

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.

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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.

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- 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.

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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)

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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)

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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	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 x	White and Black African Any other mixed background <input type="checkbox"/>	Bangladeshi Any other Asian background <input type="checkbox"/>	Any other Black background <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

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 Hunt's 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.