

Central Bedfordshire
Council
Priory House
Monks Walk
Chicksands,
Shefford SG17 5TQ

**This meeting
may be filmed.***



**Central
Bedfordshire**

please ask for Leslie Manning
direct line 0300 300 5132
date 25 February 2015

NOTICE OF MEETING

STANDARDS SUB COMMITTEE

Date & Time

Thursday, 5 March 2015 10.00 a.m.

Venue at

Room 14, Priory House, Monks Walk, Shefford

Richard Carr
Chief Executive

To: The Members of the STANDARDS SUB COMMITTEE:

Councillors: P N Aldis, N B Costin, D J Hopkin and R B Pepworth

All other Members of the Council - on request

***MEMBERS OF THE PRESS AND PUBLIC ARE WELCOME TO ATTEND THIS
MEETING***

***Please note that phones and other equipment may be used to film, audio record, tweet or blog from this meeting. No part of the meeting room is exempt from public filming.**

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AGENDA

1. **Election of Chairman**

To elect a Chairman for the meeting.

2. **Apologies for Absence**

To receive apologies for absence.

3. **Members' Interests**

To receive from Members any declarations of interest.

4. **Standards Sub-Committee Hearing (Appeal)**

To consider an appeal by a councillor of Northill Parish Council against the original decision of the Standards Sub-Committee (Hearing) dated 14 October 2014 and to either:

- a) set aside the original decision if it considers it to be unreasonable and substitute its own decision;
- b) confirm the original decision.

5. **Decision**

To note that:

- a) the Standards Sub-Committee (Appeal) may announce its decision on the day the appeal concludes;
- b) any decision made by the Standards Sub-Committee (Appeal) will be in writing and sent to all relevant persons within five working days of the decision being made;
- c) there is no further right of appeal.

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STANDARDS SUB-COMMITTEE (APPEAL)

APPEAL PROCEDURE

- (1) The aim of this procedure is to ensure that any appeal heard by a Standards Sub-Committee (Appeal) against the decision of a Standards Sub-Committee (Hearing) is dealt with fairly and efficiently. The meeting is not a re-hearing and its business is confined to the grounds of the appeal.
- (2) Any appeal request must be received in writing by the Monitoring Officer within 21 days of the written decision notice being issued by the Standards Sub-Committee (Hearing). An appeal can only be made on the grounds that:
 - (i) the procedure has been wrongly applied;
 - (ii) new evidence has come to light since the hearing; or
 - (iii) there has been a misdirection in law.
- (3) The appeal will be restricted to the consideration of papers with no representation permitted other than in writing. The Monitoring Officer will submit any response to the appeal in writing.
- (4) The Standards Sub-Committee (Appeal) will be made up of Members who have not previously been involved in the consideration of the complaint. The view of an Independent Person who has not previously been consulted will also be taken.
- (5) The Standards Sub-Committee (Appeal) may:
 - (i) set aside the original decision if it considers it to be unreasonable and substitute its own decision; or
 - (ii) confirm the original decision.
- (6) All appeals will be held in public. There will be no participation by any of the parties involved or by any member of the public. However, the Chairman will have the discretion to allow the Monitoring Officer, or anyone so appointed by the Monitoring Officer, to present the report and any other papers for consideration and to join the Sub-Committee during deliberation.
- (7) The Standards Sub-Committee (Appeal) will retire to deliberate in private.
- (8) Any decision made by the Standards Sub-Committee (Appeal) will be in writing and will be sent to all relevant persons within 5 working days of the decision being made.
- (9) All decisions of the Standards Sub-Committee (Appeal) are binding and there is no further right of appeal.

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Central Bedfordshire Council

STANDARDS SUB-COMMITTEE (APPEAL)

5 March 2015

Standards Sub-Committee Hearing (Appeal)

Report of Lorna McShane, Acting Monitoring Officer
(lorna.mcshane@centralbedfordshire.gov.uk)

Advising Officers: Maria Damigos, Corporate Lawyer – Legal Services,
(maria.damigos@centralbedfordshire.gov.uk)

Purpose of this report

1. Under the Arrangements for dealing with Standards Allegations under the Localism Act 2011 detailed in the Constitution, the Standards Sub-Committee (Appeal) are required to consider appeals made by complainants or subject members from decisions of the Standards Sub-Committee.

The Standards Sub-Committee (Appeal) is asked to:

1. To consider the appeal of the Subject Member, Cllr I Robinson of Northill Parish Council and to decide one of the following in respect of the original decision of the Standards Sub-Committee dated 14 October 2014:-
 - (i) to set aside if it considers it unreasonable and substitute its own decision; or
 - (ii) confirm the decision.

Background

1. Details of the original complaints made in April 2013 and **Appendix (i)** in the Report to Monitoring Officer.
2. On 5 July 2013, the matter was referred to the Standards Sub-Committee to consider how the complaints should be dealt with. It was resolved that the complaints would be investigated. The Sub-Committee asked that the report be brought back to the same panel for consideration.
3. The Report was prepared and, on 13 June 2014, the Standards Sub-Committee considered the Report of the Investigating Officer. The Sub-Committee resolved that the local resolution recommended in the Report was not considered appropriate; that a public hearing be held to decide whether there had been a breach and, if so, what action to take; that as well as the complainants and the subject member the Independent Person, witnesses for the subject member, the former Chairman of Northill Parish Council and the current Chairman of Northill Parish Council and the Central Bedfordshire Council Ward Member should be invited to attend the hearing to give evidence.
4. The public hearing took place on 29 and 30 September 2014. The full written decision of the hearing was provided to the complainants and the subject member on 14 October 2014. **Appendix (ii)**.
5. On 4 November 2014, the Monitoring Officer received an appeal from the subject member against the decision of the Standards Sub-Committee. This was accepted as being within 21 days of the Standards Sub-Committee decision notice and containing valid grounds for appeal.

Response to the Appeal

6. The Appeal (**Appendix (iii)**) including its Appendices).
7. The paragraph numbers below refer to the paragraph numbers used in the Appeal.
8. The Standards Sub-Committee (Appeal) is reminded any appeal is limited to:-
 - (i) The procedure being wrongly applied;
 - (ii) New evidence has come to light since the hearing; or
 - (iii) A mis-direction in law.

Nature of the Complaints (numbered as per the appeal document made by Cllr Robinson)

- 1 (a) This is not considered to be a valid ground of appeal as it is a matter for the Standards Sub-Committee (Appeal) to decide what recommendations to accept.
- 1 (b) (c) & (d) This is in relation to the involvement of the Standards Committee at the early stage of a complaint, usually dealt with by the Monitoring Officer and not that only those cases of potential criminal conduct can be handled by the Standards Committee.

- 1 (e) The subject member is claiming that there was a misdirection in law in that the definition of harassment which was used was not correct and may be outdated. The definition used was:

“harassing a person includes alarming the person or causing the person distress” (i.e. the effect the conduct has on the person is relevant) and the person whose course of conduct is in question ought to know that it amounts to (or involves) harassment of another if a reasonable person in possession of the same information would think the course of conduct amounted to (or involved) harassment of the other.

The subject member considers that this definition implies that the test is only subjective. This is not accepted: the second part of the above definition clearly refers to a reasonable person in possession of the same information thinking the course of conduct amounted to or involved harassment. The definition therefore also contains an objective element.

It is not considered that the above definition is outdated. It is based on the language used in the Protection from Harassment Act 1997 which is still in force. The first part is from s.7(2) of the Act and the second part is based on s.1(2) of the Act. It is acknowledged that this Act relates to criminal offences but was not used in this context. It is further acknowledged for the avoidance of doubt that the actions of the subject member were never considered in the light of a criminal offence, it was merely the definition from the Act which was used.

The Appeal suggests that a definition from 2010 used by ACAS would have been more appropriate. The current ACAS guidance refers to the definition of harassment used in the Equality Act 2010. If this is the definition referred to, it relates to harassment by reference to protected characteristics only.

The definition in the Equality Act 2010 as detailed by ACAS is:

“unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual”.

It was for the Sub-Committee to decide what definition to adopt and as to what constituted harassment.

- 1 (f) It is not considered this is a ground of appeal. Any differences in the individual complaints which were relevant to the issues to be decided were considered and a matter for the Sub-Committee to decide.

Nature of Reporting the Complaints

- 2 (a) This is not considered to be a valid ground of appeal.
2 (b) This is not considered to be a valid ground of appeal.
2 (c) This is not considered to be a valid ground of appeal.

