 'S BANNERMAN'
Sent: Monday, 20 January 2014, 16:57
Subject: RE: Planning application acknowledgement and Pavillion

Hi Selina,

Please find attached a drawing with the elevations for the Much Hadham Pavillion.

Best Regards
John Diaz
-
Hox Design Architects

From: S BANNERMAN
Sent: 20 January 2014 15:29
To: John Diaz; johnclarke
Subject: Re: Planning application acknowledgement and Pavillion

Hi John thank you very much.

Can you please send me a brief elevation picture of the Pavillion as I have a Parish Council meeting tonight and need to show the Sports Association via the Council - I just need an attachment so I can email it to them ?

Many thanks
Selina

From: John Diaz
To: selinabannerman
Sent: Monday, 20 January 2014, 12:45
Subject: Planning application acknowledgement

Dear Mrs Bannerman,

Please find attached the letter of acknowledgement from East Herts district council for our recent application for the

Roof Lantern & Rear Gable End Extension

to

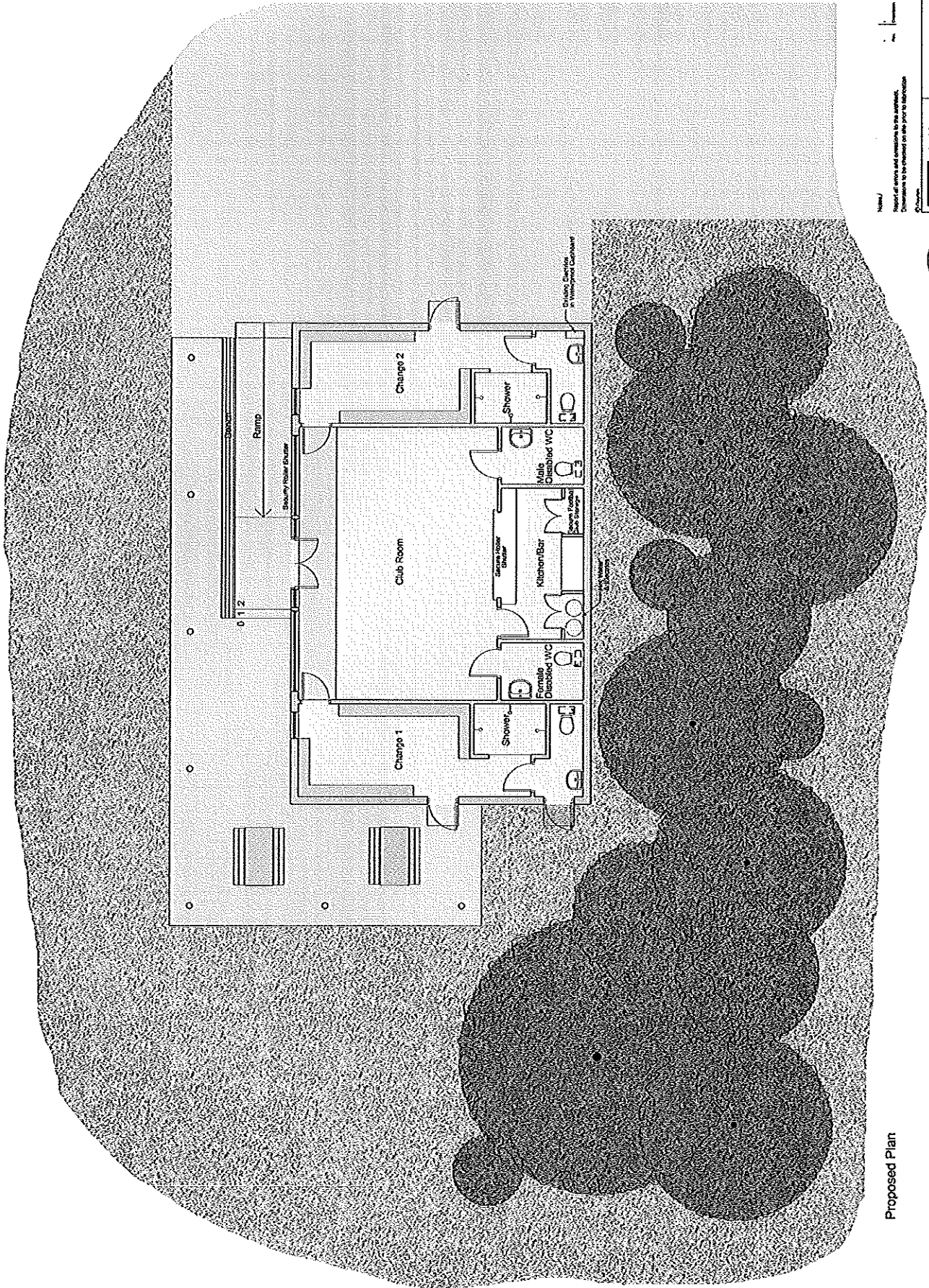
52 High Street, Much Hadham, Herts, SG10 6BU

Kind Regards

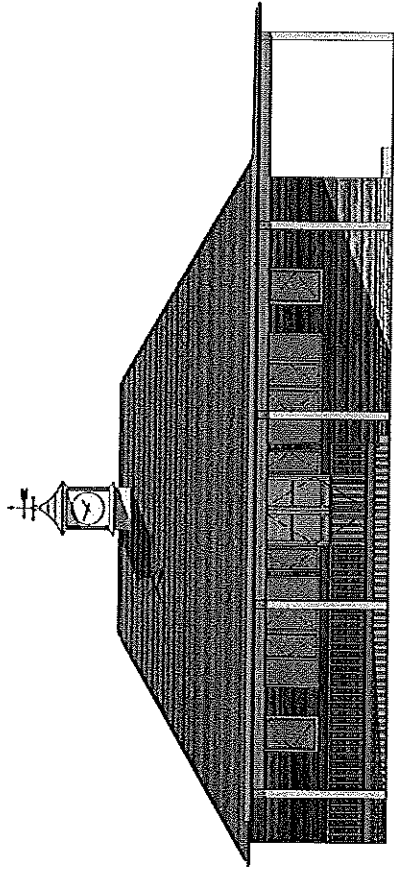
John Diaz

-

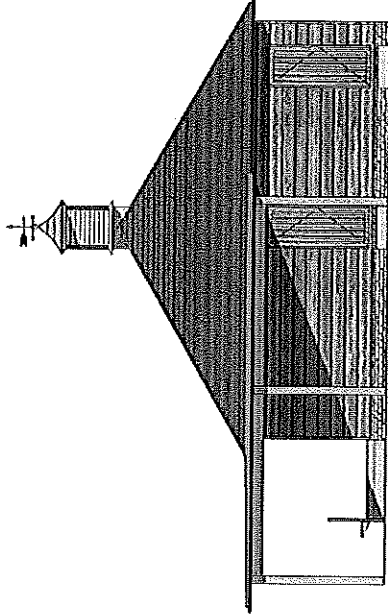
Hox Design Architects



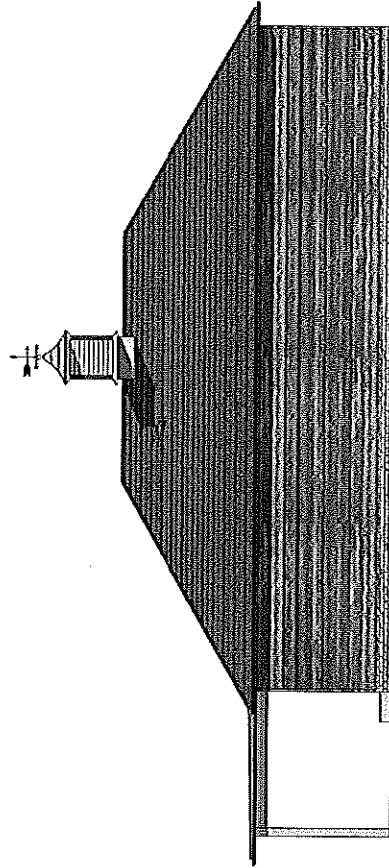
Proposed Plan



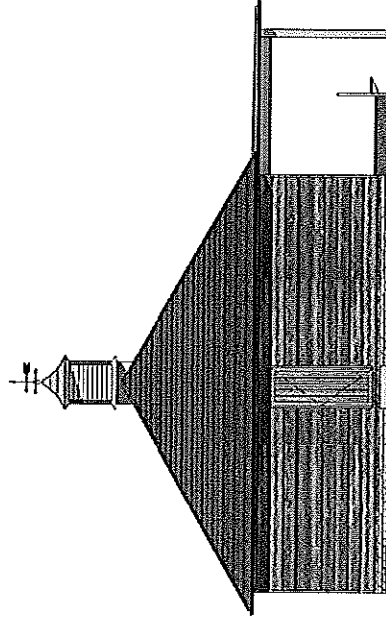
West Elevation



North Elevation



East Elevation



South Elevation

Name: _____
 Number: _____
 Date: _____
 Drawing No. 610/
 2-02B
 Date: Nov 2013
 Designer: MAB
 Rev: PB

Architects: Much Hadham Pavilion
 Internal Alterations
 Proposed Elevations

Scale: 1:100
 Date: Nov 2013
 Designer: MAB

All dimensions and connections to be checked on site prior to construction.
 Dimensions to be checked on site prior to construction.

Architects:
 Ince & Co. Architects
 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100
 Tel: 01753 26000
 Fax: 01753 26001
 www.inceandco.co.uk

Scale: 1:100
 Date: Nov 2013
 Designer: MAB

Jeanette Thompson

From: Selina Bannerman
Sent: 17 February 2016 17:38
To: Jeanette Thompson
Subject: SB2 continued...

Jeanette i am not sure if this is required or not but it does show the intention to work together and be cooperative which was all i had ever done.

From: S BANNERMAN
Subject: Re: Pavilion
Date: 28 January 2014 21:36:49 GMT
To: Charles Sullivan

, "[john.clarke](#)

Cc: Jan Liversage
Allison Purvis
Ellis <

, Fred Pavey
Barry Brett

Darren Bruton
Ian Aldridge

, Brian & Pat
, Dave Devoil

, William Compton

Reply-To: S BANNERMAN

Thank you John for coming to the meeting tonight .

Further to our meeting this evening I can confirm the following

1. An external door to each changing room will be added
2. The showers will consist of three shower heads and a minor adjustment to reduce the size of the shower room to lend more room to the changing areas.
3. There will a secure area in the bar for your safekeeping.
4. The verandah will remain for the wider community
5. There will be individual store sheds at the back of the Pavillion
6. The outside items on the plan ie the clock tower, the weather vane and the veranda are not removing resources away from the Football teams internal priorities.

With the exception of the reduction to three shower heads these changes were all confirmed in various earlier emails and I am glad that all your concerns were addressed.

Your outstanding objection to two public/disabled toilets vs one will be discussed but there has already been a great deal of research as to what all the various groups of potential users within the community might require and two toilets was the most expressed requirement due to the state of most mens rooms. I will revert to you after further discussion .

When John Clarke had made the changes on the drawings I will email them to you for your confirmation that the changes are as we agreed. Once you have done that (and I would request that's done within two days) we will submit them for planning approval.

Any further detail considerations can be made once we have the bigger picture approved by the planning department .

I think it would be helpful for us all to remember that we are supposed to be working towards the same goal and that is the construction of the Much Hadham Pavillion for the use of all Parish members. Whilst we recognise that right now the Football on Saturday is the majority user and tenant which is why we sought out your opinion, it is the intention of the Parish Council to make this a venue that all members of our Parish can and want to use.

The Pavillion as it stands now is not desirable or functional for anyone including yourselves. I have no idea why there appears to be the assumption that we are trying to take something away from Saturday football or that in some way the Football will suffer. On the contrary the design provided all you asked for and then every change you requested in relation to your change rooms you were granted. The territorial tone of tonight is not one I found necessary or one I wish to repeat. I would like to think we can go forward in a more collaborative manner.

Kind regards
Selina

From: Charles Sullivan
To: Selina Bannerman
<john.clarke

Cc: Jan Liversage ; Fred Pavey Allison Purvis
; Barry Brett ; Brian & Pat Ellis
Darren Bruton ; Dave Devoil Ian Aldridge
; "blaise.morris"
"john.clarke" William Compton

Sent: Monday, 27 January 2014, 14:47

Subject: RE: Pavilion

Selina ok Barry Ian and I will see you there cheers
Charlie

From: Selina Bannerman
Sent: 27 January 2014 10:49
To: Charles Sullivan ;

Cc: Jan Liversage; Fred Pavey; Allison Purvis ; Barry Brett ; Brian & Pat Ellis; Darren Bruton; Dave Devoil ; Ian Aldridge;
< blaise.morris William Compton ; john.clarke
Subject: Re: Pavilion

Charlie I have rearranged my Monday for my Tuesday and will meet you there . I don't know if John Clarke can make it but I have addressed this to him as well .

See you there
Cheers
Selina

Sent from my iPhone

On 27 Jan 2014, at 09:00 AM, Charles Sullivan

wrote:

Selina good morning thank you for the e-mails Barry Ian and I can meet you up at the pavilion on Tuesday night 7-30 pm. The architect can attend if he wants to .We have a few problems that can be discussed as we think they need addressing .

Charlie

From: Selina Bannerman

Sent: 26 January 2014 14:39

To: Jan Liversage

Cc: Fred Pavey; Allison Purvis ; Charles Sullivan ; Barry Brett ; Brian & Pat Ellis; Darren Bruton; Dave Devoil ; Ian Aldridge; <blaise.morris> William Compton ; john.clarke

Subject: Re: Pavilion

Great jan - I am sure what's left can be done by email but if not I can make tomorrow eve

Cheers

Selina

Sent from my iPhone

On 26 Jan 2014, at 12:28 PM, Jan Liversage <

wrote:

From: S BANNERMAN
Sent: Saturday, January 25, 2014 5:31 PM
To: Allison Purvis ; 'Charles Sullivan'
Cc: <mailto:frederick.pavey> 'Barry Brett' ; 'Brian & Pat Ellis' ; 'Darren Bruton' ; 'Dave Devoil' ; 'Ian Aldridge' ; 'Jan Liversage' ; <mailto:blaise.morris>
Subject: Re: Pavilion

Hi Alison I did hear back from Charlie and I offered up other dates as they weren't able to make tThursday at my house - I have offered Saturday but that's gone so I can do tomorrow or Monday eve ?

Cheers

Selina

From: Allison Purvis

To: ' S BANNERMAN '

Charles Sullivan '

Cc: <mailto:frederick.pavey>

Barry Brett

'Brian & Pat Ellis'
'Darren Bruton'
'Dave Devoil '
'Ian Aldridge'
'Jan Liversage'
blaise.morris@pvm.co.uk

Sent: Saturday, 25 January 2014, 17:17

Subject: RE: Pavilion

Hi Selina,

Sorry but I was under the impression that a meeting had been sorted for Thursday or Friday last week. I can

meet on Monday evening but, as I said in my email, it is the Football Clubs who use the pavilion on a weekly basis who need to meet with you. I can't imagine concerns or comments can be sorted via email so I'm sure you'll hear back from Charlie, Barry and Ian shortly.

Rgds,
Allison

From: S BANNERMAN

Sent: 25 January 2014 14:02

To: Charles Sullivan ; Allison Purvis

Cc: <mailto:frederick.pavey> ; 'Barry Brett'
' ; 'Brian & Pat Ellis' ; 'Darren Bruton' ; ' Dave Devoil ' ;
'Ian Aldridge' ; 'Jan Liversage'
; blaise.morris

Subject: Re: Pavilion

Hi Charlie

I haven't heard back from anyone re a meeting time. I am free tomorrow and Monday evening . I can meet you where ever you want. Can we do this by email if its too hard to get us all together? Could you let me know what your concerns and comments are on the plans? Perhaps we can make any changes through email ?
I would like to get this in for planning ASAP.

many thanks
Selina

From: Charles Sullivan

To: S BANNERMAN

Allison Purvis

Cc: "frederick.pavey

' Barry Brett '
' ; 'Brian & Pat Ellis'
'Darren Bruton'
' ; ' Dave Devoil '
'Ian Aldridge'
'Jan Liversage'

' <blaise.morris

Sent: Wednesday, 22 January 2014, 12:46

Subject: RE: Pavilion

Selina good afternoon we can not make the meeting you suggested after speaking to Barry and Ian, they would like to discuss these plans one evening quite soon. In the football pavilion or bowls club, at a time that is

convenient to everybody and possibly the committee of MHSA. The committee was of the understanding we would see and have a discussion about the plans before anything being submitted to the planning department. Thank you

Charlie

From: S BANNERMAN

Sent: 22 January 2014 11:42

To: Allison Purvis

Cc: <mailto:frederick.pavey> Barry Brett
' ; 'Brian & Pat Ellis' ; Charles Sullivan ; 'Darren Bruton' ;
' Dave Devoil ' ; 'Ian Aldridge' ; 'Jan Liversage'

Subject: Re: Pavilion

Sure , no problem Alison -
There is no problem sorting out the details -
Can whoever wants to meet me come to my
house tomorrow evening ? 52 High Street
Much Hadham - 6.30pm ?
cheers
Selina

From: Allison Purvis
To: 'Selina Bannerman'

Cc: <mailto:frederick.pavey> ' Barry Brett
'Brian & Pat Ellis'
; 'Charlie Sullivan'
'Darren Bruton'
' Dave Devoil '
'Ian Aldridge'
; 'Jan Liversage'

Sent: Wednesday, 22 January 2014, 10:02
Subject: RE: Pavilion

Hi Selina,
As I very rarely set foot in the Pavilion, I would rather you deal directly with the people who do, namely Charlie, Ian and Barry. They are the ones who know how the Pavilion is used at the moment and how the proposed changes would help or hinder activities. For instance, one issue discussed was the need for a side-door for footballers to enter the changing rooms without having to go via the main entrance. Apparently there is always a big problem with mud. Storage was also discussed, as was the bar and kitchen amalgamation.