- 2 (d) This is not considered to be a valid ground of appeal. As stated above, it was the decision of the Standards Sub-Committee of 13 June 2014 that the local resolution recommended in the report was not considered appropriate. This was because the comments of the complainants on the draft report indicated that they believed that the conduct of the subject member had not improved.
- 2 (e) This is not considered to be a valid ground of appeal.
- 2 (f) This is not considered to be a valid ground of appeal.
- 2 (g) This is not considered to be a valid ground of appeal.
3. This is not part of the Appeal but, for completeness, the decision to hold the hearing in public is contained in the decision made by the Standards Sub-Committee and the rule is that hearings are public unless resolved otherwise.

Witness Statements

- 4 (a) This raises the issue of procedure and is accepted as a valid ground of appeal. It was originally agreed that witness statements would be exchanged on 24 September 2014 and it is correct that the statement of the Clerk was not provided until Friday, 26 September 2014 as the Clerk had not agreed the contents of the Statement. The hearing commenced on Monday, 29 September 2014.

The contents of the statement did not extend beyond the information provided in the Clerk's original complaint which was included in the Report. Although agreed procedure for exchange of witness statements had not been adhered to, this did not prejudice the subject member.

- 4 (b) This is again a procedural issue. Cllr Turner was asked to provide her views at the hearing. It is believed the subject member was advised of this verbally on 24 September 2014 and this information was also available on the minutes of the Standards Sub-Committee of 13 June 2014. No witness statement was taken from Cllr Turner as the Sub-Committee had requested her attendance and views. There was therefore no statement to provide.

The reference to a witness statement of the Investigating Officer is incorrect. The Investigating Officer provided submissions to the Sub-Committee. The Investigating Officer was not a witness to the events giving rise to the complaints.

- 4 (c) and (d) It is agreed that the subject member was guided and advised that the complaints referred to the events of the meeting of 8 April 2013. Other allegations were detailed at the hearing. As the witness statements that were exchanged with the subject member referred to some of those allegations, the subject member was however aware of them. Although some of the allegations were again referred to in the submissions of the Investigating Officer, they were not taken into account in the deliberations of the Sub-Committee which made its decision based on the actions of the subject member at the meeting of 8 April 2013, as shown by the written Decision Notice.

- 4 (e) It is not accepted that the subject member was disadvantaged. The allegations were merely background information and were not considered nor made part of the Sub-Committee's decision on the complaints.
- 4 (f) This is not considered to be a valid ground of appeal.
- 4 (g) This is not considered to be a valid ground of appeal. The character witness statements were taken into account as part of the Sub-Committee paperwork.
- 4 (h) This is not considered to be a valid ground of appeal as it relates to actions of Northill Parish Council. Furthermore, it is not considered that any unfairness resulted from this. The subject member did have witnesses to support him and their evidence was considered by the Sub-Committee.

The Manner and Procedure of the Hearing

- 5 (a) This is not considered to be a valid ground of appeal.
- 5 (b) This is disputed. The procedure dealing with findings of facts was carried out. At the hearing, the subject member was asked if he had any observations on the procedure. He replied he did not but did on the facts. The Sub-Committee then proceeded to paragraph 11 of the procedure and the Investigating Officer was invited to make representations which she did. The Investigating Officer then called witnesses whom the subject member was also able to question. After this, the subject member called his witnesses and did also read out a statement of comment he had prepared regarding the facts (**Appendix (iv)**). This comment was photocopied at the venue to circulate copies to the Sub-Committee. Although the defence document was not referred to by the subject member during this part of the hearing, he could have done so had he wished.
- 5 (c) The Sub-Committee did not refuse the requests of the subject member. In relation to the definition, they said they would take the advice of the Monitoring Officer. The definition was later provided. In relation to the other points, the Chairman indicated that, after hearing from the witnesses, they would decide if relevant.
- 5 (d) It is agreed that the subject member was not made aware that Cllr Turner had commented or complained about his behaviour soon after the meeting of 8 April 2013. However, any comments or complaint of Cllr Turner were not treated as a formal complaint. Neither were they considered by the Investigating Officer during the investigation. It is believed that the subject member was advised verbally that Cllr Turner had been asked to attend by the Standards Sub-Committee. The Standards Sub-Committee wanted the views of Cllr Turner, she was not considered a 'complaint witness' as both the Sub-Committee and the Investigating Officer were unaware of the comments or complaints of Cllr Turner prior to hearing from her on 29 September 2014. The subject member was aware of the Standards Hearing of 13 June 2014, the minutes for which set out the persons who

were to be invited to attend. It is therefore considered that this was not unfair to the subject member.

- 5 (e) At the hearing, there was a request by the Chairman of Northill Parish Council, as the Clerk's employer, that the subject member was not allowed to question the Clerk directly. This was pursuant to a grievance procedure which had decided that the subject member was not to have contact with the Clerk. The subject member had also raised this prior to the hearing and had been advised that it would be up to the Chairman. The Standards Sub-Committee did not go into the specifics, nor did they make any judgment on the matter apart from stating that it would be more helpful if the subject member could ask directly. The Chairman agreed that questions would be put to the Sub-Committee panel who would re-direct them to the Clerk. All questions put by the subject member were put to the Clerk who answered them. The subject member was able to hear the answers of the Clerk and ask further questions. Whilst more time-consuming and inconvenient, it is not considered that this was prejudicial in any way.
- 5 (f) This is not considered to be a valid ground of appeal.
- 5 (g) It is accepted that this was not part of the written procedure as every eventuality cannot be catered for. However upon receipt of a request from the employer of a witness giving evidence, the Chairman and the panel must consider any such request. As the subject member's questions were put to, and answered by, the Clerk in the presence of the subject member, it is considered that there was no prejudice to the subject member and was acceptable in the circumstances of the request from an employer.
- 5 (h) This is not considered to be a valid ground of appeal. For ease, it is accepted that Cllr Turner did not provide details of any criminal-like behaviour.
- 5 (i) The Investigating Officer did not provide any witness statement. The Investigating Officer did make submissions to the Standards Sub-Committee by introducing her Investigations Report, then on the findings of fact, the Code of Conduct and the sanctions to be imposed. The subject member was also able to make submissions, all in accordance with the procedure. This part is not considered to be a valid ground of appeal. It is accepted that the Investigating Officer was allowed to ask the subject member questions and that this was not in the procedure. The Standards Sub-Committee had asked the Investigating Officer if she had any questions for the subject member. The subject member was aware that he could be asked questions at any time by the Sub-Committee. This did not cause any unfairness to the subject member as he did not need to prepare anything for the questioning. The procedure will be altered to reflect this possibility in the future however.
- 5 (j) This is not considered to be a valid ground of appeal. The Appeals Sub-Committee is however asked to note that, at no time during the hearing, was

it considered necessary to stop questioning, apart from on the basis of relevance.

- 5 (k) This is not considered to be a valid ground of appeal.
- 5 (l) The submission statement of the Investigating Officer is just that and it is for the Sub-Committee to accept or reject the submissions made.
- 5 (m) This is not considered to be a valid ground of appeal. The Investigating Officer was not a witness to the events of 8 April 2013. The Standards Sub-Committee were to decide on facts, decide if those facts gave rise to a breach of the Code of Conduct and, if so, decide on appropriate sanctions in relation to the events of 8 April 2013.
- 5 (n) This is not considered to be a valid ground of appeal. See 5 (m) above.
- 5 (o) Events outside of 8 April 2013 were put before the Sub-Committee to provide background or context to the events of 8 April 2013. The questioning of witnesses by the subject member gave much more detail to the Sub-Committee than contained in the paperwork and did provide a much better context. None of the background information was taken into account in deciding what had happened on 8 April 2013, although some of it was in relation to the sanctions that were imposed.

Evidence not apparently fully considered at the Hearing, Including fresh evidence

- 6 (a) Although not considered at the hearing, this was background information about why the subject member wanted information and was asking questions at the meeting of 8 April 2013. That the subject member was not aware of the full process, and that he should have been, was however taken into account during the deliberations of the Standards Sub-Committee.
- 6 (b) This is not considered to be a valid ground of appeal. The subject member did raise this at the hearing. The article referred to was not taken into account in deliberations in any event. Neither the Chairman at the time of the meeting of 8 April 2013 nor the subsequent Chairman attended the hearing despite being asked to attend. Therefore they did not provide any evidence or information which was taken into account by the Standards Sub-Committee.
- 6 (c) This is not considered to be a valid ground of appeal. The minutes were not considered by the Standards Sub-Committee. The Standards Sub-Committee was considering whether the behaviour of the subject member breached the Code of Conduct and not whether the then Chairman was breaching the Code of Conduct.
- 6 (d) This is not considered to be a valid ground of appeal. It is confirmed that this information was discussed thoroughly as background information.
- 6 (e) This is not considered to be a valid ground of appeal.

- 6 (f) This is not considered to be a valid ground of appeal. For the avoidance of doubt, Cllr Shadbolt had checked the Northill Parish Council website on the evening of 29 September 2014 and found a document which detailed the terms of reference and powers of each of the Committees of Northill Parish Council. This document is separate from the Standing Orders of Northill Parish Council. It is believed that the document was titled Terms of Reference Committees May 2013 and this remains on the website. It is noted that there may have been no such document prior to May 2013 but it was available at the time of the hearing.
- 6 (g) This is not considered to be a valid ground of appeal. Whilst the grievance panel was mentioned, it was not within the remit of the Standards Sub-Committee to consider the legality or otherwise of the grievance panel, its decisions, fairness or to question Northill Parish Council in its capacity of employer.
- 6 (h) This is not considered to be a valid ground of appeal for the reasons mentioned in 6 (f).
- 6 (i) This is not considered to be a valid ground of appeal.
- 6 (j) This is not considered to be a valid ground of appeal.
- 6 (k) This is not considered to be a valid ground of appeal.
- 6 (l) This is not considered to be a valid ground of appeal.
- 7 and 8 and 9 and 10. Do not seem to contain any grounds for appeal but do contain a number of statements, opinion and submissions, the majority of which are not relevant to the substantial reason for the complaints in the first place which were due to the behaviour of Cllr Robinson at the meeting of 8 April 2013.

Appendices

- (i) Documents originally submitted to Standards Sub-Committee (Hearing)
- (ii) Decision Notice dated 14 October 2014
- (iii) Appeal by Cllr Robinson with Appendices
- (iv) Submissions by subject member at hearing

APPENDIX (I)

**DOCUMENTS ORIGINALLY SUBMITTED TO
STANDARDS SUB-COMMITTEE (HEARING)**

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**HEARING PROCEDURE FOR
THE GENERAL PURPOSES STANDARDS SUB-COMMITTEE
in respect of referrals from the Monitoring Officer**

Interpretation

1. “Member” means the Member of the Authority, which includes, Central Bedfordshire Council, Town and Parish Councils and Co-opted Members, who is the subject of the allegation being considered by the Standards Sub-Committee, unless stated otherwise. It also includes the Member’s nominated representative.
2. “Investigator” means the Investigating Officer nominated by the Monitoring Officer to carry out the investigation.
3. “Sub-Committee” refers to the General Purposes Standards Sub-Committee.
4. “Legal Advisor” means the officer responsible for providing legal advice to the Sub-Committee. This may be the Monitoring Officer, another legally qualified officer of the Authority or someone appointed for this purpose outside the Authority.

Representation

5. The Member may be represented or accompanied during the meeting by a Solicitor, Counsel or with the permission of the Sub-Committee, another person.

Legal Advice

6. The Sub-Committee may take legal advice from its legal advisor at any time during the hearing or while they are considering the outcome. The substance of any legal advice given, to the Sub-Committee would be shared in the public domain with the Member and the Investigator if they are attending the hearing.

Setting the Scene

7. The Chairman will formally introduce all Members of the Sub-Committee and everyone who is formally involved in the Sub-Committee. The Chairman will then explain that the Sub-Committee is following a set procedure to ensure a fair and consistent approach is adopted which follows the principles of natural justice.

Preliminary Procedure Issues

8. The Sub-Committee should then resolve any issues of disagreement about how the hearing should continue, which has not been resolved during the pre-hearing process.

Making finding of facts

9. After dealing with any preliminary issues, the Sub-Committee should then move on to consider whether or not there are any significant disagreements about the facts contained in the Investigator’s report.

10. If there are no disagreements about the facts, the Sub-Committee can move on to the next stage of the hearing at 18.
11. If there is a disagreement, the Investigator, if present should be invited to make any necessary representations to support the relevant findings of facts in the report. With the Sub-Committee's permission, the Investigator may call any necessary supporting witnesses to give evidence. The Sub-Committee may give the Member an opportunity to challenge any evidence put forward by any witness called by the Investigator.
12. The Member should then have the opportunity to make representations to support his or her version of the facts and, with the Sub-Committee's permission, to call any necessary witnesses to give evidence.
13. At any time, the Sub-Committee may question any of the people involved or any of the witnesses, and may allow the Investigator to challenge any evidence put forward by witnesses called by the Member.
14. If the Member disagrees with most of the facts, it may make sense for the Investigator to start by making representations on all the relevant facts, instead of discussing each fact individually.
15. If a Member disagrees with any relevant fact in the Investigator's report, without having given prior notice of the disagreement, he or she must give good reasons for not mentioning it before the hearing. If the Investigator is not present, the Sub-Committee will consider whether or not it would be in the public interest to continue in his or her absence. After considering the Member's explanation for not raising the issue at an earlier stage, the Sub-Committee may then:-
 - (a) continue with the hearing, relying on the information in the Investigator's report;
 - (b) allow the Member to make representations about the issue, and invite the Investigator to respond and call any witnesses, as necessary; or
 - (c) postpone the hearing to arrange for appropriate witnesses to be present, or the Investigator to be present if he or she is not already.
16. The Sub-Committee will usually request all persons leave the room while they consider the representations and evidence in private.
17. On their return, the Chairman will announce the Sub-Committee's finding of the fact.

Did the Member fail to follow the code

18. The Sub-Committee then needs to consider whether or not based on the fact(s) it has found, the Member has failed to follow the Code of Conduct.
19. The Member should be invited to give relevant reasons why the Sub-Committee should not decide that he or she has failed to follow the Code.
20. The Sub-Committee should then consider any verbal or written representations from the Investigator.

21. The Sub-Committee may, at any time, question any one involved on any point they raise in their representations.
22. The Member should be invited to make any final relevant points.
23. The Sub-Committee will usually request all persons leave the room while they consider the representations.
24. On their return, the Chairman will announce the Sub-Committee's decision as to whether or not the Member has failed to follow the Code of Conduct.

If the Member has not failed to follow the Code of Conduct

25. If the Sub-Committee decides that the Member has not failed to follow the Code of Conduct, the Sub-Committee can move on to consider whether it should make any recommendations to the Authority.

If the Member has failed to follow the Code of Conduct

26. If the Sub-Committee decides that the Member has failed to follow the Code of Conduct, it will consider any verbal or written representations from the Investigator and the Member as to:-
 - (a) whether the Committee should set a sanction; or
 - (b) what form the sanction should take.
27. The Sub-Committee may question the Investigator and Member, and take legal advice, to make sure they have the information they need in order to make an informed decision.
28. The Sub-Committee will request that all persons leave the room while they consider whether or not to impose a sanction on the Member and, if so, what the sanction should be.
29. On their return the Chairman will announce the Sub-Committee's decision.