Can I suggest that you liaise with Charlie, Ian and Barry and arrange a meeting? I and other MHSA Committee members will be happy to attend if the

date/time is convenient but I think the priority is to talk with the Football Clubs to ensure their requirements are covered.

Please be assured that we will all be more than happy to see the Pavilion upgraded and fully appreciate the work you have done so far. However, it would be good to incorporate specific requirements, if possible, to give everybody the best use of the new facilities.

Best wishes,
Allison

From: Selina Bannerman

Sent: 22 January 2014 09:01

To: Allison Purvis

Cc: <frederick.pavey> ; Barry Brett ; Brian & Pat Ellis; Charlie Sullivan; Darren Bruton; Dave Devoil ; Ian Aldridge; Jan Liversage

Subject: Re: Pavilion

Hi Alison

Could you give me a brief note of what the objections are ? I had incorporated all the requirements put forward by the football committee for a bar , showers change rooms etc and then worked them back in with the structural report . We have I fact got two change rooms , two sets of showers and a bigger bar !

I am surprised that there are a lot of issues but very happy to listen to them

I am around the village so perhaps you and I can meet and discuss them ? I am free later this morning and tomorrow afternoon it evening if you can make it ? Anything you let tell me I will put by the architect and we can look at the structural ramifications .

Many thanks
Selina

Sent from my iPhone

On 22 Jan 2014, at 08:43 AM, " Allison Purvis " wrote:

Dear Selina,

Many thanks for sending copies of the floor plan and elevation drawings to Fred last night, which he passed on to myself and the rest of the Sports Association Committee as soon as he received them. As you are probably aware, a Sports Association meeting took place last night and the new Pavilion upgrade was an Agenda item.

Brian, our Secretary, was absent from the meeting due to holiday so I took the Minutes. I was asked to inform you that, as a Committee, we have quite a few reservations with the plans we have seen. In this regard, we would request that you hold back on submitting them to Planning, or whatever the next step would be, please. The MHSA Committee were under the impression, from your presence at our meeting in November, that we would be consulted and discussions would take place well before any plans were submitted. The Football Clubs, who use the Pavilion regularly, have several views on how the plans should be altered and it would be appreciated if you could let me know when a meeting could take place to discuss their issues.

Thanks and regards,
Allison Purvis
MHSA

Jeanette Thompson

From: Selina Bannerman
Sent: 22 January 2016 18:01
To: Jeanette Thompson
Subject: Fwd: Much Hadham Pavilion
Attachments: 610-02-01B-PB.pdf; ATT00001.htm; 610-02-02B-PB.pdf; ATT00002.htm

Again , showing respect and courtesy....

Begin forwarded message:

From: "Fred Pavey"
Subject: Fw: Much Hadham Pavilion
Date: 30 January 2014 16:39:14 GMT
To: "Allison Purviss"
"Brian & Pat Ellis"
Devoil"
Liversage"
Cc: "Selina Bannerman"

"Barry Brett"
"Charlie Sullivan"
"Darren Bruton"
"Ilan Aldridge"
"Dave"
"Jan"

Hi All

Forwarded for your urgent attention. I think we should fully accept the proposed alterations as shown in Selina's amended drawings. Brian is away at present but I feel that he will be in agreement.

Fred

From: S BANNERMAN
Sent: Wednesday, January 29, 2014 4:35 PM
To: frederick.pavey
Cc: WilliamCompton
Subject: Fw: Much Hadham Pavilion

Hi Fred

I would be grateful if you would email the attachments to your committee . They show the changes that were made which the addition of the two external to change room doors and the showers reduced in size from 4 to 3 units.

Perhaps I could have confirmation that this meets the expectations of your members by tomorrow

----- Forwarded Message -----

From: John Diaz

To: [selinabannerman](#)

Sent: Wednesday, 29 January 2014, 15:44

Subject: Much Hadham Pavilion

Dear Selina,

Please find attached the amended plan and elevations for the Much Hadham Pavilion.

Kind Regards

John Diaz

-

Hox Design Architects

Jeanette Thompson

From: Selina Bannerman
Sent: 22 January 2016 17:19
To: Jeanette Thompson
Subject: Fwd: Pav Comm Agenda July

Selina Bannerman

Begin forwarded message:

From: FREDERICK PAVEY
Subject: Re: Pav Comm Agenda
Date: 2 July 2015 12:02:56 BST
To: john
Anthony Baxter
"Selina Bannerman"
"Michael"
"Richard Key"
Cc: Alex Farmer
Dave Devoil
Reply-To: FREDERICK PAVEY <

Hi John

Thanks for the agenda. Alex Farmer, Dave Devoil and myself will be attending for the SA.

Fred

On Thursday, 2 July 2015, 9:58, john

> wrote:

Hi All

Sorry for the delay – small matter of a wedding to deal with.....

Fred – can I ask who is attending tonight?

Agenda – 7.30pm, Batemans, High Street, MH

1. Apologies
2. Last minutes

6. Other costs – goal posts, shed, corner flags, moving posts etc – source of funds
7. Caretaker and cleaners update
8. AOB

Let me know if you need to add anything

Regards

John

Pavilion Committee

Meeting Minutes – 2nd July 2015

1. Apologies

Present JC, SB, RK. Apologies from AB, AF, MK – we welcomed three representatives from the SA – Fred Pavey (FB), David Deliol (DD) and Alex Farmer (AX). SA members advised it may not be the same SA reps at each meeting but someone would represent them.

2. Last minutes – accepted

3. T's & C's/Code of Conduct/Booking Form – agreed to circulate MK's last draft via email for final sign off – can any comments be made by Monday please (email to follow)

4. Booking fees/Diary Management – AF to update on progress made on booking diary. Actions agreed:

- Mens football to be block booked when fixtures are confirmed Saturday 1.30 to 5.00, Sunday 9 to 1.30
- U15's to also be block booked and any overlaps discussed with both sides asap
- Cup games to be managed as and when
- Hourly rate for pavilion only (and cleaning deposit) to be decided by email – NEED INFO ON VILLAGE HALL FEES
- Per match cost (full pitch and pavilion use including cleaning) £60 - £30 to SA
- Per match cost (smaller pitches and pavilion use including cleaning) £30 - £15 to SA
- FP stated that the SA had not agreed to mark the three pitches, but they 'may' mark them if and when there was a demand. SB/JC stated that we wanted the pitches marked now as per AB's letter to attract youth to the facilities and encourage the local kids to use them immediately. FP/AX refused to accept this and when asked why AX explained that given what had happened with the pavilion which the PC had taken over without any reference to the SA there is a breakdown of trust between the SA and the PC and the SA were concerned that if the PC paid towards movement of pitches they would then take these over as well ~~stated that the SA didn't want the PC to pay for it as there was a huge mistrust in the SA as to what the PC's motives were.~~ SB explained the motive was to encourage youth to use the rec ground and had no intention of taking it over. SB asked if AX realised that what she was saying was to prevent youth from playing due to some paranoid, legal potential for the PC to take over the rec ground. AX denied this was what she was saying and SB stated that it most certainly was. SB stated that she was sick of this attitude and that this negative unconstructive situation was ruining things for the village. SB added that the reason the PC had "taken over" the Pavilion was due to the neglect it had received and that the PC had an obligation to the parishioners to keep their assets in good order. JC asked FP if he realised the ground was 'first and foremost' for the youth of the parish, FP replied it was not first and foremost for youth but was for everyone. JC added that if they didn't want the PC to pay for the pitches, he would make a private donation to enable them to be marked now – this was met with

silence. JC returned to this at the end of the meeting to ask if they would now mark all three pitches as the barrier of money/mistrust had been removed and was told by FP that the SA would discuss (no guarantee of when).

- DD's team to pay £60 per game as the headline rate and DD to be paid by SA for his groundwork on the pitch(es)
- SB confirmed that the offer of the (rec facilities) the newly marked pitches to the school governors the previous night had been (refused) declined by the school management which mystified many governors as to why the school would refuse to use such a facility on their doorstep and SB stated that she had resigned as a governor due to the politicisation of the best interests of the children
- AX asked if the toilet could be opened at certain times for the tennis club, SB responded that it could and would and then asked if the £1 play had been agreed, AX confirmed it had NOT. SB/AF had a long discussion about the merits of letting the children play for £1 – AX restated that the £15 for membership was not ~~too~~ expensive for anyone—added that if you had more than one child it is expensive for some people and so is £15 for some people. JC stated that maybe they were living in an ivory tower as it IS expensive for some and it's the principle of 'free' tennis that we wanted to promote and see the courts used more. The offer of the toilet being open was then retracted by SB, FP stated they could use the bowls club toilets, JC said that's great. SB said that for use of the pavilion the tennis club would have to pay an hourly rate and was appalled at the lack of charitable attitude of the tennis club who had som much . AX stated that the TC members didn't want to have any free users as they had to pay. AX stated that the TC had only received one supporting email for the PC proposal of £1 membership and that was from Sherrall Illston. SB pointed out that Mrs Illstons email had also stated that the proposal as presented to the members was wholly inaccurate as the TC had referred to a £1 per play, not £1 per year and there was inaccurate reference to separate insurances and that the £1 per play would not cover this. SB said that she was exasperated at the continuing need to correct the proposal as it was continually being misrepresented and misquoted. That she had corrected this again in minutes during the last SA and PC meeting and expected a corrected version to be represented back to the members. She was aware this had not been done. Given that the TC members of course would not accept as stupid a proposal as had been explained by the TC there was no way of knowing what they thought. .
- RK stated he visited the courts a few times, especially at 3pm on Saturday and they were empty and that this was obscene
- AX said the tennis club were looking into a coach providing two hours supervised sessions a week during the summer hols for free as the tennis club committee felt that this would be more beneficial for the juniors as someone would be on hand to help them and give them tips and provide rackets and balls – SB stated that is not what was requested as it was again making the idea formal –but to offer both again would be great – the courts are sitting there anyway and she could not see what harm it would do to open them to kids for practice sessions. SB also stated that JC , SB and RK also had racquets which they were going to donate to the pavilion along with balls for any child who wanted to have a go so that the parents didn't have any

Jeanette Thompson

From: Selina Bannerman
Sent: 22 January 2016 16:49
To: Jeanette Thompson
Subject: Football Coaching and Alex Minutes

After a huge effort we got this far with the kids

Also attached is a comment from Alex about the minutes which means she obviously received them .

Begin forwarded message:

From: "Alex Denison"
Subject: RE: Football Coaching
Date: 2 September 2015 14:51:17 BST
To: <selinabannerman>
Cc: "Tony Baxter"
"Dave Devoil"
Brett"
"FREDERICK PAVEY"
"Jan Liversage"
"Ian Aldridge"
"Barry
"Charles Sullivan"
"Richard Key"
"Brian & Pat Ellis"
"John Jarrett"
"Mike Keogh"
"john"

Just to clarify and as evidenced in the 2 July minutes what I said was summarised as follows in those minutes

“AX explained that given what had happened with the pavilion which the PC had taken over without any reference to the SA there is a breakdown of trust between the SA and the PC and the SA were concerned that if the PC paid towards movement of pitches they would then take these over as well”

Alex

From: selinabannerman
Sent: 02 September 2015 14:34
To: FREDERICK PAVEY
Cc: Alex Denison; Tony Baxter; Jan Liversage; Dave Devoil; Ian Aldridge; Barry Brett; Brian & Pat Ellis; Charles Sullivan; John Jarrett; Richard Key; Mike Keogh; john
Subject: Re: Football Coaching

Dear Fred

Glad to hear you are paying for the pitch marking. As I recall at the PavCom you didn't want to so John Carey said he would ... and then we had to indemnify you against the costs to get you to agree to mark the pitches ... you then had a choice of three options. Alex came back and said the SA would pay to stop the PC taking over the grounds . That all took place in my living room .

As for the under six football , you haven't heard because he only approached us on Monday at 4 pm at the Pavilion. Since then I have been flat out finishing pavilion jobs and going to the PC meeting.

I will put you in touch with him when I have spoken to him and introduce you on email .

Regards
Selina

Sent from my iPhone

On 2 Sep 2015, at 13:01, FREDERICK PAVEY < > wrote:

Hi Selina

Dave and Jim have agreed on the format for the marking out of the field to accommodate his coaching sessions.

You mention under 6's coaching sessions - who or what is this all about as the Sports Association has no knowledge of any additional use of the field being requested? If someone is organising this can you please ask that they get in touch with the Sports Association so that details can be finalized.

On another point - the moving of the men's pitch and the marking out of any additional "pitches" will be paid for by the Sports Association as the managers of the field and payment for this will not be requested from the Parish Council or the Pavilion Committee.

Regards

Fred

From: "selinabannerman"
To: Alex Denison < >; FREDERICK PAVEY < >; Tonv Baxter < >; Dave Devoil < >; Ian Aldridge < >; Barry Brett < >; Brian & Pat Ellis < >; John Jarrett < >; Mike Keogh < >; Charles Sullivan < >; Richard Key < >; john < >

Sent: Tuesday, 1 September 2015, 18:52
Subject: Re: Football Coaching

I have just spoken to Dave D who has very clearly explained what he has arranged with Jim.

The pitches are being marked out Fred but on a grid system - the grid will be 40 M by 80M which was established by Dave and Jim as being the best layout for kids . It's also big enough for two groups of kids at the same time so we can incorporate the under 6 s with Jim's group of -11 year olds .

So , the pitches are being marked but in a different format ... I will speak directly to Dave regarding any pitch marking and grounds questions .

Also, when I asked Dave if he minded the men paying a bit more than the kids he confirmed he had no problem with this .

Thank you Dave for getting a brick for Hadham Villa FC .

Regards
Selina

Sent from my iPhone

On 1 Sep 2015, at 18:05, [selinabannermar](#) wrote:

Yes of course they can .

We have agreed to pay and have the pitches marked.

In will leave Tony Baxter to comment on the rest when he responds to your email complaining about men being charged £1.20 more per head to use the pavilion than a bunch of 14 year olds because they were "outsiders" I doubt very much that Charlie Sullivan or any of the football men mind at all that kids get a discount to enable them to play - they wouldn't be that mean.

Regards
Selina

Sent from my iPhone

On 1 Sep 2015, at 17:30, Alex Denison wrote:

Fred
Can't the small pitches be used at the same time as the senior pitch?

Alex

From: FREDERICK PAVEY
Sent: 01 September 2015 16:42
To: [selinabannermar](#)
Cc: Jan Liversage; Dave Devoil; Ian Aldridge; Barry Brett; Brian & Pat Ellis; Charles Sullivan; John Jarrett; Alex Farmer; Richard Key; Mike Keogh; Tony Baxter
Subject: Re: Football Coaching

Selina

Sunday afternoon is not an option and Sunday mornings and Saturday afternoons the ground is required by Hadham Villa FC and Much Hadham FC.

A discussion has been held with Jim Duggan and as a result he does not require a small sized football pitch but would prefer training grids to be placed on the field which Dave will arrange to do. As there does not appear to be a need for a 7x7 or a 5x5 pitch at present there appears no point in painting these on the recreation field. These can always be put in place in the future when a need is guaranteed.

Fred

Cc: Jan Liversage ; Dave Devoil ; Ian
Aldridge ; Barry Brett ; Brian & Pat Ellis
< ; Charles Sullivan >; John Jarrett
< Alex Farmer ; Richard Key
< Mike Keogh Tony
Baxter
Sent: Monday, 31 August 2015, 10:19
Subject: Re: Football Coaching

Fred
Can you pursue them for using the kids pitches in sat afternoon , Sunday morning or Sunday afternoon ?

Thanks
Selina

Sent from my iPhone

On 31 Aug 2015, at 09:07, FREDERICK PAVEY wrote:

Forwarded for information. Youth coaching will commence on Saturday 19th September 9am - 10am.

I will not take the other option forward.