Recommendations to the Authority

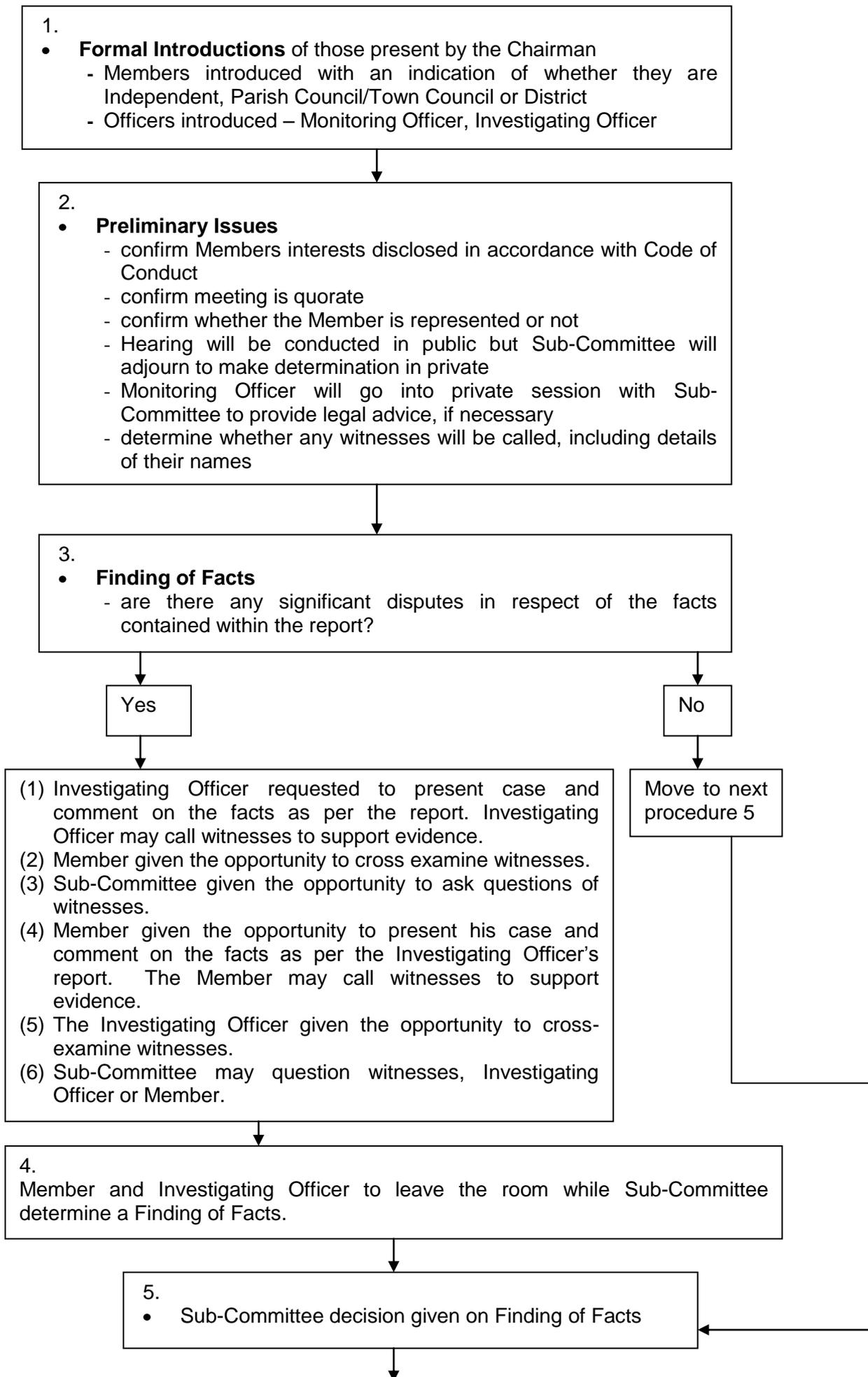
30. After considering any verbal or written representations from the Investigator, the Sub-Committee will consider whether or not it should make any recommendations to the Authority, with a view to promoting high standards of conduct amongst members.

The written decision

31. The Sub-Committee will announce its decision on the day and provide a short written decision on that day. It will also need to issue a full written decision within 2 weeks.
32. The decision will be circulated to all relevant persons.
33. Any appeal must be made to the Monitoring Officer of Central Bedfordshire Council within 21 days of the full written decision

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FLOW CHART STANDARDS SUB-COMMITTEE HEARING PROCEDURE



- 6.
- **Did Member fail to follow Code of Conduct?**
 - Member to make submissions
 - Investigating Officer to make any submissions
 - Sub-Committee may request further information

7.
Member and Investigating Officer leave the room

8.
Sub-Committee give their decision in respect of:-
- (1) No breach of Code
 - (2) Breach of the Code but no action
 - (3) Breach of the Code and sanctions will be applied.

9. **If breached the Code then Sub-Committee consider applying sanctions**
- representation from Investigating Officer
 - representation from Member

- **Decision given on whether failed to follow Code**
If no breach or breach but no action to be taken, matter concluded

10.
The Member and Investigating Officer leave the room.

- 11.
- **Decision on sanction given by the Sub-Committee and any recommendations to the Authority**
 - Final written decision will be despatched within 2 weeks
 - Right of appeal to Central Bedfordshire Council within 21 days of the full written decision

NB: Sanctions

- Censure
- Restrict access to resources
- Apologies, training, mediation, conciliation

Complaints Investigation Report

Complaints against Councillor Ian Robinson – Northhill Parish Council

Investigating Officer - Lorna McShane

Monitoring Officer - John Atkinson

1. Summary of the complaints against Councillor Ian Robinson

- 1.1. There are seven complaints in total from Members of Northhill Parish Council and the Clerk. All of the complaints relate to events that took place during the Parish Council Meeting on Monday 8th April 2013.
- 1.2. The complainants are listed in the table below together with the relevant Appendix number.

Complainants	Appendix
Leanne Bacon Clerk to Northhill Parish Council	A
Councillor Helen Papworth	B
Councillor David Kay	C
Councillor Wendi Momen	D
Councillor Sally Mandley	E
Councillor Damian Wilcox	F
Councillor Keith Bennett	G

- 1.3. All of the complaints allege that Councillor Robinson failed to observe aspects of Northhill Parish Council's Code of Conduct, which was adopted on 21st May 2012. **Appendix H.** Complainants allege that Cllr Robinson did not adhere to the following aspects of the Code of Conduct:
 - 1.2.1 Members must set an example by their behaviour and shall act in a way that enhances public trust and confidence in the integrity of the Council and its Members.
(4.14 Code of Conduct)
 - 1.2.2 Members must show must show respect and courtesy to others.
(4.15 Code of Conduct)
 - 1.2.3 Members should value the Council's officers and work alongside them to achieve the Council's objectives. Members must on no account behave in a manner that might constitute bullying.
(4.16 Code of Conduct).

2. Corroboration of issues by complainants

- 2.1. All of the complainants corroborate each other and set out the same version of events on the evening of the 8th April 2013. In view of this, I decided that it was not necessary to interview all of the complainants, as there was no dispute as to the facts that led to the complaints being made. I did however interview Leanne

Bacon - Clerk to the Parish Council, notes are set out in **Appendix I** and Councillor Robinson in **Appendix J**.

- 2.2. In addition to the 7 complaints which were submitted to the Monitoring Officer after the Parish Council Meeting on 8th April 2013, the Monitoring Officer received correspondence from the following individuals:

2.2.1 Email from Sam Vernon dated 3.5.2013 **Appendix K**

Sam Vernon, a reporter on the Biggleswade Chronicle, forwarded an email with a copy letter attached, which stated that the Clerk was allegedly harassed, was down to the weak handling by the Chair at the meeting. The Chair should have answered the questions raised by Councillor Robinson without bringing the Clerk into the debate and should have stopped the harassment by at least two other Councillors who verbally attacked the speaker. This was not a criticism of these Councillors as they were only doing what the Chair should have done in controlling the meeting.

2.2.1 Letter from John Davies to John Atkinson 23.5.2013 **Appendix L**

John Davies of Upper Caldecote wrote to John Atkinson - Monitoring Officer setting out his version of events as a member of the public who attended the Parish Council Meeting on 8 April 2013. He had recently moved to the Parish. The letter records that Councillor Robinson raised several matters and that the Clerk took over answering the questions although they were addressed to the Chair. Occasionally she did ask the Chair if she could respond but as the meeting progressed it became a dialogue between her and Councillor Robinson. Councillor Robinson asked the Clerk to detail responses from various parties to query why the Ickwell Road Site for Affordable Housing had not been progressed. Mr Davies, was of the view, that although Councillor Robinson may have been very hard and insistent with his questioning, he was getting increasingly frustrated that the Clerk not the Chair was answering his questions and not giving answers to the questions he was raising.

2.2.2 Letter from Alan Bigg to Monitoring Officer dated 11.4.2013
Appendix M

The Monitoring Officer also received a letter from Alan Bigg, who commented that the behaviour of Councillor Robinson was not cooperative and was abrasive and vexatious.

3. Alleged breaches of the Code of Conduct

- 3.1. The situation that has given rise to the complaints against Councillor Robinson took place in April 2013 and is therefore subject to the Northhill Parish Council's Code of Conduct, which was adopted on 21st May 2012. **Appendix H**

3.1.1 Members must set an example by their behaviour and shall act in a way that enhances public trust and confidence in the integrity of the Council and its Members. (4.14 Code of Conduct).