Fred

----- Forwarded Message -----

From: Jim <
To: frederick.pavey
Sent: Sunday, 30 August 2015, 19:51
Subject: RE: Football Coaching

Hi Fred

Really sorry for delayed response I've been really busy with work and one thing and another and have only just checked my emails.....just to confirm on your last email our first coaching session would be on Sat 19th Sept 2015 9- 10am. Everything else is fine and look forward to starting in a few weeks.

Many thanks Fred

Jim Duggan

Date: Tue, 25 Aug 2015 11:42:34 +0000
From: frederick.pavey
To: jim-duggan
Subject: Fw: Football Coaching

On Sunday, 23 August 2015, 12:33, FREDERICK PAVEY
wrote:

Many thanks for your reply.

The Much Hadham Sports Association agree with you using the recreation field for youth coaching on the following conditions :-

1. You require the use of the field between 9am and 10am on Saturday mornings from 13th September to 13th December 2015 (inclusive - 14) and from 9th January to 25th June 2016 (inclusive - 25).
2. The coaching will be for age groups between 6 to 10 years.
3. It is agreeable that you may on the odd occasion find it necessary to cancel a booking - this should be done by informing the secretary of the Sports Association Brian Ellis who can be contacted on [redacted] or by email on [redacted]. There will not be a charge for days cancelled with due notice.
4. The fee for use of the field will be £10 per session (not £15 as mentioned to you) as it is for coaching for youngsters to be paid in three instalments at the end of December, March and June.
5. If you wish to use the pavilion you will have to negotiate this with the Pavilion Committee.
6. The 7x7 pitch may not be marked out when you start your sessions as this cannot be done until after the fete.
7. If at any time you use the 7x7 pitch for matches or for longer than the 1 hour coaching sessions the charge will be increased to £15.
8. If you wish to extend your coaching to older children in the 10 to 14 age group this should not be a problem and the terms would be similar to the above.

Payment can be made by cheque made payable to "Much Hadham Sports Association" and can be sent to me at [redacted] or it can be left in an envelope in the post box situated on the corner of the equipment shed on the recreation ground.

If you are agreeable to the above then we wish you well with your coaching.

Yours sincerely

Fred Pavey
Chairman & Treasurer MHSA

On Wednesday, 19 August 2015, 16:49, Jim <[redacted]> wrote:

Hi Frederick

Many thanks for your email, we would be interested in coaching at the Recreation field on Saturday morning from 9:00 am - 10:00 am with the view to possibly extending from 10:00 am - 11:00 in the future if numbers grow and would be opening it up to children age 6 to 10 years and possibly 10 to 14 if the interest is there. We would be charging a fee per child on a weekly basis and would ideally require the use of the seven aside pitches but could also function without them should they not be available.

We would run in line with the school terms times so probably require the venue every week from Sept 13th to Dec 13th 2015 then again fro Jan 9th to June 25th 2016. We would give good notice period if for any reason we didn't require the venue on the odd occasion (illness holiday etc.)

John suggested that the charge would be per hour and would be 15 for just the pitch or 25 per hour if we would like the use of the pavillon? Can you confirm or clarify if this is accurate?

Look forward to your reply

Many thanks

Jim Duggan

Date: Mon, 17 Aug 2015 08:42:33 +0000

From: frederick.pavey

To: jim-duggan

Subject: Football Coaching

I understand from John Carey that you would like to take football coaching on Saturday mornings for youngsters on the recreation field in Much Hadham which should not be a problem.

The Sports Association are the managers of the recreation field and in order to ensure there is no double booking of facilities and set an appropriate fee will you please give the following details :-

1. On what date would you like your coaching sessions to commence and finish.
2. Confirm the times of your sessions (assuming they are on the Saturday mornings)->
3. What is the age range of your youngsters?
4. Will you be charging a fee for the coaching?
5. It has been suggested that you would like to use a 7x7 pitch - Is this correct?

You probably understand that any use of the pavilion will have to be arranged with the Pavilion Committee.

Yours sincerely

Fred Pavey
Chairman MHSA

Jeanette Thompson

From: Selina Bannerman
Sent: 17 February 2016 17:44
To: Jeanette Thompson
Subject: Pav Comm Minutes - 15-8-15
Attachments: Pavilion Committee Minutes 15-8-15.docx; ATT00001.htm

Sent to Mrs Farmer/Dennison

From: john
To: selinabannerman ; A.Baxter ; keoghm ; richar
dkey2 ; annica ; frederick.pavey ; alexdenison

Subject: Pav Comm Minutes - 15-8-15
Date: Mon, 24 Aug 2015 09:49:55 +0000

Sent from Mail for Windows 10

Pavilion Committee Minutes

Saturday 15th August 2015

Present: A Baxter, S Bannerman, J Carey

Apologies: M Keogh, R Key, A Farley, 2 x SA members (undefined as to who and no apologies actually received)

1. Buy a Brick

SB re-stated the objective of this is to raise funds, **not** to repay the loan.

Cheque donation box now in Londis, banner on pavilion hoardings, Go Fund Me page, leaflet drop to all houses in village – all donations encouraged and welcome - £2 a balloon for race on fete day along with Buy a Brick live!

2. Furniture inspection with SA

Will go back in after a thorough clean up.

No new external furniture required – benches on each side and front for boot removal.

Signs to be provided – no boots in pavilion/nor muddy shoes

Lock to be put on inside of bar as requested

JC donated a dishwasher and fridge from his old office – to be moved to pavilion

3. Pavilion funding

To be clear, the pavilion is to be self funding from this point onwards – the running costs must come from fees or donations.

Previous PC agreed to take the loan to refurb the pavilion, this PC has taken on the mantle of how to pay that loan back and make sure the pavilion funds itself.

The decision to refurb is FULLY supported by this committee and the PC.

Again, to reiterate due to questions, the loan had to be taken to engage a contractor – no contractor would take a project of this size on without proof of funds.

4. SA letter from FP

Please refer to the letter for relevant items raise, answers as follows:

1. Yes as agreed at meeting on 15/8

2. Yes as agreed at meeting on 15/8
3. SA notified of all requests – the Chairman asked can small pitches now be marked as requested many times?
4. Supplied to Fred Pavey
5. Agreed at Pav Comm Meeting in July – see minutes
6. Replied to many times over – see minutes of Pav Comm meeting in July – benches will be provided, no muddy footwear of any kind permitted inside the pavilion at any time
7. Real Stortford have pulled out of using our facilities due to the state of the pitch and pricing – both issues we should have been able to deal with but we have just let them walk away.....again.....regards the booking – this was ALSO agreed at the meeting in July – see minutes.
8. Confirmed
9. Confirmed
10. There will be a shed outside as the SA have no room in the current one, the cupboard inside the pavilion is not for sport equipment but for cleaning materials and tables
11. Is this a request for a discount? Unclear....
12. Noted - To be dealt with by AB

Pav Comm comments on this letter is that this is again treading a lot of old ground of items already discussed and dealt with 6 weeks prior.

5. Finances – JC is dealing with John Ingham on how to process income and expenditure for the Pavilion. JC to also ask his accountant to audit the accounts on an annual basis.
6. Booking system – no one has volunteered so JC will set one up via Gmail and share logins with relevant persons on Pav Comm and SA. Now done. Annica to manage for short term for Pavilion.,

Suggested that we have a pavilion and Village Hall and SA page on the MHPC website asap with online booking facilities and payment mechanism – therefore one website, one voice, one advert and NO OVERLAP OF BOOKINGS!
7. Caretaker – options being explored by SB and JC

Jeanette Thompson

From: Selina Bannerman
Sent: 22 January 2016 16:54
To: Jeanette Thompson
Subject: Alex discussing finance from the minutes of the Pav Com

Alex discussing finance from the Pav Com minutes.....

Begin forwarded message:

From: "Alex Denison"
Subject: RE: Football Coaching
Date: 26 August 2015 19:16:45 BST
To: "Selina Bannerman"
Cc: "Ian Aldridge"

"FREDERICK PAVEY"

"Barry Brett"

"Charles Sullivan"

"Brian & Pat Ellis"

"John Jarrett"

"Dave Devoil"

"Anthony Baxter"

,"Jan Liversage"

"Richard Key"
'john"

"Alex Young"

I am replying on Fred's behalf as he is having IT problems and is out this evening.

As the minutes say it was agreed at £15 for the small pitch per match.

We are charging Jim £10 as he is only using the pitch for an hour for training which is what we used to charge Prolink football.

As you will have seen from Fred's email to Jim (point 7 of email 23 August) and in line with what was agreed at Pav Comm meeting on 2 July, Fred has told Jim that if he wishes to use the 7 v 7 pitch for a match then the fee will be £15.

Please feel free to call me if you wish to discuss

Alex

From: Selina Bannermar
Sent: 26 August 2015 17:29
To: Alex Denison

Cc: Ian Aldridge; FREDERICK PAVEY; Barry Brett; Charles Sullivan; Brian & Pat Ellis; John Jarrett; Dave Devoil; Anthony Baxter; Jan Liversage; Richard Key; Alex Young; john

He has said in his email that the pitch would be £10 , not £15 as they were told.... highlighted below in red.

Selina Bannerman

On 26 Aug 2015, at 17:10, Alex Denison < > wrote:

Selina

I attach a copy of the minutes of the Pav Comm Meeting dated 2 July . Under paragraph 4 you will see that what was agreed was £30 for the senior pitch and £15 for the smaller pitches. My understanding was that Real Stortford were going to use the senior pitch.

Alex

From: [selinabannerman](#)

Sent: 26 August 2015 16:53

To: FREDERICK PAVEY

Cc: Alex Denison; Ian Aldridge; Barry Brett; Charles Sullivan; Brian & Pat Ellis; John Jarrett; Dave Devoil; Anthony Baxter; Jan Liversage; Richard Key; Alex Young; John

Subject: Re: Football Coaching

Fred

Given that at the Pavcom meeting with yourself and Alex Denison and Dave Devoil agreed that the rate was £15 which was half the adult fee .

Can you please tell me why this was changed and why we weren't informed ?

Thank you
Selina

Sent from my iPhone

On 26 Aug 2015, at 13:36, FREDERICK PAVEY < > wrote:

For your information I forward the two emails I have sent to Jim Duggan re youth football coaching - I am awaiting a reply.

Fred

Page 400

On Tuesday, 25 August 2015, 12:42, FREDERICK PAVEY < >

wrote:

Look forward to hearing from you to confirm.

Best wishes

Fred

On Sunday, 23 August 2015, 12:33, FREDERICK PAVEY

wrote:

Many thanks for your reply.

The Much Hadham Sports Association agree with you using the recreation field for youth coaching on the following conditions :-

1. You require the use of the field between 9am and 10am on Saturday mornings from 13th September to 13th December 2015 (inclusive - 14) and from 9th January to 25th June 2016 (inclusive - 25).
2. The coaching will be for age groups between 6 to 10 years.
3. It is agreeable that you may on the odd occasion find it necessary to cancel a booking - this should be done by informing the secretary of the Sports Association Brian Ellis who can be contacted on _____ or by email on _____. There will not be a charge for days cancelled with due notice.
4. The fee for use of the field will be £10 per session (not £15 as mentioned to you) as it is for coaching for youngsters to be paid in three instalments at the end of December, March and June.
5. If you wish to use the pavilion you will have to negotiate this with the Pavilion Committee.
6. The 7x7 pitch may not be marked out when you start your sessions as this cannot be done until after the fete.
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8. If you wish to extend your coaching to older children in the 10 to 14 age group this should not be a problem and the terms would be similar to the above.

Payment can be made by cheque made payable to "Much Hadham Sports Association" and can be sent to me at

or it can be left in an envelope in the post box situated on the _____ Page 401 corner of the equipment shed on the recreation ground.

If you are agreeable to the above then we wish you well with your coaching

Fred Pavey
Chairman & Treasurer MHSA

On Wednesday, 19 August 2015, 16:49, Jim ·

wrote:

Hi Frederick

Many thanks for your email, we would be interested in coaching at the Recreation field on Saturday morning from 9:00 am - 10:00 am with the view to possibly extending from 10:00 am -11:00 in the future if numbers grow and would be opening it up to children age 6 to 10 years and possibly 10 to 14 if the interest is there. We would be charging a fee per child on a weekly basis and would ideally require the use of the seven aside pitches but could also function without them should they not be available. We would run in line with the school terms times so probably require the venue every week from Sept 13th to Dec 13th 2015 then again fro Jan 9th to June 25th 2016. We would give good notice period if for any reason we didn't require the venue on the odd occasion (illness holiday etc.)

John suggested that the charge would be per hour and would be 15 for just the pitch or 25 per hour if we would like the use of the pavilion? Can you confirm or clarify if this is accurate?

Look forward to your reply

Many thanks

Jim Duggan

Date: Mon, 17 Aug 2015 08:42:33 +0000
From: frederick.pavey
To: jim-duggan
Subject: Football Coaching

Dear Jim

As Chairman of the Much Hadham Sports Association I recently sent an email to you regarding the above but I am not sure if the message actually got to you.

I understand from John Carey that you would like to take football coaching on Saturday mornings for youngsters on the recreation field in Much Hadham which should not be a problem.

The Sports Association are the managers of the recreation field and in order to ensure there is no double booking of facilities and set an appropriate fee will you please give the following details :-

1. On what date would you like your coaching sessions to commence and finish.
2. Confirm the times of your sessions (assuming they are on the Saturday mornings)>
3. What is the age range of your youngsters?
4. Will you be charging a fee for the coaching?
5. It has been suggested that you would like to use a 7x7 pitch - is this correct?

You probably understand that any use of the pavilion will have to be arranged with the Pavilion Committee.

Yours sincerely

Fred Pavey
Chairman MHSA

Jeanette Thompson

From: Selina Bannerman
Sent: 22 January 2016 18:51
To: Jeanette Thompson
Subject: Fwd: Pav Comm Minutes 10-9-15
Attachments: Pav Comm Sept 10th.docx; ATT00001.htm
Importance: High

sent to the Chairman of the SA

Begin forwarded message:

From: john <
Subject: Pav Comm Minutes 10-9-15
Date: 13 September 2015 19:22:28 BST
To: Charles Sullivan

"FREDERICK PAVEY
"Dave Devoil
Selina Bannerman
>, "Richard Key
"Mike Keogh

Cc: Tony Baxter

All

Minutes attached

Regards

John Carey

Pavilion Committee

Meeting Minutes – 10th September 2015

1. Apologies

Present JC, AF, SB, RK, MK, CS – apologies from DD.

2. Finance

- £13k raised from donations and buy a brick
- Money to be used for equipment and initial costs (eg, TV, crockery, cutlery, framing, turf etc).
- Locks not sufficient for insurance purposes, all replaced
- Funds are not to repay the loan – ongoing maintenance and running costs
- Cleaner and toilet opener/cleaner sourced and working
- Bank account – we need a separate one to obtain grants separate from PC and VH – John Ingham to advise? JC to obtain card reader once bank account agreed
- Other things to investigate – multicourt costs
- CS asked if we could buy some covering to roll out into main room – agreed to source
- Fire/extinguishers and H&S audit required asap

3. Website and Diary Management

- T's and C's need to be adjusted for:
- 11pm curfew; access/egress obligation; right to refuse bookings; £10 per hour hire, £12 cleaning, £50 for evening hire, £100 deposit; reference from parishioner; 32 seated, 40 standing max. Once done – pass to Annica for publishing on website.
- Thanks to AF for website and booking diary!

4. Booking Update

- Kids football starts 19th September
- Kids parties booked – first one 12/9
- NYE booked
- Macmillan coffee morning – SB to organise
- Tag rugby request with the SA
- Diamond Cricket likewise
- Nets cricket also with SA
- RK updated on a meeting with Herts County Cricket and the Herts Groundsman Assoc
 - Cricket table can be resurrected for small cost (less than 5K)
 - A tenant will use the ground if ready next summer (Saturdays) – could even be a womens team interested
 - They will also help with local cricket on Sundays

- Initial work to be done now (weeding and seeding) – rolling to commence March next year
- Cricket can co-exist with football with no issues
- If we can get women and children on the rec ground – grants will be available from multiple sources (FA, Sport England, Biffa etc)
- RK/JC to meet with DD to discuss
- All agreed we need to find a way for the sport to co-exist, not clash

5. Ideas/Marketing

- Tag Rugby
- Diamond Cricket
- Nets Cricket
- Sport (on TV)
- Music nights
- Multicourt (see above)
- Car show
- Movie events

6. Keyholders

- SB, CS, DD, JC, Cleaner

7. AOB

- Pav Comm agreed we would still like the 7x7 pitch marked as previously requested and minuted – there is no demand but we can create it with the pitch marked and the goals purchased.
- We thanked DD for the training grids being marked for the kids football sessions.

Much Hadham Sports Association Committee Meeting
Tuesday 15th September 2015 at 7.30pm

Present: Fred Pavey (MHBC) Chairman & Treasurer (Co-opted), Charlie Sullivan (MHFC/Sat), Ian Aldridge (MHFC/Sat) Co-opted, Alex Farmer (Donlson) (MHTC), Brian Ellis (MHBC) Secretary, Barry Brett (MHTC) Co-opted, Richard Key (MHPC), Selina Bannerman (MHPC)

Item	Description	Action
1.	<p><u>Apologies:</u> Jan Liversage (MHPC) – at a School meeting, Dave Devoli (MHVFC) – on duty The Chairman welcomed Richard and Selina to the meeting.</p>	
2.	<p><u>Minutes of Meeting held on 6th August 2015</u></p> <ul style="list-style-type: none"> • The Minutes were agreed to be a correct record and signed by the Chairman. 	
3.	<p><u>Matters arising from 6th August meeting:</u></p> <ul style="list-style-type: none"> • Defibrillator – Equipments are now located at the Drs' surgery, Dentist and Fire Station. No current plans for the sports field. • Flood Defence Equipment – will be arriving later for storage. Currently in Tony's garage. • Refuse Collection : It was agreed that users (including those renting the Pavillion) should remove their own rubbish to avoid the need to pay for disposal. • Quotation to replace the large 6inch Gatepost at the rear of the area between the Bowls Club and the Tennis Club. This was for £235 from the same Contractor that replaced the main Gate post at the top of the car park slope. FP reported that this had been completed at a cheaper price • CS said that there were problems with Rabbits causing dangerous holes in the football pitch. It was agreed that CS should provide a Letter to permit shooting of the Rabbits by a trusted Contractor at night. CS reported that the Contractor had been busy and at least 25 Rabbits have been shot. • The football clubs also complained about the back hedge of the field which was overhanging the pitch. RK said that Tony Baxter had looked at the problem last Saturday and would arrange for the hedge to be cut. • Tennis Club – JA has sent a Letter to Tony Baxter concerning the use of the new Pavillion by the Tennis club including the use of the Toilets and also block-booking rates. No response received from the PC to the Letter. SB said that any use of the Toilets at the Pavillion would require a cleaning fee of £10 per session. This £10 fee would apply to the Tennis Club. Alex said that only a few Ladies would use the Toilet on Wednesday evenings. SB also said that the Toilets would be open every day from 2-4pm for the use of the children after school. 	TB

	<ul style="list-style-type: none"> • Football Clubs – Very concerned about booking rates and terms and conditions for the use of the new Pavilion. The Pavilion Committee need to realise that football fixtures can change mid-week and may be cancelled on the day of the game. This situation must not incur charges. SB said that there was a £15 Cleaning fee for the Football Clubs but that was included in the Booking fee. • The subject of the Web Site for the MHSA was discussed again. SB suggested that the MHSA could be added to the MH Parish Web Site. It was hoped to also include the Village Hall, Scouts and the Pavilion. 	
4	<p><u>Finance</u></p> <ul style="list-style-type: none"> • FP presented Income and Expenditure details for the period 1st Jan – 13th September 2015 	
5	<p><u>Maintenance of the Grounds</u></p> <ul style="list-style-type: none"> • BE mentioned that the wooden fence at the rear of the car park was in need of repair (often damaged by reversing vehicles). • The 2 gates to the field should be secured by chain and padlock – one new padlock is required urgently. • A new post is required to block access between the Pavilion and the car park (by the bin). • It was agreed that Selma and Barry would work up and estimate for new fence and barriers. • SB said that she had noticed nettles in the Childrens play area by the Jumpy trail. SB requested that these should be strimmed by the SA gardener. FB to talk to the gardener. 	SB, BB FB
6	<p><u>Club Issues</u></p> <ul style="list-style-type: none"> • Bowls Club – no current issues • Football Clubs – It was confirmed that the footballers were pleased with the Pavilion. Keys for the Pavilion are held by SB, CS, DD and the cleaner. • Tennis Club – Alex said that there had been another attempted break in at the corner of the Courts. She also confirmed that free coaching was continuing but that Liz was retiring and that a new coach was being recruited. It was also mentioned that a new Memorial bench has been positioned by the Tennis courts - thanks to the Brett family for this facility. 	
7	<p><u>Much Hadham Parish Council</u></p> <ul style="list-style-type: none"> • SB and RK said that the main outcome of the Pavilion opening at the Fete was a lot of interest expressed to bring Cricket back to the sports field. • Tag Rugby would be starting on Saturday mornings for 3-5 year olds. The Grid has been marked out by Dave Devoll (thanks expressed to Dave). There would be no charge for this activity. • It was hoped to start Diamond Cricket sessions for 11-14 year old girls. This was effectively Rounders played with a Cricket bat. Times are to be arranged – Julie Small is helping with this. 	

8	<ul style="list-style-type: none"> • <u>Pavilion Project</u> • SB said that the Pavilion would be used as a coffee bar after the School run. There may also be a baby weigh-in clinic at the same time. • A TV was being procured and would be used for Movie mornings to promote the Social side. (TV Licence has been paid). • RK said that there was interest from the Village to re-establish Cricket on the field. He had spoken to Ben Wallis (Hertfordshire Cricket). A programme of work to be undertaken on the existing cricket square has been listed and suggests that £5000 would be needed to bring it back to the required standard. • RK said that an existing Club side could use the field on a Saturday with youth sides using it on Sundays. HCC Grants were available to help fund the new Green plus a Roller and sight screens etc but this must be a multi-sport facility. • It was suggested that the square plus the football pitch should be sprayed and over-seeded. • It was pointed out that the zip-wire area could be a problem and may need to be repositioned. • Concern was expressed about dog mess on the field and the danger to player's eyes. It was felt that new signage should be installed – warning about no dog mess on the field and threatening £1000 fines. If this was not adhered to then dogs would be banned. Football Clubs – Also very concerned about booking rates and terms and conditions for the use of the new Pavilion. The Pavilion Committee need to realise that football fixtures can change mid week and may be cancelled on the day of the game. This situation must not incur charges. 	
9	<ul style="list-style-type: none"> • <u>Much Hadham Fete and Bids to Recreational Trust</u> • FP said that there was a good turn out on the day in spite of the weather and that all the SA Clubs had supported the Fete very strongly. • The Tennis Club would be bidding for 3 new floodlight bulbs (at £200 each plus the hire of a Cherry picker) 	
10	<ul style="list-style-type: none"> • <u>A.O.B.</u> • SB said that the loose wire by the Pavilion was electrically safe and can be cut out. 	
11	<ul style="list-style-type: none"> • <u>Date of Next Meeting</u> • Thursday 26th November at 7.30 in the Bowls hut 	

SB does not recall great concern being expressed about the football rates for the pavilion as the rates had been agreed and included the cleaning and were the same rates as the players paid last year. SB understands that this has been happily accepted by CS and DD ,JJ.

EE WiFiCall 

06:27

 Recent

Marianne Oneill >

Facebook



Invite Marianne to Messenger

dear Mairianne i came by
your house this morning
to apologise and you
weren't in - is there a
time i can come to your
door ? Selina

8 OCT, 07:31

Hi Selina ...sorry I missed
you ...it's really not
necessary to come round
to apologise...I think
emotions were running
quite high the other
night...I felt dismayed
about the money thing
because I don't want it to



Invite Marianne to Messenger

Hi Selina ...sorry I missed you ...it's really not necessary to come round to apologise...I think emotions were running quite high the other night...I felt dismayed about the money thing because I don't want it to negate all the hard work you have put in with the Pavillion. I understand you were quite upset and really hope that things are better now.

Marianne....



Invite Marianne to Messenger

Just going to walse as
Alex farmer suggests. We
have to get a business off
the ground and cant rent
a venue with no tables or
chairs. xx

8 OCT, 10:22

Phewy ...thanks for
that ...you didn't need to
explain in such
detail...but I appreciate it.
Marianne



8 OCT, 10:46

Sorry about the dreadful
spelling and typos !!! X



Jeanette Thompson

From: Jeanette Thompson
Sent: 02 March 2016 17:56
To: Jeanette Thompson
Subject: SB6

From: [selinabannermar](#)
Subject: Re: Pavilion & Use of Pavilion
Date: 12 August 2015 16:15:59 BST
To: john < >, FREDERICK PAVEY

Cc: FREDERICK PAVEY

Ian Aldridge < >
 , Dave Devoll
 Alex Farmer < >
 Charles Sullivan < >

Anthony Baxter
 , Barry Brett
 Brian & Pat Ellis
 John Jarrett
 Mike Keoch

< >, RICHARD KEY < >

Dear all this is my son critical in hospital in Turkey - I ask now what the hell is wrong with everyone ?

John and ourselves in the Pavcom have bent over backwards to make something work for all the parishioners and the kids in particular

You are so hell bent on posturing Fred that nothing will be achieved without many unnecessary arguments and barriers .

If you want this Rec ground and the pavilion therein to be a success for the parish just let it happen and stop this negative obstruction assisted by Mrs Farmer - our lives are too short .

Get a grip and acknowledge when John and others who are on the PC are trying to help - or get others who will .

I for one have had enough .
 Take a step back and just figure out what's important .

S
 Sent from my iPhone

On 12 Aug 2016, at 17:38, john < > wrote:

Fred

I think you missed the subtlety of my inference.

Apologies, I ignorantly thought that engaging with coaches who want to use an under utilised asset of the village on behalf of the Parish Council and therefore helping you achieve an income stream and attract more people to use the facilities and therefore generate more cash to improve said facilities would be welcomed? I am only a humble parishioner with kids who will want to use said facilities in the coming years.

I forgot your usual (and I speak from personal experience on several occasions) approach is to discourage, bully and disenfranchise anyone who has tried to use the facilities or help the SA, aside from the present incumbents of course.

I must not tread on your toes
 I must not tread on your toes
 Repeat to fade....

JC

On 12 Aug 2016, at 14:47, FREDERICK PAVEY

wrote:

John

Many thanks for the information - I await details of whom the SA are letting pitch to.

You are not doing my job because it is not your job hiring out the recreation field. In addition we are in discussion with the Monday footballers and do not need you to get involved as again it is not your responsibility.

Fred

On Wednesday, 12 August 2015, 14:11, john <

wrote:

Fred

Process over progress yet again.

The coaches requiring use of the pitch want it from 9.30 to 10.30 Saturday mornings commencing September at a fee to the SA of 15 pounds per session, a rate that was agreed at a previous Pav Comm meeting in your presence.

They coach at the school and wish to carry this on with sat morning sessions for kids from 5 to 10.

Sorry for doing your job for you and encouraging youth (local and further afield) back to the playing fields of Much Hadham, oh and earning you some money.

Be my guest and take a backward step by over ruling our invite to them and making it more difficult than it really needs to be.

I will pass you their contact details.

John Carey

PS you also need to have the same conversation with the Monday football gang. I was trying to get you 30 quid per session from them as I know them but good luck taking them on

On 12 Aug 2015, at 14:00, FREDERICK PAVEY

wrote:

Dear John

This is one of the problems that the SA thought would arise when bookings were being made for persons requiring use of the pavilion and the recreation field.

The pavilion committee have no authority to promise the use of the recreation field to anyone as the use of the recreation field has to be approved by the SA who have not yet received any such request from the person wishing to use a 7x7 pitch although this was requested in a recent email via Councillor Keogh.

The Pavilion Committee can advertise the use of the pavilion but any use of the recreation field has to firstly be approved by the SA.

I suggest that the person requiring the use of the recreation field supplies details to the SA to include who is making the request , for what reason, when required and for how long. Also required is details of any charge being made to the persons who will be using the facility.

When we have this information the SA will consider the request and decide on any fee for the use of the field but until this is done there is no permission for the use of the field as mentioned in your email.

Regards

Fred

On Wednesday, 12 August 2015, 13:14, john wrote:

Fred

As requested many times at the Pav Comm meetings, we would like the pitches marked so we can promote their use.

We/you have a booking for Saturday mornings commencing September for the 7x7 pitch.

More news at this weekends Pav Comm meeting.

Regards

John

On 12 Aug 2015, at 13:11, FREDERICK PAVEY wrote:

Hi Tony

The smaller pitches will be marked out in due course but at present the SA have not received any request for the use of small pitches from anyone so there does not appear to be an urgency about this but Dave Devoil will be marking them out.

The adult football pitch has now been moved so I think a more urgent matter is the cutting and trimming of the trees and hedgerow at the top end of the field which is now quite close to

the football pitch. This really needs to be done before the football starts so as to prevent any problems and danger to the footballers. We were informed some time ago that this would be dealt with by the PC and I did send a reminder to Jan Liversage recently.

Best wishes

Fred

On Wednesday, 12 August 2015, 9:33, Anthony Baxter wrote:

Thank you Fred.

As an aside I have asked to ask you when the other junior pitches will be marked out (if they haven't been done already)?

Best wishes

Tony

Dr Anthony D. Baxter

From: FREDERICK PAVEY

Sent: 12 August 2015 08:44

To: Anthony Baxter

Cc: Ian Aldridge

Barry Brett

Devoil

Ellis

Dave
Brian & Pat
Alex Farmer
John Jarrett
Charles Sullivan

Subject: Re: Pavilion & Use of Pavilion

Hi Tony

Many thanks for your email. it would probably be a good idea to meet as suggested. I have copied in other members of the

sports clubs as I feel that the football representatives in particular should attend as they will be the main users of the pavilion.

Regards

Fred

On Tuesday, 11 August 2015, 14:03, Anthony Baxter wrote:

Hi Fred,

I will get back to you on the points raised in the next few days. There is as you know a Pav Comm meeting coming up soon and Joh Carey will be able to answer some of the questions.

With regard to the fixtures and fittings I am supportive of having the old heritage photographs put back up and there are some other fittings (a wooden plaque commemorating the Queens jubilee if memory serves amongst others) and old benching that should also be looked at for reuse. I understand that the Pav will be finished on or about the 25th Aug and I wondered whether you, John Carey (and Selina if she's available) and I could meet on Friday or Saturday to go through the fixtures and fittings to see what should be kept and which should be disposed of (at least on a first pass basis).

Best wishes

Tony

Dr Anthony D. Baxter

From: FREDERICK PAVFY

Sent: 08 August 2015 10:54

To: Anthony Baxter
Cc: Selina Bannerman

Tony Baxter

> Justin Godfrey

Ian Hunt

Mike

Keogh

Richard Key

Jan Liversage

Alex Young

John Carey

Subject: Pavilion & Use of Pavilion

Dear Tony

Please find the attached letter in respect of the pavilion and arrangements for its use.

As it appears no member of the SA is available to attend the next Pavilion Committee meeting you will notice I have copied in members of the PC and also John Carey.

I will also send a copy to members of the Sports Clubs.

Your sincerely

Fred

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Appendix E - Dr Baxter's statement (signed 8 March 2016) and exhibit AB1

,STATEMENT OF DR ANTHONY BAXTER

Before the interview the investigating officer ran through the process that she would follow and explained that a copy of the statement would be appended to the draft and final reports provided to him, Alex Farmer and Selina Bannerman that it was likely that the statement may get into the public domain.

I ANTHONY DAVID BAXTER of
state as follows:

1. I am a former Councillor and various complaints have been made against me by Mrs Alexandra Farmer (also know as Alexandra Denison) regarding my alleged conduct when at Much Hadham Parish Council.
2. I make this witness statement in response to the complaints made by Mrs Farmer ('Alex Farmer') against me and Selina Bannerman.
3. I believe that the facts stated in this witness statement are true. Except where otherwise stated the facts are derived from my own knowledge or from the documents that I refer to. My statement is arranged in response to the numbered complaints by Alex Farmer.

General background

4. I have lived in the village for about 15 years. I moved here from Oxford, but my job is in Manchester, so I have a weekly commute, going up on Monday and back on Thursday or Friday. I am a Chief Executive of a public listed company for 10 years, chairman of two other companies. I have been a chief executive in the pharmaceutical industry overall for more than 30 years.
5. I joined the Parish Council about 5 or 6 years ago – as the Parish Council was short of people and I was co-opted in 2009. I am a scientist by trade, so planning, local government is not my bag. I was interested in wild life and there was an issue over toxic waste at the golf club and I got involved with this and the cleanliness of the river.
6. I was in place when the new Code of Conduct and I received a refresher on the Code when I undertook the Chairman's course in June 2015. I did not request any other training – although I had been on some local courses (building and planning). These were relatively informal.
7. I knew Alex Farmer as she invited us to a party in her house – as newcomers to the village. Our children were at the same school and I used to bump into her on the train. I think that we overlapped when she was a Parish Councillor. My only dealings with her recently have when she was representing the Sports Association.