Examples of alleged breaches are given below:

- 3.1.1.1 “Cllr Robinson had pointed purposely and extremely rudely at two councillors, calling them Councillor "What's His Name", and had repeatedly refused to let anyone else speak or interrupt him to challenge his behaviour. This disgraceful behaviour follows on from the previous Council Meeting, a Planning Meeting and the Annual Parish Meeting held on the same night, when he had also monopolised the floor with complete disregard for the protocol of agenda items and procedures for voting, despite the Clerk having set out this information very clearly in an email sent prior to the meeting.” Helen Papworth. **Appendix B**
- 3.1.1.2 The “meeting had a large number of concerned attendees, because of recent planning application for Affordable Housing in Upper Caldecote, who all witnessed Cllr Robinson’s erratic and inappropriate behaviour, and subsequently lost the opportunity to see whether Northill Parish Council would uphold the Planning Committee’s decision, once the meeting was abandoned.” Helen Papworth. **Appendix B**
- 3.1.1.3 “Councillor Ian Robinson harassed the Clerk to such an extent that she left the meeting in a distressed state.” Keith Bennett. **Appendix G**
- “Councillor Robinson’s behaviour was witnessed by Parish Councillor and a County Councillor together with a larger than normal gathering of the general public” Keith Bennett. **Appendix G**
- 3.1.1.4 “Councillor Robinson’s behaviour was totally unacceptable in the environment of the Parish Council Meeting”. I therefore can only conclude that Councillor Robinson has brought the Parish Council into disrepute.” Damian Wilcox. **Appendix F**
- 3.1.1.5 “Councillor Robinson seems incapable of accepting any decision he does not agree with and then pursues this to the point of bringing a good Parish Council to disrepute. David Kay. **Appendix C**

- 3.1.2 Members must show must show respect and courtesy to others. (4.15 Code of Conduct) **Appendix H**

Examples of alleged breaches are given below:

- 3.1.2.1 “He refused to let other Councillors speak by insisting that he was ‘not finished” David Kay. **Appendix C**
- 3.1.2.2 “He loudly and repeatedly questioned the Clerk and the Chair, despite having already received perfectly adequate answers”. David Kay. **Appendix C**
- 3.1.2.3 “At the Northill Parish Council Meeting on the 8th April 2013 Councillor Ian Robinson repeatedly failed to show respect and acknowledge the respect of the Chair. He did not stop talking when requested to by the Chair and monopolised the proceedings.

Furthermore he was not courteous to other Councillors.”
Keith Bennett. **Appendix G**

- 3.1.2.4 “Although Councillor Ian Robinson has been referred to ‘The Good Councillor’s Guide’ by our Clerk, I feel that he has not taken on board the requirements of how to conduct himself in meetings. He is discourteous and disrespectful to others”. Keith Bennett
Appendix G
- 3.1.2.5 “Prior to this event, Councillor Robinson had pointed purposely and extremely rudely at two Councillors and had repeatedly refused to let anyone else speak or interrupt him to challenge his behaviour”
Helen Papworth. **Appendix B**
- 3.1.2.6 “He quickly became loud and aggressive raising his voice and demanding to be allowed to finish. At times he banged his hand on the table. This courtesy was given to him. He continued to ask questions but would not accept the answers as they were not to his liking”. Sally Mandley. **Appendix E**
- 3.1.2.7 “Councillor Robinson was unstoppable raising his voice to overcome the Chairman’s voice. At no time despite being asked, did he cease his rant, nor afford the same courtesy of allowing others to finish what they were saying”. Sally Mandley.
Appendix E
- 3.1.2.8 “He was loud, aggressive, impolite to others and disdainful of the requirements of courtesy and impartiality.” Wendi Momen.
Appendix D
- 3.1.3 Members should value the Council’s officers and work alongside them to achieve the Council’s objectives. Members must on no account behave in a manner that might constitute bullying. (4.16 Code of Conduct) **Appendix H**

Examples of alleged breaches are given below:

- 3.1.3.1 “Finally the Clerk had taken enough bullying and walked out, causing our Chair to adjourn the meeting.” David Kay **Appendix C**
- 3.1.3.2 “The Chairman, Cllr D. Milton was forced to abandon the meeting after the Clerk, Ms Leanne Bacon left the room (in distress) having withstood some very hostile and repeated questioning (~20 minutes plus) from Cllr Robinson during the "Matters Arising" section of the agenda.” Helen Papworth. **Appendix B**
- 3.1.3.3 “At a recent Parish Council meeting on 8th April Councillor Robinson’s behaviour was unacceptable. He was both aggressive and bullying to the Council, the Chair and most particularly our female Clerk. When responses to his points were given either he talked over the response or if the response was unacceptable to him and the Parishioners at the meeting”. Damian Wilcox.
Appendix F

- 3.1.3.4 “The behaviour exhibited by Councillor Robinson would have been unacceptable at any public situation. The behaviour was unacceptable in a workplace (the Clerk is an employee of the Parish Council and therefore by extension Councillor Robinson is one of her employers). Damian Wilcox. **Appendix F**
- 3.1.3.5 “Councillor Robinson continues to promote the interests and views of these two Parishioners. His (and their) manner is one of harassment and bullying in particularly at the Clerk”. Sally Mandley. **Appendix E**
- 3.1.3.6 “The events at the Monday’s Council Meeting were unfortunately not a one off. Councillor Robinson has previously lost control. In particular at the Annual Parish Meeting he behaved in a similar manner”. Sally Mandley. **Appendix E**
- 3.1.3.7 “He belittled two other Councillors who tried to reason with him, refused to give the floor despite the requests of the Chair, was highly disrespectful to the Chair and most significantly made sustained ad hominem attacks on the Clerk such that they amounted to bullying”. Wendi Momen. **Appendix D**

3.2 The complaints, if substantiated, would constitute a breach of the Code of Conduct adopted by Northhill Parish Council.

4. Consultation with Independent Person.

- 4.1. Before reaching my conclusions about the complaints I sought the views of an Independent Person appointed by the Council in accordance with Section 28 of the Localism Act 2011. I asked Martin Leppert to review the complaints and relevant papers. The Independent Person’s comments are as follows:- **Appendix N**
- 4.2. "I am happy to agree with your proposed way forward based on the reasons we discussed and the details set out in your report. The actions taken by the Councillor immediately after the meeting and follow up action, by attending a course, goes some way to mitigating his actions on the night in question. From the information supplied I think that clearly the history leading up to the meeting, the manner in which it was conducted and controlled, all helped bring about this rather unsatisfactory event. I do not think Councillor Robinson should shoulder all the blame as it would appear he felt he was being obstructed in getting appropriate information from the Parish Council (whom he is a part of), getting unhelpful responses to questions does not, in my experience, help. Nor the fact that only one of the complainants refers to his immediate apology which I feel rather lessens the quality of their complaint. Not in my opinion a very happy state of affairs.
- 4.3. I also feel I must point out that almost a year has passed since the night in question and I can only assume that all involved (except the Chair) remain and that Councillor Robinson has either continued to act in the manner described or modified his behaviour. I note that there is another case pending which appears to be linked and is subject of a separate investigation”.
- 4.4. Following receipt of further comments on the draft report from Cllr Robinson **Appendix R** and three of the complainants: Cllr Kay **Appendix O**, Cllr Momen

Appendix P, Cllr Bennett **Appendix Q** and the amended report was sent to the Independent Person.

- 4.5. The views of the Independent Person remained unchanged “despite being disappointed that there does not seem to have been any changes” . See **Appendix S**

5. Comments from the complainants on the Draft Report

I sent a copy of the Draft Report to all of the Complainants and the Chair and Vice Chair of Northhill Parish Council. Their comments were incorporated into the second draft, which was then submitted to the Independent Person. I have summarised the comments received below.

5.1 Comments from Councillor David Kay. *Appendix O*

- 5.1.1 The Chairman was in charge at the meeting and the fact that he struggled to contain Councillor Robinson was no surprise as he was virtually out of control in playing to the Gallery.
- 5.1.2 Considers that Mr Davis would support Councillor Robinson as they had both been involved in opposing the site for affordable housing
- 5.1.3 There has been no moderation in Councillor Robinson’s behaviour.
- 5.1.4 Councillor Robinson now writes a weekly column in the Biggleswade Chronicle on behalf of Caldecote Voices, in which Councillor Kay considers Councillor Robinson gives his own interpretation of Northhill Parish Meetings.
- 5.1.5 Observation by the author of the report “I have looked at the website for Caldecote Voices and read recent back editions of the column in the Chronicle, although the column seems to be an outlet for Councillor Robinson’s pet subjects, he does not say anything objectionable or offensive about the Parish Council and it appears to be a summary of business and question asked at the Parish Council Meeting’s.”

5.2 Councillor Wendi Momen *Appendix P*

- 5.2.1 Councillor Momen considers that if Councillor Robinson does receive appropriate and correct information from the Clerk, but he does not like the answers and because he disagrees, he asks the same questions repeatedly and has accused the Clerk of withholding and holding information from him.
- 5.2.2 There is no evidence of any attempt to create or sustain good and cordial relationships with the Clerk or the Parish Council. Councillor Robinson goads the Clerk at the meetings and is sarcastic and unrelenting with his questioning.

5.2.3 This behaviour was evidenced at the AGM on 31st March 2014 when Councillor Robinson monopolized discussions and repeatedly asked the same questions.

5.2.4 Councillor Robinson still behaves in a manner that can be described as bullying and intimidating to the Clerk.

5.3 Councillor Keith Bennett **Appendix Q**

5.3.1 Councillor Robinson has not changed his unacceptable behaviour and conduct and this has further deteriorated over recent months. He also chooses to be very selective in what he remembers to suit the occasion.