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8. I had never met or knew Selina Bannerman, Mike Keogh or John Carey before I was on the Parish Council. I have got to know them since the Pavilion Project and I would even regard them now as friends. I do not, however, consider that this causes a compromise of my position. I am a Chief Executive of a public listed company for 10 years, chairman of two other companies. I have been a Chief Executive in the pharmaceutical industry overall for more than 30 years. I know how to be independent; I argue and disagree with people, including those I am friendly with. I supported Councillors, however, as they were, as you say, under my watch.
9. I put my name forward in May 2015 to be Chair, as three Parish Councillors had resigned at the time. I had no intention to be Chairman. I fully expected someone else to be Chairman – but was elected unanimously.
10. Whilst I had been Vice Chairman for a brief period, when I took over as Chairman in May the Parish Council was relatively new and inexperienced. Selina Bannerman had come after me and had been on for about three years. There were some others – Alex Young (now acting Chairman), Richard Key, Mike Keogh and Ian Hunt were brand new and all inexperienced and whilst I had been there for five years, I had not really done so in a senior role.
11. We were all reliant on the Parish Council Clerk – John Ingham. He had a lot of respect from the Parish Council.
12. I had never worked in local government or had experience in it before I was a Parish Councillor. I have been a school governor. Running a Parish Council is relatively straight forward. The point about having the Clerk is that he was the legal advisor – and other than the Pavilion there was nothing tricky to deal with when I was there.
13. Historically the Parish Council was very much an autonomous body it did not involve itself in the management of the village hall or the sports association, it let them get on with things. Will Compton took over as Chairman of the Parish Council in 2013 after many years of Chairmanship by Martin Dillon – but stood down when he was going for the District Council in May 2015.
14. In terms of the running of the Parish Council, the role had expanded under William Compton – including taking more interest in the Village Hall and central assets of the village. The road and walls and paths – the whole agenda of the Parish Council expanded and I thought that it was better, under my Chairmanship to have Councillors with a ‘portfolio’ for want of a better word. So you would have specific Councillors undertaking this role and speaking about an issue and it worked exceptionally well for 5 months. People enjoyed the freedom and responsibility of an area, and things like street lights were fixed in record time, and relationships with the Highways department of EHC

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were improved. I have letters on file that support the fact we were more attentive to needs of the village during this time.

15. I resigned as a Parish Councillor on 1 December 2015 and exhibit the resignation letter I provided on that day at AB1.
16. My statement is arranged in response to the numbered complaints by Alex Farmer.

1 Background - The Pavilion Renovation Project

17. The decision to refurbish, how to finance and fundraise for the Pavilion was made before I was the Chairman and the proposal was by Selina Bannerman I believe and seconded by Blaise Morris who was Deputy Chairman under William Compton. It was voted on by the whole Parish Council and unanimously supported.
18. The Pavilion was built around 1949 and it was a very basic structure. The Sports Association had been responsible for the recreation ground, and had been left to get on with it by past PC administrations. The Pavilion had, for whatever reason, fallen into disrepair to the point that it was not fit for purpose or use by anybody except the football teams who didn't much use the facility and didn't care for it (e.g. washing their boots in the showers which resulted in blocked drains) and spent 5 minutes in there before and after the game.
19. Two or three years ago the pavilion was used for baby weighing sessions to support the local Health Centre but you would not have put babies in there prior to the renovation because of the condition of the Pavilion. So the Pavilion had community use before the renovation, but not since it had fallen into dilapidation.
20. Before my time as Chairman, there was a commission raised through a sub-committee to see what we could do with the pavilion in terms of repair. There was a Pavilion project, that I was on (and Selina was not on) with others like Mrs Sandra McAdam and former District Councillor Mike Carver and we came up with a plan to knock it down, do a rebuild and do fundraising to pay for it; but when you looked at the costs of a rebuild verses a refurb, it was too expensive to do that (as you would be talking of hundreds of thousands of pounds). When we looked (and also got an architects opinion) at the structure it was sound and could be used and so a refurbishment plan was put together. I was not involved in the pre-Pavilion building works; it was just the scoping angle as far as that sub-committee was concerned.
21. Quotes were obtained in 2014 and these varied from £300,000 to the one that went with for £100,000, so we got a good deal.
22. There is a related dispute with the Sports Association over the management of the Pavilion, but I always viewed this as a parallel issue. It dates back to when former District Councillor Mike Carver was on the Parish Council –. He said that the Parish Council ought to have

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an asset register and there should be a firmer agreement with the bodies who managed the Parish Council assets. On or around 2013 the Parish Council said to the Sports Association that it ought to firm up this relationship and there was then a very much 'them and us' culture. The Parish Council tried to do the right thing – as the Deeds clearly state that the Parish Council owns the land and the Sports Association is to manage it, but the Sports Association was managing it on behalf of the Parish Council. The Deeds need to be updated to deal with this issue and ideally this should have been sorted out, but it wasn't, mainly in my opinion due to the intransigence of the Sports Association people.

23. The various groups saw this as criticism, so by the time that I became Chairman there was already some antagonism between the Sports Association and the Parish Council. At the back end of 2014 the Sports Association was told that the Pavilion would be taken off them in terms of responsibility I believe. This was because there was a feeling that the Sports Association did not want to update the Pavilion and this was because they did not want other parishioners to use it. The Sports Association became a lot more autocratic about the situation – in particular, members of the bowls club and tennis club; and when others wanted to widen the pavilion's use, this caused issues.
24. I understand that it has been said that there were other facilities in the village, namely the village hall that could be used for some of the non-sporting uses and the Pavilion did not need to be changed into a building that could be used as a community facility. However, I do not think this is the case. I think the Village Hall saw the Pavilion as a threat to their ability to raise money. The Village Hall has a much larger floor space and would have been used for other purposes but when money is so tight the Village Hall people saw the Pavilion as a threat to their ability to raise finances or to take on social events. But that is a complete fallacy, as the Village Hall is a large venue verses the small Pavilion for about 25 people. Their uses would have catered for different needs within the village. Some people wanted the pavilion to be used as a venue to pop in - coffee mornings, mothers and toddlers groups etc. There was a ground swell locally for these uses once the Pavilion renovation project started, to have this.
25. We had several meetings with the Sports Association. I do not recall going to a specific one in the summer (I think that Selina Bannerman and Richard Key went). Some things got sorted out and there was dialogue - I had hoped this dialogue would continue and I said so when we opened the Pavilion in my opening speech. However, by that point the position with the Sports Association had become so entrenched that there was an unwillingness to let this issue go and they ceased dialogue with the Parish Council.
26. The Sports Association had been allowed to run their own show for around 25 years until the Parish Council wanted to get the Pavilion back under its control and to commence the refurbishment which the

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Sports Association were resisting. Then there was a fundamental problem with the Sports Association, who felt they were being criticised for the Pavilion and use of the tennis courts by parishioners in general. Alex Farmer, as an articulate person, took on the Sports Association case and joined the Sports Association as a tennis club representative. I suggested mediation on the issue before, but this was not going to get resolved despite my best efforts. Even Fred Pavey, Chairman of the Sports Association tried to resolve it, as he was representing the various Sports Association factions. They did not want discussion or reorganisation; they were implacable in their resistance. It went from utopia to downright warfare from opening the Pavilion in a matter of 6 weeks.

Grant, or loan

27. William Compton was in charge as Chairman when the Community Loan was considered and the PC agreed to get a Loan. This was decided before I was Chairman.
28. This was a contentious part of the funding for the Pavilion project. The Clerk, John Ingham suggested taking this community loan if I recall rightly and said this was a normal thing for PC's to do when considering such a project. He is a Clerk to five other Parish Councils including Brickendon and they had got a community loan and he had said it was 'normal'.
29. We then intended to pay this community loan off with a grant or donations, but there were people who felt and stated (such as Alex Farmer) that if you get loan you could not get grants. I do not believe that to be the case as we had had discussions with the Hertfordshire cricket association and the ECB (and they indicated that they would be prepared to pay for the whole of the loan provided the recreation ground was open to all parishioners). There were also possibilities of funds from local stores like Tesco and those in the village.
30. The aim, however, was to get the Pavilion up and running as soon as possible and then to use any grant to pay off the loan. Alex Farmer raised the question of whether the PC should pay off part of the loan immediately at a Parish Council meeting and I asked the Clerk to look into whether we could do this.
31. When we looked into it, the rules of the Community loan stated that you could not pay off the loan in the first year without penalty, but could do so after 12 months. There would then be no penalties paid by residents via the precept should the PC decide to pay the loan off early. The intention as far as I was concerned was that the Pavilion would have been self-funding and any additional monies received would be used to pay down the loan. The Pavilion Committee took on the role of making the pavilion self sustaining financially.
32. I have gone through the minutes and when I took over in May, in June we said that the building work is ongoing and have 2 months to prepare

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and I think the Clerk said we needed a Committee to manage the project as the cost of the project justified a separate committee. This was proposed.

33. We had a vote, and who was going to be on it and I would refer you to John Ingham, the Clerk to confirm that. John Ingham used the phrase that the new committee would operate with “full delegated authority” and report into the Parish Council. By forming the Pavilion Committee at the PC meeting in June I felt I was acting entirely legally and within the law. John Ingham said I would have to be the Chairman Committee and we voted for Mr John Carey to be the vice Chairman.
34. I have seen the wording of the minutes for June 2015 which refer to the Pavilion Committee being set up. I was one month into the Chairmanship at the time and if I had realised the wording did not properly reflect what had happened I would have sorted this out, but I can assure that this is what happened.
35. When Alex Farmer raised the point that we were supposed to have a Committee with terms of reference and a constitution, I asked John Ingham and he said that at Brickendon (where he also works and they had a similar renovation project) that we did not legally need a separate Committee but that it was good practice. We decided to have a Committee to sort out various issues – like buying cleaning items, and crockery. As Chairman, I would check off what the Pavilion Committee wanted to buy. The Committee had full delegated authority, as I understand it, to buy the things needed to make the pavilion functional.
36. John Carey was voted by the Parish Council to be on that Committee. I have reviewed the minutes since and it should have been made clear. Alex Farmer was in the meeting when this decision was taken.
37. We did not have terms of reference for the Pavilion Committee at first, but long term it needed to be managed. I stated at the meeting that all we were doing was buying cleaning items and catering equipment.
38. Later on we did look to write terms of reference, as it was the Parish Council’s intention that the Pavilion would be income generating; but the row with Mrs Farmer and Cllr Hunt kicked off then in October 2015. It was unfortunate timing, as we were under huge time pressure to get the Pavilion open in August, and it was unfortunate that this issue came up. We thought we were doing the right things at the right time.
39. In terms of minutes, in the past there was no electronic record. The Clerk prepared the written minutes, but there was no website to put them on. Under Will Compton’s leadership, another Councillor, Will Philips tried to set up the website – but it was not completed and Councillors were jittery about getting the minutes on to the website. My son Alex, who was a Parish Councillor at the time, took this on and got a functioning website set up. Selina took on the responsibility after my

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son left the Parish Council. Minutes and agendas from PC meetings were regularly posted.

2. 2.1 Parish Council Meeting of 6th of October

Member obligations 1 & 2; alleged breach: respect, bullying and intimidation by Mrs Bannerman

40. There were quite a few people at the Parish Council meeting.
41. I was sitting at the top of the Green Tye room and Alex Farmer was at the back.
42. We used to in the past let residents wait until the end of the meeting before allowing them to ask Residents questions, and I believe that it was my idea to bring this to the front of the meeting to give people more time to ask questions.
43. Alex Farmer asked a question relating to the funding of the pavilion and this was answered by Selina Bannerman. Alex Farmer was not happy with the answer and she asked pretty much the same question again. She asked the questions a couple more times.
44. Selina was pretty irritated, as Alex Farmer basically said that we had stolen the money. Selina did lean across to me and said something like "what is she on about " but I did not think this was something that was loud or could be heard. It was an aside and I cannot believe Alex Farmer heard it as it was sotto voce. Maybe Alex Farmer lip read and interpreted it in a particular way.
45. Mrs Wetherall and Alex Farmer are good friends and it does not surprise me that she supported Alex Farmer's account. I believe they came with malice aforethought to cause problems at the meeting.
46. In retrospect I should have moved the questions on, but I was quite a new Parish Chairman. I wanted to make sure people could make their views. I did not want people to think there was no free speech. At the end I said that I think the answer covered that question. Then Mrs Wetherall asked a similar question to Mrs Farmers and I think then it was clear that this was a bear-baiting contest.
47. All previously Parish Council meetings had previously been held in good humour, but this was the first time that I had encountered hostility rather than genuine residents concern. Alex Farmer organised a cabal of people to ask the same question of Selina.
48. In the context of what had gone on before, I think asking that question – even if this had been heard, was not disrespectful or bullying. I accept that people can come to the Parish Council to ask questions, but that was not Alex Farmer's purpose. I thought that it was not a benign question. It was antagonistic – with Alex Farmer in effect acting in loco parentis for the Sports Association and it was aimed at getting a certain response.

49. There were mitigating circumstances for Selina to show annoyance but this did not warrant a complaint that she had been disrespectful or rude. It was frustration on Selina's part; she was fed up with the nature of the questions as she had put her heart and soul into that project.
50. I appreciate that the Parish Council is a forum for questions and if it had been a brand new resident talking about another matter that would be different. But this was Alex Farmer, they had a history in relation to questioning and I believe Alex was planning to have a go at Selina. I therefore consider the complaint to be vexatious.
51. Selina is a good woman who cares about the village and Alex Farmer knew that this nature of questioning would push Selina's buttons and perhaps I should have intervened and said that this can be answered by me.
52. I do not think the answer provided to Alex Farmer was dismissive – Selina Bannerman answered the question and following the question being asked again in a different way, she answered again. It was not rude or disrespectful her attitude was understandable.
53. I believe in treating all equally, and tried to keep this debate equal but at the meeting Alex Farmer bullied Selina Bannerman for want of a better word.

2.2 Member Obligation 4: alleged breach not using Council resources in accordance with its requirements, cleaner, architect, TV etc:

54. The overall expenditure at the time of the complaint was around £4000, with part of that being the £2000 for the locks etc.
55. I recorded at the time in the complaint I made concerning Cllr Hunt that Alex Farmer said:
"Can you tell us how much more tax payer's money over the builders costs and the separate architect fees is going to be spent on the pavilion. I understand that items have not been approved have been purchased for example a TV and a coffee maker."
56. We were accused of using tax payer's money to purchase items for the pavilion and we were not doing so, we were using donations and this was the answer provided to Alex Farmer by Selina Bannerman. We had money from three different pots of £12,000 from various sources and I am not sure what, if any of the £4000 was made from Mr Morrison's funds of £5000, Play Much Hadham or what was from 'Buy a brick'. It was up to the Parish Council. There was no loan or other funds to fit out the Pavilion or get a cleaner. The money that we spent was from the donation pot, not the Council's resources.
57. In terms of the 'Buy a brick' fundraiser at the outset, prior to my Chairmanship, I think it was not made one hundred percent clear that

the donations from this would be used for more than renovation. Some people may genuinely have thought that they were literally buying a brick; but the vast majority of people thought these donations were for getting the Pavilion up and running.

58. When I became Chairman I made it clear in Parish Council meetings, when I was asked residents questions, that the money donated was to be used, in part, for the renovation and to pay off the loan. My view was that the Parish Council could decide what it (the donations) should be used for. It would be wrong to think or say that this money was misused. For example, I went back to Mr Morrison after this allegation and asked what he thought the money was for and he said to get the Pavilion up and running.

2.3 Alleged breach of the principles of objectivity and accountability:

I made a complaint regarding Cllr Ian Hunts behaviour on 6th October. Three other Parish Councillors, the Clerk Mr John Ingham and a member of the public also made written complaints against Cllr Hunt also concerning Cllr Hunt's behaviour. In my opinion he is pedantic and difficult to deal with. There was, I believe, an association between him and Alex Farmer (whether by email or over coffee)

59. I wanted Much Hadham to function as an effective Parish Council. I respected that Cllr Hunt was elected or co-opted to represent the village; he was financially literate to an extent that others weren't.

60. Before the meeting on October 6th, Ian Hunt had phoned me to say he proposed disbanding the Pavilion Committee. I asked him to help to work with the Pavilion Committee at the meeting as I thought he had a contribution and should work with these people rather than be antagonistic. I expected him to co-operate and show some grace. Instead he read out a prepared statement which was a diatribe.

61. I withdrew the request for his help with the Pavilion Committee post Parish Council meeting. My original request was that Cllr Hunt could help the Pavilion Committee get on with putting terms of reference into place and to do this as soon as possible. Following the meeting there were 30 odd emails between John Carey (Vice Chairman of the Pavilion Committee) and Cllr Hunt where Mr Carey tried to elicit Cllr Hunts help but Cllr Hunt was obstructive in achieving the goal of getting a terms of reference in place. Cllr Hunt said he was, for example, not prepared to help John Carey until he "knew him better", to come round for coffee first and John was not prepared to do this - he just wanted to get on with getting terms of reference in place.

62. I felt that Ian Hunt was being deliberately obtuse, deliberately unhelpful and unwilling to help. There were various pre-conditions set and I believed he was procrastinating and I took the decision, as I said in my complaint form to the Standards Committee, to rescind the request for assistance from him for the benefit of the village. I then got on with

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drafting the terms of reference myself, which was not rocket science as I based them on previous ones that Cllr Ian Hunt had prepared himself for the Neighbourhood Planning Committee. If I had not done so, days would have gone by with nothing being achieved with respect to the terms of reference and I felt I was justified and as Chairman had the authority to rescind my request of Cllr Hunt.