5.4 Councillor Robinson **Appendix R**

5.4.1 Councillor Robinson has also sent his comments on the Draft Report. He considers the report to be a balanced assessment, but does not accept that his behaviour constitutes a breach the Code of Conduct. He is however willing to accept the recommendation and the opportunity to resolve the matter within the confines of the Parish Council without further harmful publicity.

6. Conclusion

6.1. In reaching my conclusion, I have considered :

6.1.1. the written complaints from seven Parish Councillors who were present at the meeting. **Appendices: A, B, C, D, E, F, G**

6.1.2. the accounts of both Leanne Bacon **Appendix I** and Councillor Robinson **Appendix J** about the events at the Parish Council Meeting on 8th April 2013

6.1.3. the written accounts of 3 independent members of the public who wrote letters to the Monitoring Officer about the meeting. **Appendices: K, L, M**

6.1.4. the views of the Independent Person at draft stage of the report **Appendix N**

6.1.5. the feedback from Cllr Robinson **Appendix R** and three complainants **Appendices O, P, Q**

6.1.6. the views of the Independent Person on the report which included the feedback outlined in 5.1.4 **Appendix S**

6.1.7. the minutes of the Parish Council Meeting held on 8th April 2013. **Appendix T**

6.1.8. the proposal to allocate a site and build affordable housing in the Parish was likely to provide opposition and strong views for and against the proposal. Councillor Robinson clearly felt that he was not getting answers to questions he raised on behalf of local residents about the decision to allocate the Biggleswade Road Site for affordable housing.

6.1.9. the debate at the meeting became very heated and the questions asked by Councillor Robinson became so insistent that the Clerk felt that she was being bullied and harassed to such an extent that she left the meeting and this version of events is supported by all seven members of the Parish Council who have made formal complaints. There is also evidence from independent members of the public to suggest that the Chair of the meeting should have intervened earlier and taken control of the meeting and stopped the exchange between Councillor Robinson and the Clerk.

6.2 I consider that Councillor Robinson's behaviour on 8th April 2013 did constitute a breach of the Northill Council's Code of Conduct **Appendix H**, in particular paragraphs 4.14, 4.15 and 4.16. However after consulting with the Independent Person, I consider that the Monitoring Officer should seek a local resolution of the complaint.

6.3 I have also taken into account:

6.3.1 the fact that Councillor Robinson did acknowledge that his behaviour had got out of hand at the meeting

6.3.2 late on the evening of the 8th April 2013 he sent a written apology to the Clerk and the Chair copied to all Members of the Parish Council.

6.3.3 Councillor Robinson has also voluntarily attended a course organised by the Bedfordshire Society of Local Councils in November 2013 covering practice and procedure for local council meetings.

7. Recommendation

7.1. In view of above, I am recommending that the Monitoring Officer should seek a local resolution of the complaints.

6 June 2014

Appendices

Appendix	Description
A	Complaint from Leanne Bacon Clerk to Northill Parish Council
B	Complaint from Councillor Helen Papworth
C	Complaint from Councillor David Kay
D	Complaint from Councillor Wendi Momen
E	Complaint from Councillor Sally Mandley
F	Complaint from Councillor Damian Wilcox
G	Complaint from Councillor Keith Bennett
H	Northill Parish Council's Code of Conduct
I	Interview with Leanne Bacon
J	Interview with Cllr Robinson
K	Email from Sam Vernon
L	Letter from John Davies to John Atkinson
M	Letter from Alan Bigg to Monitoring Officer
N	Consultation with Independent Person – at draft report stage
O	Comments on Draft Report from Cllr David Kay
P	Comments on Draft Report from Cllr Wendi Momen
Q	Comments on Draft Report from Cllr Keith Bennett
R	Comments on Draft Report from Cllr Robinson
S	Views of Independent person on updated report including feedback from Cllr Kay, Cllr Momen, Cllr Bennett
T	Minutes of Northill Parish Council Meeting 8 th April 2013

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APPENDIX A

McShaneL01

From: John Atkinson **Sent:** 09/04/13 13:08:34
To: Martha Clampitt
Subject: FW: Code of Conduct complaint

Martha,

Please would you record this new complaint. Thanks.

John

From: parishclerk [mailto:parishclerk@northhillparish.co.uk]
Sent: 09 April 2013 11:43
To: John Atkinson
Cc: Cllr Tricia Turner MBE; Chairman of Northhill Parish Council; helen_vet1@hotmail.com; Wendi Momen; andywild28@ntlworld.com; mtb6k0ay@ntlworld.com; damianwilcox@btinternet.com; sally.m@virginmedia.blackberry.com; keith.bennett20@ntlworld.com; flash.dawson@btinternet.com; [REDACTED]
Subject: Code of Conduct complaint

John,

You may already have heard from Cllr Tricia Turner that last nights Northhill Parish Council meeting had to be abandoned after an hour due to disorder. I myself had to walk out in order to bring this about.

I wish to make a complaint about the conduct of one councillor and I imagine you will receive several more. Can you clarify the procedure for going about this please for the benefit of myself and other councillors? Ideally, I would like to see this Councillor removed from the council permanently. Is there any means by which the Council itself can force the removal of a councillor?

In my opinion this Councillor is clearly bringing the Council into disrepute by his actions. Last night he repeatedly made statements which were contrary to resolutions previously made by Council. Among the offenses I consider he committed against the Code are:

- 1) Failed to set an example by his behavior and failed to act in a way that enhances public trust and confidence in the integrity of the Council and its Members.
- 2) Failed to show respect and courtesy to others.
- 3) Failed to value the Council's officer and to work alongside her to achieve the Council's objectives; he has behaved in a manner to her and to other Councillors that constitutes bullying and harrassment.

I am sorry to have to take this action. I have tried to give advice to this councillor - arranging in house training and most recently providing him with a copy of the "Good Councillors Guide" and pointing out specific areas that he should be adhering to, all to no avail.

Many thanks in advance for your assistance with this.

Kind regards,

Leanne Bacon
Parish Clerk and RFO - Northhill Parish Council

Telephone contact hours:-

Mon 1-3pm

Tues 9-11am

Thurs 2-4pm

Tel 01767 650477

55 Fairfield

Gamlingay

Beds

SG19 3LG

website - www.northhillparish.co.uk

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APPENDIX B

Complaints about a Member of a Council's failure to behave

1. Your name:

2. Contact details:

Address:

Post code:

Email:

Telephone:

3. Full name of the person the complaint is about:

4. Name of the Council of which they are a member:

5. Requesting your identity to be kept confidential:

(Please note that requests for confidentiality or anonymity will not automatically be granted. The Monitoring Officer will consider the request alongside the substance of your complaint)

Reason for anonymity:

6. Nature of the Complaint:

(definitions of these terms can be found at the end of this form).

Please tick the relevant categories

- Selflessness Selflessness
- Integrity Integrity
- Objectivity Objectivity
- Accountability Accountability
- Openness Openness
- Honesty Honesty
- Leadership Leadership

7. Please set out the details of your complaint:

At the general Meeting of Northill Parish Council held on 8/04/13, the Chairman, Cllr D. Milton was forced to abandon the meeting after the Clerk, Ms Leanne Bacon left the room (in distress) having withstood some very hostile and repeated questioning (~20 minutes plus) from Cllr Robinson during the "Matters Arising" section of the agenda. Prior to this event, Cllr Robinson had pointed purposely and extremely rudely at two councillors, calling them Councillor "What's His Name", and had repeatedly refused to let anyone else speak or interrupt him to challenge his behaviour. This disgraceful behaviour follows on from the previous Council Meeting, a Planning Meeting and the Annual Parish Meeting held on the same night, when he had also monopolised the floor with complete disregard for the protocol of agenda items and procedures for voting, despite Clerk having set out this information very clearly in an email sent prior to the meeting. Last night's meeting had a large number of concerned attendees, because of recent planning application for Affordable Housing in Upper Caldecote, who all witnessed Cllr Robinson's erratic and inappropriate behaviour, and subsequently lost the opportunity to see whether Northill Parish Council would uphold the Planning Committee's decision, once the meeting was abandoned.

With specific regard to the 7 Nolan Principles:

1. Selflessness: (Members must never use their position as a member of the Council improperly to secure for themselves or any other person, an advantage or disadvantage) Cllr Robinson consistently acts as a dissenting and disrupting voice for two parishioners who wish to buy a small piece of land owned by Northill Parish Council. He has recently increased his area of interest to include the Affordable Housing application, which just happens to be up the road from his house. (I do not think that he has declared a pecuniary interest, just a personal interest rather late in the day, if I remember correctly. If he hasn't, I believe that he should have done as potentially the value of his property might be affected)
3. Objectivity: Cllr Robinson consistently fails to follow the advice of our Clerk - there have been many examples previously, but with regard to last night's meeting, he did not listen to or accept the Clerk's explanations about several matters in the Minutes of the previous Council meeting which were being considered under "Matters arising". In particular he does not understand that if Council has made a decision, he must abide by it, even if he disagrees with it. This is when the hostile questioning witnessed by all, including ~20 members of the public and Cllr Tricia Turner took place.
4. Accountability: (Members must act in accordance with the Council's policies and reasonable requirements, including any protocols and

codes of practice that may apply.) Cllr Robinson completely disregarded the Council's published Standing Orders re Standards of Behaviour expected from an elected Councillor, and his interrogation of Clerk very publicly challenged her competence, just a few weeks after he himself had sat in on her recent glowing staff appraisal.

6. ?Honesty: if Cllr Robinson has not declared a disclosable pecuniary interest in the affordable Housing planning application, in my opinion, he should have done, for the reasons given above.

7. Leadership: Cllr Robinson fell well short of the requirements expected of Councillors, namely Members must set an example by their behaviour and shall act in a way that enhances public trust and confidence in the integrity of the Council and its Members.

Members must show respect and courtesy to others.

Members should value the Council's officers and work alongside them to achieve the Council's objectives.

In their dealings with the Council's employees, Members must have regard to the Council's protocol on Member/Officer Relations and on no account should they behave in a manner that might constitute bullying.

In particular, in my opinion, his behaviour last night constituted bullying of our Clerk . He also prevented the Chair, Cllr David Milton from effectively chairing the meeting by prolonging Matters Arising and not allowing any other Councillor an opportunity to speak.

I am aware that other Councillors are also putting in a complaint, and I am confident that they will have a similar description of the disgraceful proceedings last night. This Councillor was out of control, playing to the floor, with complete disregard for the standards expected. I take very great exception to his completely unnecessary harassment of a very able and competent clerk on behalf of two disgruntled parishioners, who we reluctantly had to prevent communicating with Council because of their own previous harassment of her. Just another example of his complete disregard for Council's resolutions and Clerk's advice, as he actually stated that he was asking their questions last night, because they were prevented from doing so by Council. (You may or may not be aware that Council was forced to deem these parishioners vexatious, because of their persistent Fol requests to Clerk in 2011, a decision upheld by the Information Commisioner but which the two parishioners appealed against and which is now in the throes of a very lengthy and slow judicial process)

8. Please identify any documents which would support your complaint:

1. I am prepared to supply a Witness Statement if necessary

i)

2.

ii)

3.

iii)

Please indicate the outcome you would like to achieve by submitting this complaint: b) other (please provide details)

If other, please give details:

I do not believe that an apology from Cllr Robinson is in any way acceptable for his harassment of our employee, nor the disrepute he caused Northill Parish Council last night. He has had several warnings from Clerk which he has disregarded, He also attended Councillor training when first elected, so he is certainly aware of the conduct expected. I would like to see him removed from office with immediate effect.

I am Vice Chairman of Northill Parish Council, and have been a Councillor for 9 years, apart from one 3 year spell when I resigned because of a pecuniary interest in matters to do with the Ickwell perimeter track. I understand the seriousness of my complaint, and the effect it may have on Northill Parish Council and also for Cllr Robinson.

When you have completed all of the form, we would ask that you check through the information and then save or print a copy for your records.

What standards of Conduct are elected Members of a Council expected to observe? (section 6 above refers)

Selflessness:Members must always act in the public interestMembers must never use their position as a member of the Council improperly to secure for themselves or any other person, an advantage or disadvantage.Members must not use the Council's resources improperly for personal or party political purposes.

IntegrityMembers must not do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, the Council.Members must not disclose information given to them in confidence.

Objectivity:When making decisions on behalf of the Council, including awarding contracts or making appointments, Members must do so on merit.Members must have regard to any relevant advice provided to them by the Council's officers and, in particular, the Head of Paid Service, Chief Finance Officer and Monitoring Officer, where such advice is provided pursuant to their statutory duties*.</li

(*Note: This paragraph will need to be revised in the case of town and parish councils).

AccountabilityMembers must act in accordance with their legal obligations, including the following Acts of Parliament that confer special obligations on elected councillors:Local Government Act 1972Employment Rights Act 1996Data Protection Act 1998Freedom of Information Act 2000Bribery Act 2010Equality Act 2010Localism Act 2011Members must act in accordance with the Council's policies and reasonable requirements, including any protocols and codes of practice that may apply. (e.g. in respect of Member/Officer Relations, ICT, Member Allowances etc).

OpennessMembers must give reasons for any decisions taken on behalf of the Council in accordance with any statutory requirements and the Council's Constitution.Members must not prevent another person from gaining access to information to which that person is entitled by law.

HonestyMembers must declare any disclosable (pecuniary and non-pecuniary) interests or conflicts of interest that may arise in respect of their responsibilities as a member of the Council.Members must at all times ensure that any claims for expenses, allowances, and any use of facilities and services provided by the Council, are strictly in accordance with the rules laid down on these matters.

LeadershipMembers must set an example by their behaviour and shall act in a way that enhances public trust and confidence in the integrity of the Council and its Members. Members must show respect and courtesy to others.Members should value the Council's officers and work alongside them to achieve the Council's objectives.In their dealings with the Council's employees, Members must have regard to the Council's protocol on Member/Officer Relations and on no account should they behave in a manner that might constitute bullying.

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**Complaints about a Member of a Council's failure to behave****1. Your name:**

David Kay

2. Contact details:

Address:

32, Biggleswade Rd Upper Caldecote

Post code:

SG18 9BL

Email:

mtb6k0ay@ntlworld.com

Telephone:

1767221763

**3. Full name of the person
the complaint is about:**

Councillor Ian Robinson

**4. Name of the Council of
which they are a member:**

Northill Parish Council

5. Requesting your identity to be kept confidential:

(Please note that requests for confidentiality or anonymity will not automatically be granted. The Monitoring Officer will consider the request alongside the substance of your complaint)

Reason for anonymity:

6. Nature of the Complaint:

(definitions of these terms can be found at the end of this form).

Please tick the relevant categories

- Selflessness Selflessness
- Integrity Integrity
- Objectivity Objectivity
- Accountability Accountability
- Openness Openness
- Honesty Honesty
- Leadership Leadership

7. Please set out the details of your complaint:

1) Councillor Robinson has failed to set the kind of example electors are entitled to expect.
 2) Has failed to show courtesy and respect for others
 3) Has aggressively harassed the Clerk and Chairman of Council during public meetings.
 4) Had the above been isolated to one meeting it might be just considered "out of character", but this behaviour has been a frequent feature of our council meetings.
 5) I was finally prompted to complain because of Councillor Robinson's extraordinarily aggressive and unpleasant performance at our council meeting on 8th April 2013, on which occasion he loudly and repeatedly questioned the Clerk and Chair, despite having already received perfectly adequate answers – which he seemed unable to accept. He refused to let other councillors speak by insisting that he was "not finished". Councillor Robinson failed to summarise the Affordable Housing issues that attending parishioners has carefully prepared even though he purportedly was representing their case. Finally, the Clerk had taken enough bullying and walked out, causing our Chair to adjourn the meeting. This was a most embarrassing incident for Northill Parish. As a one-off it might be excused after apologies, but this happens all too frequently. Councillor Robinson seems incapable of accepting any decision he does not agree with then pursues this to the point of bringing a good Parish Council into disrepute. I struggle to understand why an otherwise intelligent person cannot exercise a measure of control required under the Nolan Principles.

8. Please identify any documents which would support your complaint:

- 1.

Various e-mails from our Clerk which she may attach requiring this councillor to adhere to proper Councillor Code of Practice
- i)
- 2.
- ii)
- 3.
- iii)

Please indicate the outcome you would like to achieve by submitting this complaint:

b) other (please provide details)

If other, please give details:

Ideally, I would prefer that Cllr Robinson was asked to resign. Why should our Clerk, Chair and other councillors anticipate meetings dreading that another destructive episode might prevent us carrying out council business properly.

When you have completed all of the form, we would ask that you check through the information and then save or print a copy for your records.

What standards of Conduct are elected Members of a Council expected to observe? (section 6 above refers)

Selflessness:Members must always act in the public interestMembers must never use their position as a member of the Council improperly to secure for themselves or any other person, an advantage or disadvantage.Members must not use the Council's resources improperly for personal or party political purposes.