63. I was one hundred percent accountable and objective. It had been an exceptional meeting on the 6th October followed by this issue of Cllr Hunts unwillingness to help the Pavilion Committee. Bearing in mind I thought there was collusion between Alex Farmer and Cllr Hunt to damage the Pavilion Committee. I thought it was Cllr Hunts job to represent the interests of all residents.

3 Member obligation 4 – alleged use of resources contrary to Council requirements by Mrs Bannerman - Pavilion locks

64. I refer to the comments I made regarding setting up the Committee and the use of the money we had received. As far as I was concerned, this Committee had been set up with full delegation and had authority to deal with finances. The one thing that caused some concern was the big cash item (£2000) for locks.

65. When the Pavilion was near to being finished, the insurance person / locksmith expert came over and said that they were not insuring the building as the locks were not up to spec.

66. The decision to replace the locks was not made at a PC meeting. The contractor handed the Pavilion over to the Parish Council outside of a PC meeting. I was not at the meeting as it was midweek. I understand that the insurance company / locksmith was represented said that they would not insure the building as the locks were not safe. £110,000 had been spent and a rapid decision had to be taken to make sure the Pavilion building was insurable and insured. I am not sure if advice was sought or provided by the Clerk on this but we were caught between a rock and a hard place. Either the locks were repaired and the building insured or they weren't and the PC was liable if anything had happened to the Pavilion.

67. Because it was a large amount of around £2000, in retrospect it should have been authorised by a special committee meeting. If we had waited until the next Parish Council meeting and the building had burnt down and we were not covered by insurance then we would have been criticised. It was presented to the Parish Council after that for approval.

68. I understand that Alex Farmer said that she sent me the insurance documents. I do not recall receiving them but if I did I would have passed them on. I did not check the wording to see what used to be covered, as I believe that this was a different issue. The new insurance people / locksmith said that with regards to the renovated building that the building needed certain locks to be replaced. This had to be replaced and put in place for the new insurance.

69. Alex Farmer took great exception to replacing the locks, as she was representing the Sports Association, as it was seen as criticism of them (the Sports Association were responsible for the old locks). I do not recall or cannot comment on whether they were alleged to be invalid. As I have previously explained, this £2000 was part of the expenditure from the pot of donations, so we did not use council tax payer's money or the Council's resources and it was authorised by the Parish Council retrospectively.

4 Correspondence with Fred Pavey and Member obligations 1 & 2 – alleged failure to show respect, bullying and intimidation by Mrs Bannerman: &

Alleged breach of the principle of leadership by me in respect of the correspondence with Fred Pavey:

70. Fred Pavey never complained to me about the emails he received from Selina Bannerman. I did not consider the emails sent by her, that are referred to by Alex Farmer as disrespectful, bullying and intimidating.

71. If I believed this had happened, then I would have said to Mrs Bannerman to be careful, be factual and accurate and not offensive. Having read some of them, I can see it was a two way street - like chucking snowballs, and not sure who threw the first snowball. There were strong emails from both sides and there was frustration with the Sports Association and some came close to the mark.

72. In terms of my leadership, however, once the work on the Pavilion had started and there were individual things that needed to be done, there was correspondence between the Councillors and also others on the Sports Association – not just Fred Pavey. There were heated discussions and these came around July -September.

73. As I stated above, during my Chairmanship individual Councillors had portfolios and were expected to undertake a particular role. If someone stepped out of line then I was critical. I remember when Ian Hunt wrote a very rude note about John Ingham and I addressed this.

74. I spoke to Fred Pavey after I became Chairman and I said that I would try to sort the problems out. Various parties were involved on both sides – Alex Farmer and the footballers also sent emails. On their own the emails referred to may seem strong, but in the context of the exchanges of communications as a whole, the individuals on both sides were expressing strong views.

75. This whole situation with the pavilion went from being very ordered and professionally run, dare I say, to one of anarchy. As I have said before, I do not think even Kofi Annan could have dealt with it.

76. Finally I would like to say that I take these complaints seriously. I have sixteen box files that I have had since being on the Parish Council and many since being Chairman of the Parish Council. I have to say that

Code of Conduct complaints – Cllr Anthony Baxter and Councillor Bannerman
(former Councillors of Much Hadham Parish Council)

there is a great deal of scepticism about this investigation. At the heart of this situation is the conduct of East Herts District Council. There are concerns from the whole of the village, over the way that this has been handled.

77. Hand on my heart, I believe the complaints by Mrs Farmer were made vexatiously because the Parish Council was seen by her to be sticking its nose into the Sports Association's affairs. Overall this has been a very sad affair. All I have tried to do is help with the Pavillion and I do believe there has been other agendas. I was a new Chairman, I did the best I could. I am not sure I got the best advice all the time. Was Selina rash and impetuous sometimes – yes. Could I have done things better – probably; but it was an overwhelming tsunami. I no longer want to have anything to do with the whole thing.

this witness statement are true.

ANTHONY BAXTER

Dated this 8th day of March 2016

Chairman's Resignation Letter.

01/12/2015

Dr A D Baxter

Dear Parish Councillors and members of the public, In addition to the statements of former Councillors Key, Keogh and Bannerman, and John Carey, Vice Chairman of the Pavilion Committee, I would also like to make a brief statement.

The events of the past two months since October 6th have been very satisfactory to any but a few of the participants and to the parishioners as a whole. The whole atmosphere of angst, abuse, distrust and ill temper has not been good for the village and the Parish.

To sum up very recent events, there were several Code of Conduct complaints made as a result of the October 6th Parish Council meeting, an event that was noxious to me and to many people who attended. These Code of Conduct complaints were submitted to the EDC Standards sub - committee and there was a meeting of that committee on the 24th November, which subsequently made their judgement. In short, the complaints against Cllr Bannerman were dropped as the sub committee acknowledged that she had apologised immediately. The complaints against Cllr Hunt were deemed to 'not to contain sufficient evidence' to warrant further action and recommendations. Whilst I respect the decision of the sub committee, I have to say I find it hard to understand why seven letters of complaint containing detailed content, facts and concerns about Cllr Hunts behaviour were not found to be deserving of further investigation. The complaint by Mrs Farmer, pertaining to the Pavilion Project and people associated with it was deemed by the standards sub-committee to be worth further investigation in accordance with the Code of Conduct procedure. The details of Mr Jeff Hughes, the Monitoring Officer of EHC, report will be covered later in the meeting under Chairman's comments.

I personally and sincerely welcome this investigation and I will do all I can to support the process. I am very confident that the actions of the Pavilion Committee will be found to be entirely above board and that the needless allegations and accusations about their conduct will be found to be groundless. The level of vitriol directed against the Pavilion Committee by certain individuals was entirely unjustified and disruptive to a committee whose actions were blameless in trying to provide a valuable new asset to all Parishioners. Those individuals should, in my opinion, close their eyes to hide their shame.

Among the many things that disturb me about all these events is the manner in which the EHC standards sub-committee was convened, how it operated, how they divulged their conclusions and the consequences of the publication of their findings in the press as a result.

I cannot in all consciousness accept that the EHC standards sub committee's procedures and policies in dealing with these complaints, which prevent those people subjected to complaints from the opportunity of making their own comments on any accusations or allegations in return. I will come

back to this in a moment but I am now considering taking legal action against the standards sub committee and will be reporting their performance to their own Code of Conduct Committee - which of course is somewhat ironic. I do not feel that it is appropriate that whilst I am dealing with this matter that I continue as Chairman of the MHPC and at the end of this statement I will stand down as Chairman and resign as a Parish Councillor.

To further explain the aforementioned statement, Cllr Bannerman and I received notification of the accusations / complaints 5 days - which was the bare minimum by law before the date set for the sub committee hearing. On inspection of the paperwork containing the complaints of Mrs Farmer, I could clearly see that there were numerous inaccuracies, falsehoods and errors in her text. I contacted the MHPC solicitor from Tees Law to ask advice on how we should proceed as I had major concerns about the contents of Mrs Farmers complaint and also that Cllr Graham McAndrew who is known to the Parish Council and some of the complainants was perhaps conflicted to sit on the sub committee for that reason. I asked for a few days delay to clarify these points and the solicitor spoke to Jeff Hughes of EHC who had been named on the correspondence. Mr Hughes said that the standards sub committee would consider the complaints and if minded to do so consider the matter in a private meeting without press and public present. Mr Hughes said that myself and or Cllr Bannerman need not attend and that the sub committee was merely going to make recommendations as to whether further investigations were necessary. He specifically advised our solicitor that if the affected councillors made written submissions in respect to the complaint / allegations at this stage, these would not be placed before the sub committee at the initial hearing. Mr Hughes did not accept that Cllr McAndrew was conflicted and would be part of the sub committee and not replaced as requested.

On Thursday last week I heard that the decisions had been made from a Parishioner who had read them in the Herts and Essex Observer. No one from EHC had the courtesy to inform me directly. The article repeated several of the falsehoods and errors in Mrs Farmers complaint but these were stated now as evidence and not opinion. Mr Hughes followed up with a written account of the meeting and recommendations sent to me which also referred to evidence presented and not opinion.

The concerns we had about this matter were forwarded to our District Councillor Ian Devonshire. Cllr Devonshire responded:

Hi Selina,

I don't understand how this has got into the public domain, as I was advised not to attend this sub committee meeting as it was a private consultative meeting. I have not yet read the local paper but I fully understand that this will have caused unnecessary stress. Happy to talk if you want.

Ian Devonshire.

I find it extraordinary that our village District Councillor was advised not to attend this meeting , an important meeting concerning his home village as it was a private consultative meeting and yet the meeting went ahead at the 11th hour as a public meeting. I find this very strange and worrying. It is also worrying that the press reported an entirely one sided view of the matter without having heard another account or checked the veracity of the statements.

Having considered all the facts and issues concerning all these events since the October the 6th meeting it is my opinion that this whole situation has not got anything so much to do with the Pavilion and the Pavilion committee but a lot more to do with building of houses in the village. There are established rumours that as a Category 1 village, 10% of the current housing stock or about 95 planned homes in the Village or more are being considered to be built. The number of 239 houses has been more recently suggested and three landowners have been approached by EHC, one of whom I spoke to this morning to confirm this, to build on their land to meet this rumoured housing total by 2031.

A Neighbourhood Plan Committee, Chaired by Cllr Hunt, was convened in September. This committee will oversee the implementation of EHC local plan which includes how many houses and where housing and supporting infrastructure will be located in the Parish.

All of those Parish Councillors who have resigned in the last month would not have supported any further housing over the 10% or 95 new houses proposed. It is well known and well recorded that the Parish Councillors and Pavilion Committee members who have resigned this evening including myself have encountered what we consider to be bullying and overly antagonistic behaviour from Councillor Hunt directing attacks on the integrity of the people just mentioned. As a consequence of Cllr Hunts behaviour, much of the Parish Council opposition to any excessive East Herts Council building development plans over that proposed by District Councillors in May 2015 is likely to disappear with them.

The complaints to the Parish Council from the Sports Association and Village Hall Committee have escalated in recent times after many years of simmering discontent. Whether this is in coincidence with the other complaints being made, I will not comment on now. However, something must be done in my opinion with the reporting and management of these organisations by the Parish Council.

My suggestion to the Parish Council and the village is that they should appoint an independent mediator through the organisation CEDR to agree the parameters of the relationship between the Sports Association, Village Hall Committee and the Parish Council and agree a Terms of Reference by which each organisation will operate in support of each other in a fully transparent process which makes each organisation fully accountable both operationally and financially. Without mediation, the discontent and unsatisfactory communications between these organisations and the Parish Council will continue forever and be open to malign influence in the future to the detriment of the whole village

I hope that any future Parish Council or Village organisations will have the foresight to consider the impact of any political agenda before making decisions that affect the village and its residents.

Further whilst I appreciate that the Herts and Essex Observer sought to publish the Sub-Committee's findings, as were stated on 24 November, I have already stated that no councillor was offered the opportunity to present their position or make representations about the allegations made against them. If there is a reporter from Herts and Essex Observer in the room, I would ask that they publish a more balanced account of these matters in their next edition.

I believe I am in a much better position to challenge the decisions and statements which I may consider to be wrong by East Herts Council and any future Much Hadham Parish Council by being freed from the restrictions of being involved with the Parish Council especially as Chairman - and it is on a matter of principle concerning the recent activities of the standards sub committee of EHC and the continuing disruptive behaviour of Cllr Hunt that I hereby resign.

Thank you for your attention.

Appendix F - Mr Ingham's statement (MHPC Clerk) (signed and returned 12 February 2016) and exhibits JI1-2

STATEMENT OF JOHN INGHAM

Before the interview the investigating officer ran through the process that she would follow and explained that a copy of the statement would be appended to the draft and final reports provided to Mrs Farmer, Mrs Bannerman, Dr Baxter and the Monitoring Officer and that it was likely that his statement would get into the public domain.

I JOHN INGHAM, Parish Clerk of Much Hadham Parish Council state as follows:

1. I make this witness statement in respect of the complaints made by Mrs Farmer against Mrs Selina Bannerman and Dr Anthony Baxter.
2. I believe that the facts stated in this witness statement are true. Except where otherwise stated the facts are derived from my own knowledge or from the documents that I refer to.
3. I have worked as the Parish Clerk at Much Hadham for 20 years. I am a Clerk to three other Parish Councils and have been at the other Parish Councils for around 30 years.
4. I can confirm that the Pavilion Committee was approved by the Parish Council on the 19th of May 2015, which I attended and Clerked. It was part of an appendix item on the Pavilion update. I refer to the minutes and appendix which is exhibit J11. The minutes refer to the Pavilion and the proposals in the appendix being fully supported. 16 members of the public were at that Parish Council meeting and I expect Mrs Farmer was there, although, I do not know for certain. John Carey was appointed on or around this time.
5. The appendix included proposals for the structure and included representatives of the Sports Association. It also included how deposits were going to be taken and what sort of events were going to take place. In my opinion this could be considered effective terms of reference.
6. In relation to obtaining a loan ^{raved} as opposed to grant funding or fundraising, I can confirm that I ~~sorted out~~ the loan with the Public Works Board. This was for £114,000. Given the timescales for the proposed opening of the Pavilion there was insufficient time to fundraise prior to obtaining the loan. However I can confirm that no penalties are going to be paid for early repayment.
7. In terms of the availability of minutes on the website that is not my responsibility at the Parish Council.
8. In relation to the complaints regarding Mrs Bannerman and Dr Baxter's alleged conduct on the 6th of October I can confirm that I have not seen these complaints from Mrs Farmer.
9. I was, however, present at the meeting and clerking it.

10. I heard what Mrs Farmer was saying and it was certainly ^{disturbing} ~~a bit much~~ to be accused of misrepresenting things, doing things illegally and not following procedure. Mrs Farmer definitely said misrepresentation of the use of Council funds. She said that expenditure had been incurred and that part of the money from the 'Buy a brick' campaign had been used and that people had been misled as it had then been spent on cleaners. This was said in a nasty ill-founded way. She was rude and accusing in an officious manner.
11. I was sitting to the side so I could not see Mrs Bannerman, so I could not say whether she looked upwards or not. I did not hear any comments from her during the questions by Mrs Farmer.
12. Mrs Bannerman answered the questions following a lot of provocation and goading with allegations of expenditure being illegal. I did not believe however that she was rude, disrespectful or bullying towards Mrs Farmer when she answered. Mrs Bannerman was being provoked and she had to defend herself from the allegations. In her response she refuted what Mrs Farmer had said. At the end of the day the 'Buy a brick' campaign was to get money in, to sort out the building. Mrs Farmer's questioning was antagonistic. A few people are trying to do some good and benefit for the community and they were being undermined.
13. During this time Dr Baxter chaired the meeting very well; there was a lot of discussion at the Parish Council meeting, longer than is normally allowed. The standing orders indicate it should be around 20 minutes for residents' comments and I believe it took around 45 minutes. Dr Baxter did not stifle the debate at that meeting.
14. In terms of the allegation of misuse of Council resources, this was completely untrue. The money from the loan, the Chaldean Trust and the donations, as well as those providing funds under the 'Buy a brick' could be spent for the building. If putting a TV in helps the use of the building, then that would be acceptable. Some of the expenditure had to be retrospectively approved, for example the locks on the doors which Mrs Bannerman paid for herself and the Parish Council approved this at meeting on the 6th October. The sum of £2,840.77 was approved and Mrs Farmer was there when that took place (see exhibit J12). We had received more than enough money from, for example, the grant from the Chaldean Trust and other donations to cover things such as tables, crockery, cleaning materials and cleaner's overall time. Around £4,000 was spent and there was more than enough money to cover the cost of these things without touching the 'Buy a brick' money. So there was no ~~use~~ of Council resources and the expenditure was approved by the Parish Council.

Misuse

Code of Conduct complaints – Cllr Anthony Baxter and Councillor Bannerman
(former Councillors of Much Hadham Parish Council)

15. In respect of the allegation about Dr Baxter withdrawing his request to Councillor Hunt to assist with the Pavilion Committee, I was not involved in that. However, on the evening I can say that Councillor Hunt acted diabolically. He made a number of allegations in the meeting that money had been spent illegally and there was no good governance and Parish Council was going to run out of money by the end of the financial year. Dr Baxter had tried to move things on by asking him to help sort this out. Councillor Hunt responded that he needed this and that before he would help. Unfortunately I did not keep a full detailed record for the minutes at that time of what he actually said because he would normally provide me with a copy of this after the meeting. This time he refused to do so. It was not the first time he had done that sort of thing. He often made snide remarks.
16. It seemed to me as if Councillor Hunt and Mrs Farmer were in league with each other.
17. In terms of Mrs Bannerman's emails being disrespectful, bullying and intimidatory towards Fred Pavey, I had no direct knowledge of that. I am outside of the email loop. Fred Pavey never complain to me about emails he received from Selina Bannerman.
18. I have always got on well with Fred Pavey, but I can say that I believed that there was always a degree of antagonism - as there was a feeling that the Sports Association was not representing the Parish. It was a clique of groups who wanted to stop other from playing at the recreational grounds, for example the girls football. There was some resentment from the Sports Association that the Pavilion was ~~done up~~ ^{done up} in time and ~~to budget~~ ^{on} ~~refused to do~~ ^{refused to do}
19. I would only add that there is a general feeling in the village that it is sad that the Parish has lost a good set of Councillors. Councillors who gave up their time and goodwill to sort out the Pavilion. Nobody had done anything like this before and there is a lot of snipping all the time and taking a dig at the Parish Council over this.
20. Tony Baxter was one of the best Chairmen that the Parish Council has had. He was very professional. Selina Bannerman is a doer. I feel very sorry for them and we have lost some really good Councillors.

I believe that the facts stated in this witness statement are true.

JOHN INGHAM

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15. PARISH PATHS PARTNERSHIP

There was nothing to report on this matter.

16. PAVILION UPDATE, FUNDING AND PAVILION COMMITTEE'S PROPOSALS

Cllr Mrs Bannerman referred to the proposals as outlined in Appendix B, the contents of which were fully supported by members.

17. TENNIS COURTS

Cllr Mrs Bannerman referred to the attached Appendix C and to the proposal contained therein as follows:

“That the Tennis Club provide one hour per day from say 1.00 pm to 2.00 pm for a holiday membership for all children under 14 years of age during every school holiday for a £1 membership payment for the purposes of being fully insured on the courts.”

RESOLVED that the proposal be fully supported by the Parish Council.

18. TRANSPARENCY OBLIGATIONS FOR PARISH COUNCILS

Members had been circulated with details concerning the transparency obligations for small Local Authorities which had come into force on 1 April 2015. Parish Councils with a turnover of less than £25,000 were now subject to the Transparency Code which made it mandatory for Parish Councils to publish specific information relative to its statutory functions. The information specified under the Code must be published on an available free of charge website.

The Clerk stated that much of the information set out in the requirements, ie minutes, agendas, etc, were already on the website and arrangements would be made with Cllr A Baxter for additional requirements under the Code to be made available.

19. VILLAGE HALL COMMITTEE REQUEST

Cllr Mrs Liversage drew attention to the various items of expenditure incurred by the Village Hall Committee and she requested that, like the Sports Association, gross amounts be paid by the Parish Council with the Village Hall Committee reimbursing the Parish Council the net amount, ie less the VAT.

The Clerk stated that, as the Village Hall was owned by the Parish Council as was the pavilion, then this request was perfectly in order.

Proposal for a new Pavilion Committee

The Committee's task is to be responsible for the maintenance, marketing, bookings and fees, cleaning and inclusivity of the pavilion. The Committee will write and format a plan and ongoing set of rules and structure to run the pavilion for and on behalf of the Parishioners.

This Pavilion Committee will include the SA PC reps x 2, Any 2 members of the SA as appointed by the SA and 2 members of the public who have an interest in the Pavilion activities. For the initial set up committee those members of the public will be John Carey as Chairman and Mike Keogh until such a time that the Code of Conduct and rules have been established.

There will be a structure put in place where deposits are taken and the caretaker will sign off after the pavilion has been cleaned and do a check in and check out after its use. There will be a strict no boots policy in the lounge area.

The deposit will be forfeit in exchange for cleaning if the group does not wish to undertake this themselves. It will be left ready for the next person the same way we would expect to find it.

There will be an active attempt at offering the pavilion to all members of the Parish and will include, but not be limited to, Bridge parties, fundraising mornings/days, Children's parties, Cricket club, Rounder's clubs, children's art clubs, chess club, football, Running club, Biking Club, and any other number of sporting and leisure activities that would like to use the facilities for gathering, washing and changing, shelter and refreshments.

- 9 -

17. PAYMENT OF ACCOUNTS AND FINANCIAL STATEMENT(i) Payment of Accounts

RESOLVED that the accounts as set out on the attached statement (see Appendix C) be duly authorised for payment.

(ii) Financial Statement

RESOLVED that the contents of the attached schedule (see Appendix D) be received.

18. URGENT BUSINESS

None.

19. ITEMS FOR FUTURE AGENDAS

- Parish Council's grant policy (November meeting).
- Pension Regulator – Workplace pension scheme (November meeting).
- Calendar of meetings for 2016 (November meeting).
- Operational and financial risk assessments (November meeting).
- HMF – all forthcoming meetings.

20. CONFIRMATION OF DATE OF NEXT MEETING

It was confirmed that the next meeting would take place on Tuesday, 3 November 2015, at 7.30 pm in the Much Hadham Village Hall.

There being no further business the meeting closed at 9.40 pm.

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App C

MUCH HADHAM PARISH COUNCIL

PAYMENT OF ACCOUNTS

582	Cllr Mrs Liversage	£100.99	Pavilion expenses – reimbursement
583	Glenplan Ltd	£816.00	Pavilion – additional works
584	not honoured		
585	not honoured		
586	Cllr Mrs Bannerman	£2,840.77	Pavilion expenses – reimbursement
587	Cllr Key	£56.70	Pavilion expenses – reimbursement
588	Cllr Mrs Bannerman	£945.90	Pavilion tables – reimbursement
589	Broadmead Leisure	£60.00	Inspection of play equipment
590	Mr A Baxter	£71.86	Website subscription – reimbursement
591	Tennyson Insurance	£162.62	Addition to pavilion insurance
592	Abel Alarm Co	£186.00	Pavilion – call out
594	J Ingham	£91.20	Binding Minutes – reimbursement
595	Cllr Hunt	£314.98	Neighbourhood Plan – printing costs
596	Cllr Key	£78.88	Pavilion expenses

Burial Authority

593	Affinity Water	£40.94	Water rates
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Appendix G - Statement of Mr Fred Pavey (Chairman of the Much Hadham Sports Association) (signed and dated 12 February 2016)

STATEMENT OF FREDERICK WILLIAM PAVEY

Before the interview the investigating officer ran through the process that she would follow and explained that a copy of the statement would be appended to the draft and final reports provided to Mrs Farmer, Mrs Bannerman, Dr Baxter and the Monitoring Officer and that it was likely that his statement would get into the public domain.

I Frederick William Pavey, of Sawbridgeworth state as follows:

1. I make this witness statement in respect of the complaints made by Mrs Farmer against Mrs Selina Bannerman and Dr Anthony Baxter.
2. I believe that the facts stated in this witness statement are true. Except where otherwise stated the facts are derived from my own knowledge or from the documents that I refer to.
3. I am the Chair and the treasurer of the Much Hadham Sports Association.
4. The dispute with the Parish Council has been going on for about 2 years, as they could not accept that the Sports Association were the manager of the Pavilion. The Sports Association has run the site for about 70 years. The Parish Council took it off the Sports Association and carried on regardless. I am not saying that the Pavilion was not a tired building – it was nearly 70 years old but it was serving a purpose - it was a sports pavilion and not a social building. I accept that it was used by the baby unit, as they needed to be helped out and they were happy to use it instead of the doctor's surgery, but it wasn't a social building.
5. The Sports Association had little involvement in the Pavilion renovation project. Mrs Bannerman came to one of the Sports Association meetings once to discuss the plans; I believe the date was in November 2013. Members of football association pointed out that they needed external doors to prevent the away team from accessing across the carpets. They pointed out that there should be an outside door, but we were never really consulted apart from one meeting.
6. We weren't involved with the Pavilion Committee – this was run by the Parish Council. We refused to have anything to do with it. I accept that Sports Association representatives attended one meeting on 2nd July 2015, but because of their attitude we declined to go again. They weren't discussing the Pavilion project during the meeting, they were criticising the Sports Association. At this meeting I stated that the Sports Association was not against providing small sized pitches but that the Sports Association had not yet agreed to provide them. When I said that, John Carey and Selina

Code of Conduct complaints – Cllr Anthony Baxter and Councillor Bannerman
(former Councillors of Much Hadham Parish Council)

Bannerman blew their top. Mrs Farmer went to the one meeting that I went to on 2 July 2015.

7. I have checked my files and found that I received minutes of two Pavilion Committee meetings - namely those for 11 June 2015 and 2 July 2015. I understand from the investigator that she has seen an email sending the minutes of the September meeting to me. I think they were sent to Alex Farmer and can't remember whether I passed them to the other Association members or not, I probably did.
8. I did not query minutes about the expenditure – I just let them get on with it.
9. I attended the Parish Council meeting on 6th October. It all blew up when it came to the Buy a brick. Someone queried what the money would be used for. Selina Bannerman said that it would be used for paying the cleaner. The buy a brick was to repay the loan. Alex farmer said something that caused a reaction. Cllr Bannerman said "what is she complaining about now". Alex Farmer had asked questions on earlier occasions but it was an unnecessary remark, it was not as if Alex Farmer had been going on and on and on about it.
10. Mrs Bannerman had a bullying sort of attitude. She does not like anyone to contradict her.
11. Then someone at the back of the Hall, who had bought five bricks for £50, said it was to repay the loan. Then another woman who stood at the back said buy a brick was for the repayment of the loan. They were members of the public or the village. Selina came down the room and handed the money back. I think that a complaint was made about that, but that was dealt with.
12. In terms of the locks for the Pavilion I don't know why the locks were changed. The Sports Association had bought the insurance and the same insurers were dealing with it after it had been refurbished. It was never mentioned to us that we had to have different locks. I think they were told by a security advisor who attended that the locks needed to be redone. The Sports Association still holds the insurance; I am unaware whether the insurer asked the question about new locks so I don't know why they went down that road. The premium has increased because of the new value for the Pavilion but the insurance company did not ask any more.
13. In relation to the correspondence with Selina Bannerman, they were disrespectful, especially John Carey. It was unnecessary wording, especially for someone in that position. He couldn't bear to be spoken against. I did not

Code of Conduct complaints – Cllr Anthony Baxter and Councillor Bannerman
(former Councillors of Much Hadham Parish Council)

complain about the emails, I just ignored them. I never sent rude emails to
Selina Bannerman.

14. I have nothing further to add, other than this is just all a sad episode.

I believe that the facts stated in this witness statement are true.

FREDERICK PAVEY

Dated this 15th day of FEBRUARY 2016

Appendix H – Gofundme as at December 2015

Search Help Start a Fundraiser

SHARE

TWEET

DONATE

Much Hadham Pavilion Renovation

BUY A BRICK FOR MUCH HADHAM PAVILION RENOVATION PROJECT

Own "a piece of the building by purchasing a 'brick' for a suggested donation of £10, or buy one for each member of your family. Each brick can be signed by the Donor and placed on a donor wall inside the Pavilion.... 'be a part of history'..."

Reason:
ONLINE: GO FUND ME www.gofundme.com/vk8z4qc

By CHECK: Payable to MUCH HADHAM PARISH COUNCIL (REF PAVILION); P2310

Activities:
 • Tea parties
 • Bridge clubs
 • Tea parties
 • Coffee mornings
 • Chess
 • Running clubs
 • Cricket
 • Football
 • Private party hire
 • Art clubs
 • Children's sports development
 • Access for the disabled

Much Hadham, ENG

£1,775 of £3,000

Raised by 59 people in 6 months

Donate Now

SHARE ON FACEBOOK

82 TOTAL SHARES

SHARE

81

TWEET

1



Created May 27, 2015

Selina Bailey Bannerman

UPDATE #4

3 MONTHS AGO

Be the first to like this update

the donations have now been turned off and the campaign will be deleted in the next couple of days... many thanks !

Subscribe to Updates Show More

SHARE

TWEET

DONATE

We have an extensive renovation project underway to rebuild our pavilion. It is to be for the benefit of every parishioner, to whom the land was donated by the Norman family back in the 1940's.

We need to turn this building back into its original potential for all parishioners to use and enjoy from, bridge clubs, Tea parties, fundraisers, sports teams, children's sports development, Cricket, Football, Private party hire, coffee mornings, Art clubs, Chess, Bike clubs, Running clubs, and access for the disabled. This is an all inclusive pavilion available to every member of the Parish and will have a dedicated Pavilion Committee responsible for running and maintaining it. We have designed it in such a way that its going to be lovely in the evening as well to encourage evening use.

We would like to raise £80,000 to repay the loan for the build out but realistically a lot of that will come from Grants - what we would like is for every member of the parish to 'own' a piece of the building by purchasing a 'brick' for a suggested minimum donation of £10. We encourage those who can, to buy more than one brick; perhaps one for each family member

Each brick (which is actually a tile) will be signed (or can be anon) and a note

59 DONATIONS

RECENT

£30

Amy Wilkes

3 months ago



£20

Maureen Carey

3 months ago

Thanks for adding is already, Maureen and Brian



£20

Richard Cottrell

3 months ago

Can you add Ann and I please, Jackie Careys parents!

£10

Kelly Sparkes

3 months ago

£10

Emma Howells

3 months ago

Brick for Henry Howells please. X

£25

of your age if you wish- this will demonstrate the diverse age groups in our community and will enable children to look back at their contribution. This brick will be placed on a purpose built Donor wall inside the pavilion. Corporate and Group donations are very welcome and Acknowledgement Plaques will be arranged for the wall.

Generations to come can look back at the Donor wall and know that these people built this pavilion. We have been served by this tired building for approximately 70 years and we would like to get another 70 out of the newly refurbished one.

Thank you for caring about your Pavilion.

Yours,
Much Hadham Parish Council

82 TOTAL SHARES

[SHARE](#)

[TWEET](#)

[DONATE](#)

COPY, PASTE & SHARE: <https://www.gofundme.com/vk8z4qc>

What is GoFundMe?
Fundraising made easy >>

[REPORT](#)

[POSTER](#)

[LINK](#)

[CONTACT](#)

Anonymous
3 months ago

[TWEET](#)

[DONATE](#)



£20

Selina Bailey Bannerman
3 months ago

Matt Frew Margaret Willmott

£30

Jenny Byng
3 months ago

Katya Byng 15 Zara Byng 13 Mia Byng 11

£50

Catriona Dodsworth
3 months ago

John, Catriona, Lottie, Harry & Nelly Dodsworth

£10

Anonymous
3 months ago

1-10 of 59 donations

1 COMMENT

Please use Facebook to leave a comment below:

[CONTINUE](#)

Nothing gets posted to your wall. Only your Facebook name & photo are used.

Most

Recent



Selina Bailey Bannerman 3 months ago

Thank you for your donations ! Please be aware that one brick + one name or one family name ... they are too small to write a whole family on --- so either "the Bannerman family " or one for "Selina Bannerman" etc etc etc £10 per Brick so a family of 4 independant names would be £40 or one family name £10 . Many thanks

1-1 of 1 comment

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Appendix I – MHPC meeting minutes 6 October 2015 (approved amended version available on website 8.4.16)

MUCH HADHAM PARISH COUNCIL

MINUTES of the Much Hadham Parish Council meeting held on Tuesday, 6 October 2015, in the Green Tye Mission Hall at 7.30 pm.

*Cllr Mrs S Bannerman (Vice Chairman)

*Cllr T Baxter (Chairman)

Cllr S J Godfrey

*Cllr I Hunt

*Cllr M P Keogh

*Cllr R D Key

*Cllr Mrs J Liversage

*Cllr Mrs P Taylor

Cllr A J Young

* denotes present.

In attendance: 18 members of the public.

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr Godfrey, Cllr Young, and Cllr Devonshire (EHDC).

2. DECLARATIONS OF INTEREST

None.

3. PARISH COUNCIL ELECTION – NEW COUNCILLOR

The Chairman welcomed to the meeting the recently elected Councillor, Mrs Penelope Taylor, and wished her a pleasant association with the Parish Council during her term of office.

Cllr Mrs Taylor agreed that she would take on the following representative duties:

- Footpaths
- Community and Business

4. MINUTES OF THE LAST MEETING HELD ON 1 SEPTEMBER 2015

RESOLVED that the minutes of the last meeting held on 1 September 2015 be accepted as a correct record of the proceedings and be signed by the Chairman.

5. MATTERS ARISING

(i) Kettle Green Lane

To note that the new nameplate was now in-situ.

6. RESIDENTS' COMMENTS

(i) Pavillon

Two residents referred to this project and raised the following questions and assertions:

- Pavilion building and on-going expenditure.
- The ongoing maintenance costs and accountability.
- An allegation that expenditure had been incurred on a number of items without the authority of the Parish Council.
- A question as to how certain items of expenditure were being met, ie payment for the cleaner.
- Why a TV and coffee maker had been purchased? All of these purchases were alleged misrepresentations of the use of funds of the fund raising activities including the "buy a brick" campaign. Some people had thought "buy a brick" had been literally a campaign to pay for the fabric of the building.

Cllr Mrs Bannerman stated that the total cost of the refurbishment work, together with the architect's fees, had been met and no further sums were due on the contract which, she pointed out, had been completed on time and within budget. To date approximately £13,000 had been raised by way of donations - £5,000 from the Chaldean Trust, £4,400 from Play Much Hadham and numerous donations from the general public - many of them had been from supporting the "buy a brick" campaign, which had been well advertised in the village and on websites. Some of these funds had been earmarked for and subsequently spent by the Pavilion Committee on those essential items (tables, chairs, locks, cleaning products, crockery and cutlery) and some incidental costs (cleaning products, toilet rolls, etc) needed to make the pavilion operationally effective. The latter items although not capital costs, were necessary for bringing the building into viable use. At no time had there been any misrepresentation to members of the public. The raising of funds was for the pavilion, which included the purchasing of items to be able to fully utilise the building.

Currently there were no outstanding items of expenditure and there was approximately £6,000 left in the Pavilion Account (managed through the Parish Council).

The Chairman pointed out that should receipts from use of the pavilion and donations accrue to a substantive amount, then repayment of the loan was, of course, an option, bearing in mind that early payment penalties, should such a decision be made, might be incurred. Such a decision would be made by the Parish Council.

Mr John Carey, a members of the public and Vice Chairman of the Pavilion Committee, pointed out that he had bought the TV out of his own funds as a donation. Cllr Mrs Bannerman also pointed out that the coffee maker was purchased by the person who was going to provide beverages to the mothers and toddlers after school hours.

Cllr Mrs Bannerman stated that the refurbishment of the pavilion had been a time consuming and exhausting project in terms of time spent by all the Pavilion Committee members and other volunteers. Every effort had been expended in seeking to ensure that the building was opened in time for the fete in order to maximise potential fund raising. This had been achieved and a great success. To date there had been three meetings of the Pavilion Sub-Committee who had overseen the decisions made and were actively seeking to expand the sporting activities. It was the stated intention of the Pavilion Committee to continue to raise funds and, as the Parish Council was committed to reducing the outstanding loan by any Section 106 money received, members would discuss officially any surplus donated money also to further reduce the loan. Cllr Mrs Bannerman reiterated, following a further question, that there were no ongoing costs relating to the structure of the building. The Chairman reiterated that no monies had been spent post-completion of the project out of precepted funds and there had been no illegal payment.

Cllr Mrs Bannerman took great exception to the inference in the line of questioning from certain residents of financial impropriety and she offered to repay funds to a member of the public who had stated that she felt she had been misled by the 'buy a brick' campaign. The offer had not been accepted.

(j) Footpath to Dell Cottage

A question was raised as to why the footpath had not been reinstated.

In response it was stated that the owner of the property was in the process of seeking a diversion order.

(ii) Church Lane

Concerns were expressed that the owner of the new house in Church Lane had laid approximately 150 feet of new kerbing on Church Lane. The kerbing had encroached onto the road reducing the width of the road, had inhibited the passage of traffic down Church Lane and had affected the parking of the cars of church goers.

Cllr Hunt stated that on his advice the owner had been in contact with the HCC Network Team who had approved the work undertaken.

(iv) Yewtree

Reference was made to the granting of permission for ^{Seven} ~~five~~ houses in the Grade II Star listed garden with concerns being expressed regarding the condition of the Grade I listed wall, which was in a bad condition and in need of urgent repair.

(v) Ferndale -- Footpath to the Church

Concerns had been expressed by a resident of Ferndale regarding the uneven surface of the footpath to the church, which was hazardous for elderly people.

Cllr Mrs Taylor confirmed that she would take up this matter with East Herts Council.

(vi) Future Meetings – Hospitality

The Chairman expressed a view that it might be a nice gesture if members of the public could meet informally with members of the Parish Council prior to Parish Council meetings and that as an experiment this should be trialled prior to the November meeting.

7. MUCH HADHAM PAROCHIAL CHURCH CHARITIES

The Chairman introduced Mr James Steel, supported by ~~Ms M Hodge~~ ^{Mrs Margaret Brent}, who gave a short presentation on the almshouses and an explanation on the workings of the Almshouses Trust.

In conclusion both Mr Steel and ~~M Hodge~~ ^{Mrs Brent} were thanked for their attendance.

8. PLANNING

RESOLVED that the minutes of the Planning Sub-Committee held on 1 September 2015 be received and the actions taken be ratified.

9. MEMBERS' REPORTS

(i) Highways - General

Cllr Hunt read out the contents of the attached report (see Appendix A).

With regard to the overgrown vegetation, members sanctioned the actions concerning the draft letter.

Cllr Key informed members that two volunteers, out of four volunteers required, had come forward to attend the training sessions as a prerequisite to the 'Smiley Face' campaign scheme being introduced. It was hoped that the remaining two volunteers would be found.

(ii) Parish Paths Partnership

Cllr Godfrey had reported on the following matters:

- Footpath from Scout Hut to Malting Lane

The gate onto Malting Lane, which had been provided by the Parish Council many years ago, was now causing damage to the owner's fence. A request had been received for the gate to be reversed and re-hung so that it opened onto the breezeblock wall on the other side of the fence. Repairs would also be required to the damaged panels. The cost of the proposed work would be in the region of £150.

Members agreed that funding be made available.

- Footpath near Dell Cottage

The developer had put in an application to divert the footpath to the rear of the cart lodge, passing along the hedgerow parallel with Kettle Green Lane and re-joining where the development driveway started. This would appear to be a sensible and practical solution.

- Field connecting the tennis courts and Moor Place Park

A resident had asked Cllr Godfrey to investigate the stile in the middle of the field, as it did not appear to be the regulation height. The matter had been referred to Nicholas Maddex, Rights of Way Officer, for his observations. Nicholas had made an inspection of the path on which there were two stiles, one of which was found to be a little higher, although not too high to comply with British Standards. It had been observed that remedial work would be required. It had also been confirmed that it was County Council policy to replace stiles with gates if stock was not present. A suggestion was made that the Parish Council could arrange to provide two kissing gates from its Parish Paths money with possible financial assistance being provided by the developer.

Members were supportive of the suggestion to take the matter forward.

- (ii) Neighbourhood Plan

Cllr Hunt read out the contents of the attached report (see Appendix B).

- (iv) Courses attended

Cllr Hunt read out a report that he had compiled on courses he had attended in September and opened his speech by stating as follows:

"I'm a firm believer that the only way we can do a good job as parish councillors is if we are trained in the necessary knowledge and skills. Winging it is an insult to the electorate and a poor way of discharging our duties and exercising our powers. So this month I attended 3 half day courses."

His report covered topics covered in the below mentioned three courses:

Basic Councillor 2

Cllr Hunt felt that this was very timely as it largely comprised a case study on providing additional sports ground facilities. Best practice included, for example, holding public meetings to determine what support there was for various proposals, determining early on what funding was available, identifying which organisation or group of residents was best placed to manage the project and so forth. Cllr Hunt would recommend this course to any councillor involved in, not only sports ground investments, but any significant projects.

Mapping

The course covered in some detail the use of Ordnance Survey material and, as a result, Cllr Hunt had obtained for the parish a licence, at no cost, to use OS material. The next step would be to test and acquire parish mapping software so that the OS data can be used.

How to Respond to Planning Applications

Provided an overview of the planning system and the policy framework. There had been a case study from which Cllr Hunt had learned that the challenge for the Parish Council in objecting to development proposals was not to simply list objections, but to say how they outweighed other material considerations that might favour the development, so that the balance of the material considerations swung in the favour of the Parish Council.

10. STREET NAMING AND NUMBERING (five new houses adjacent to Old Lordship Cottages)

Correspondence had been received from East Herts Council seeking the Council's views on the developer's suggestion to name the new road "Luxford Place".

Cllr Hunt informed members that there was a new development in Sawbridgeworth named "Luxford Place, which could cause confusion and "Place" was felt to be inappropriate wording for the type of development. It would also appear to be contrary to East Herts Council's policies on street naming and numbering.

Luxford is also the name of a sister company of the developer

It was agreed to leave the suggested name to East Herts Council with a request that whatever was agreed was suffixed "Close".

11. PARKING IN MUCH HADHAM

Cllr Key stated that the indiscriminate parking in the village was getting worse and he cited Hadham Cross, Malting Lane, Kettle Green Lane with its junction with Walnut Close and Windmill Way as prime examples. Of concern was that, if the current problems were not addressed, then with the completion of the Bishop's Stortford North development the traffic problem would not only be exacerbated, but parking restrictions might be introduced to the detriment of local parishioners. Cllr Hunt stated that parking and traffic related matters ~~would~~ form part of the Neighbourhood Plan briefing and be driven by residents. *Could*

Cllr Key asked that parking be put on the agenda as a standing item. The Chairman agreed that this was an important issue for the village that required vigilance.

12. REPORTS FROM COUNTY AND DISTRICT COUNCILLORS

In the absence of both Cllr Devonshire (EHC) and Cllr McAndrew (HCC) no reports were available.

13. PAVILION UPDATE AND RECREATION GROUND ACTIVITIES

(i) Building

Cllr Mrs Bannerman and Cllr Key confirmed that the pavilion was now open for business and that two football clubs were using the facility and several bookings for private functions had been received.

(ii) Pavilion Committee

Standing Orders were suspended to allow Mr Carey to participate in the discussion.

John Carey, Vice Chairman of the Pavilion Committee, gave members a resume of what had transpired since June when the Parish Council had in principle agreed to the setting up of a Pavilion Committee.

Since the original inception, the Committee had met on four occasions and representation consisted of two Parish Councillors, two members of the Sports Association and two members of the public. Whilst no formal constitution had been agreed by the Parish Council, nevertheless, the newly formed Committee had at a meeting of the Parish Council had formal recognition and it had been made aware of its obligations under the Parish Council's Standing Orders and Financial Regulations. It was recognised that the minutes had not been formally presented to the Parish Council and, therefore, were not on the website, which was a technicality which would be addressed.

Members were reminded that the primary object of the Parish Council, having resolved to refurbish the pavilion, had been to ensure that work was completed in time for the fete to be held on 31 August 2015, an event which would be instrumental in raising money for the building (to reduce the loan and to provide essential outfitting costs). Mr Carey was pleased to report that in a very short period, a matter of 6 weeks, the building, following completion, had been outfitted with tables, chairs, cutlery, TV and coffee machine, etc.

There had been considerable interest shown in the building and both regular and casual bookings were being taken. It was proposed that the Pavilion Committee, being a Sub-Committee of the Parish Council, would be self-funding and would continue to seek outsider grants/donations. The sole intention of the Committee was to seek to encourage a greater use of the building and the recreation ground by the youth of the parish and to ensure as many activities as possible were offered to make use of the facilities. Cllr Key was actively seeking to reinstate cricket and was seeking outside funding -- not looking to the Parish Council for funds. The Committee would be considering applying for charitable status if this was found to be legally possible.

Mr Carey acknowledged that now the pavilion had been open for some six weeks, he had recognised that it was now time, as had been planned, to put forward an updated constitution and terms of reference for its operation, which he proposed to do for the November Parish Council meeting.

The Chairman thanked Mr Carey for his report and endeavours and with regard to the drafting of the updated constitution and terms of reference of the Pavilion Committee to be above suspicion, he asked Cllr Hunt, who was acknowledged to have such skills, to work with the Pavilion Committee to that end.

Cllr Hunt stated that he was prepared to do so, but before he committed himself he wanted to make some conditions and request assurances. Cllr Hunt then read to the meeting from a prepared statement. ~~He stated that, at the meeting, although~~

~~requested by the Clerk, Cllr Hunt declined to make himself accountable to the Clerk~~
~~for the statement read out. In the opinion of the Chairman, Cllr Hunt's statement~~
~~was highly offensive and deeply offensive to members of the~~
~~Pavilion Committee.~~

In summary, Cllr Hunt initially stated that, before providing assistance to the Pavilion Committee (as requested by the Chairman), he would want an assurance that the residents who had raised matters relevant to the pavilion project were afforded a civil response and that they would not be treated in future in the way he perceived they had been treated by Parish Councillors this evening. He would want the Pavilion Committee to have the full support of the Sports Association and he would want to see total transparency and full accountability before he offered any assistance.

Cllr Hunt ^{raised concerns about} ~~the Clerk's~~ perceived failings on financial accountability, agendas, minutes and action of Pavilion Committee meetings, good corporate Governance, lack of a Constitution and terms under which the Committee was working.

The Chairman took great exception to the diatribe of Cllr Hunt, which he stated was baseless in its accusations and deeply offensive to the Pavilion Committee (of which he was Chairman). He stated that, on the contrary, tremendous credit should be afforded to the Pavilion Committee members, certain of whom had devoted a great deal of their time, effort and their own finance to see that the pavilion was delivered effectively, on time and on budget and with the wherewithal to enable it to commence its use.

Cllr Mrs Bannerman stated that the work performed by her and a number of other Committee members had been entirely for the benefit of the Much Hadham public ~~and through the efforts of the committee, which had been implied by Cllr Hunt.~~ She felt that Cllr Hunt's remarks had been highly offensive and potentially slanderous.

The Chairman asked all parties to consider whether there was any reason why they could not work together in future for the betterment of all parishioners, but particularly children who use the recreation ground for sporting endeavour. He felt that perhaps everyone should go home, look in the mirror and ask themselves whether they were acting in the best interests of the village.

(iii) Section 106 Agreement – Moor Place Development

The Clerk informed members that he had spoken to Mr Will O'Neill (EHC) who had informed him that the recommendation for payment to the Parish Council had been discussed by the Corporate Team on 29 September 2015. The decision had been to refer the matter back to the Accountancy Team for further analysis. The matter would be referred back to the next meeting of the Corporate Team scheduled for 13 October 2015.

14. VILLAGE GREEN – PERRY GREEN – TO CONSIDER HMF PROPOSALS

The Chairman informed members that both he and Cllr Mrs Bannerman had met with the new CEO (HMF), who had agreed with the suggestion as proffered by the Parish Council/residents regarding the provision of kerbing.

Members agreed that HMF be an agenda item for forthcoming meetings.

15. PARISH COUNCIL WEBSITE

The concerns mentioned at the last Parish Council meeting had been addressed and Cllr Mrs Bannerman explained that a private subcontractor, The Isle of Wight Computer Geek, could be ^{leased} for £190 [REDACTED] to manage the website in the future. Cllr Mrs Bannerman explained that, while the website was functionally fit for purpose, she suspected that there was no-one on the Parish Council who had the time or the skills to update it with new information and manage it generally. Furthermore, it was questioned whether it was in the best interests of the parish that any Parish Councillor should be given that responsibility given the importance of the website in terms of communication and the likelihood that anyone given the responsibility could leave the Parish Council.

It was unanimously agreed and RESOLVED to go forward with the proposal to hire The Isle of Wight Computer Geek Company.

Cllr Mrs Bannerman informed members that in the meantime all the minutes from 2015 up to and including August were now on the website.

16. VILLAGE HALL MATTERS

Cllr Key stated that he was chasing the contractor regarding the repairs and maintenance to the guttering.

Cllr Mrs Bannerman stated that both she and the Chairman had had a meeting with the Village Hall Managers concerning the work required to the floor of the Green Room and at the moment the result of the grant application was awaited.

Cllr Mrs Bannerman stated that she had not pursued the small grant application for the pavilion, as she had been informed that the Parish Council could not apply for two grants in one year.

17. PAYMENT OF ACCOUNTS AND FINANCIAL STATEMENT

(i) Payment of Accounts

RESOLVED that the accounts as set out on the attached statement (see Appendix C) be duly authorised for payment.

(ii) Financial Statement

RESOLVED that the contents of the attached schedule (see Appendix D) be received.

18. URGENT BUSINESS

None.

19. ITEMS FOR FUTURE AGENDAS

- Parish Council's grant policy (November meeting).
- Pension Regulator – Workplace pension scheme (November meeting).
- Calendar of meetings for 2016 (November meeting).
- Operational and financial risk assessments (November meeting).
- HMF – all forthcoming meetings.

20. CONFIRMATION OF DATE OF NEXT MEETING

It was confirmed that the next meeting would take place on Tuesday, 3 November 2015, at 7.30 pm in the Much Hadham Village Hall.

There being no further business the meeting closed at 9.40 pm.