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Objectivity:When making decisions on behalf of the Council, including awarding contracts or making appointments, Members must do so on merit.Members must have regard to any relevant advice provided to them by the Council's officers and, in particular, the Head of Paid Service, Chief Finance Officer and Monitoring Officer, where such advice is provided pursuant to their statutory duties*.</li

(*Note: This paragraph will need to be revised in the case of town and parish councils).

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HonestyMembers must declare any disclosable (pecuniary and non-pecuniary) interests or conflicts of interest that may arise in respect of their responsibilities as a member of the Council.Members must at all times ensure that any claims for expenses, allowances, and any use of facilities and services provided by the Council, are strictly in accordance with the rules laid down on these matters.

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Data Protection

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**Complaints about a Member of a Council's failure to behave****1. Your name:**

Wendi Momen

2. Contact details:

Address:

Wixamtree, Sand Lane, Northill, Biggleswade, Beds.

Post code:

SG18 9AD

Email:

wendi@northill.demon.co.uk

Telephone:

1767627626

**3. Full name of the person
the complaint is about:**

Councillor Ian Robinson

**4. Name of the Council of
which they are a member:**

Northill Parish Council

5. Requesting your identity to be kept confidential:

(Please note that requests for confidentiality or anonymity will not automatically be granted. The Monitoring Officer will consider the request alongside the substance of your complaint)

Reason for anonymity:

6. Nature of the Complaint:

(definitions of these terms can be found at the end of this form).

Please tick the relevant categories

- | | |
|----------------|--|
| Selflessness | <input type="checkbox"/> Selflessness |
| Integrity | <input type="checkbox"/> Integrity |
| Objectivity | <input type="checkbox"/> Objectivity |
| Accountability | <input type="checkbox"/> Accountability |
| Openness | <input type="checkbox"/> Openness |
| Honesty | <input type="checkbox"/> Honesty |
| Leadership | <input checked="" type="checkbox"/> Leadership |

7. Please set out the details of your complaint:

Councillor Robinson has:

- 1) Failed to set an example by his behaviour and failed to act in a way that enhances public trust and confidence in the integrity of the Council and its Members.
- 2) Failed to show respect and courtesy to others.
- 3) Failed to value the Council's officer and to work alongside her to achieve the Council's objectives; and has behaved in a manner to her and to other Councillors that might constitute bullying.

This follows from an hour-long 'rant' by Councillor Robinson at a meeting of the Parish Council on Monday, 8 April, in the presence of a number of members of the public. I do not question his right to raise points on the minutes, which was the vehicle used in the first instance, nor to respond to points raised by the public in the time allotted to them (although he was not invited by the chair to do so) but he belittled two other Councillors who tried to reason with him, refused to give the floor, despite the requests of the chair, was highly disrespectful to the chair, and, most significantly, made sustained ad hominem attacks on the Clerk, such that they amounted to bullying. So sustained was this attack that the Clerk was nearly in tears and had to leave the room. He repeatedly asked questions to which he received perfectly adequate answers - he simply did not like the responses, as they were not in his favour. He was loud, aggressive, impolite to other Councillors and disdainful of the requirements of courtesy and impartiality. To me, who sat opposite him, he made faces and glared, and I was frightened. It saddens me to say this, as I personally like Mr Robinson.

Further, this is far from the first time that the Clerk has been victim to his attacks. I do not know why he seems to have a personal vendetta against the Clerk but it is now carried into the public setting in such a way as to cause not only distress to her personally but to bring the whole Council into disrepute. I cannot bring documents to support this, as I do not have the minutes of the meeting yet, but I am probably not alone in laying this complaint. Please do publish my name.

8. Please identify any documents which would support your complaint:

1.

- i)
- 2.
- ii)
- 3.
- iii)

Please indicate the outcome you would like to achieve by submitting this complaint: b) other (please provide details)

If other, please give details:

Removal from the Council, if this is possible. I find it impossible to work with a Councillor who seems intent on discrediting an outstanding Parish Clerk and the Parish Council itself, using bullying tactics to achieve this, and who dishonours the public by using their 'interests' as a rationale for his behaviour.

When you have completed all of the form, we would ask that you check through the information and then save or print a copy for your records.

What standards of Conduct are elected Members of a Council expected to observe? (section 6 above refers)

Selflessness:Members must always act in the public interestMembers must never use their position as a member of the Council improperly to secure for themselves or any other person, an advantage or disadvantage.Members must not use the Council's resources improperly for personal or party political purposes.

IntegrityMembers must not do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, the Council.Members must not disclose information given to them in confidence.

Objectivity:When making decisions on behalf of the Council, including awarding contracts or making appointments, Members must do so on merit.Members must have regard to any relevant advice provided to them by the Council's officers and, in particular, the Head of Paid Service, Chief Finance Officer and Monitoring Officer, where such advice is provided pursuant to their statutory duties*.

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**Complaints about a Member of a Council's failure to behave**

1. Your name:

2. Contact details:

Address:

Post code:

Email:

Telephone:

3. Full name of the person the complaint is about:

4. Name of the Council of which they are a member:

5. Requesting your identity to be kept confidential:

(Please note that requests for confidentiality or anonymity will not automatically be granted. The Monitoring Officer will consider the request alongside the substance of your complaint)

Reason for anonymity:

6. Nature of the Complaint:

(definitions of these terms can be found at the end of this form).

Please tick the relevant categories

- | | |
|----------------|--|
| Selflessness | <input checked="" type="checkbox"/> Selflessness |
| Integrity | <input checked="" type="checkbox"/> Integrity |
| Objectivity | <input type="checkbox"/> Objectivity |
| Accountability | <input type="checkbox"/> Accountability |
| Openness | <input type="checkbox"/> Openness |
| Honesty | <input type="checkbox"/> Honesty |
| Leadership | <input checked="" type="checkbox"/> Leadership |

7. Please set out the details of your complaint:

Councillor Robinson has
Selflessness 5. Failed to comply to never use his position as a member of the Council improperly to secure for any other person, an advantage or disadvantage.

Integrity 2. Failed to keep private council decisions and resolutions confident.

Leadership. Failed to set an example by his behaviour and to act in a way that enhances public trust and confidence in the integrity of the Council and its Members.
Failed to show respect and courtesy to others.
Failed to value the Council's officer and work alongside her to achieve the Council's objectives
In his dealings with the Council's employees, he has failed to have regard to the Council's protocol on Member/Officer Relations and behaved in a manner towards the Clerk, Chairman and other Members that constituted bullying.

During the Parish Council Meeting on Monday 8th April 2013, Councillor Robinson used the Any Other Business from the previous meetings minutes to raise a number of points. He quickly became loud and aggressive, raising his voice and demanding to "be allowed to finish", at times banging his hand on the table. This courtesy was given to him. He continued to ask questions but would not accept the answers as they were not to his liking, Despite asking numerous questions, he refused to listen to any answers, gesticulating, pointing at the Clerk, Chairman and other Members and shouting them down. During this time, about 1 hour, 3 other Members had their hands raised to indicate a wish to participate, they were acknowledged by the Chair, but, despite the Chair's attempts to break into the tirade, Councillor Robinson was unstoppable, raising his voice to overcome the Chariman's voice. At no time, despite being asked, did he cease his rant, nor afford the same courtesy of allowing the others to finish what they were saying.

Part of his questions related to previously answered questions and resolutions, relating to two parishioners, deemed vexatious by NPC and upheld by the ICO. Despite previously agreeing with council's 'Policy for dealing with vexatious complaints', Cllr Robinson continues to promote the interests and views of these two parishioners. His (and their) manner and one of is harassment and bullying, aimed particularly at the clerk. Cllr Robinson takes every opportunity, at sub

committee meetings as well as full council, to harrass and badger the clerk and council in his efforts to support the two parishioners.

The events at Monday nights council were unfortunately, not a 'one off'. Cllr Robinson has previously lost control, in particular at the Annual Parish Meeting, behaving in a similar bullying manner. I have not attached any documents, but minutes and emails are available if required.

8. Please identify any documents which would support your complaint:

1.

i)

2.

ii)

3.

iii)

Please indicate the outcome you would like to achieve by submitting this complaint:

If other, please give details:

Removal as a councillor. I have no confidence in Cllr Robinson as a fair and open member of Northhill Parish Council, nor in his adherence to the standards required by the Code of Conduct and the Nolan Principles.

When you have completed all of the form, we would ask that you check through the information and then save or print a copy for your records.

What standards of Conduct are elected Members of a Council expected to observe? (section 6 above refers)

Selflessness:Members must always act in the public interestMembers must never use their position as a member of the Council improperly to secure for themselves or any other person, an advantage or disadvantage.Members must not use the Council's resources improperly for personal or party political purposes.

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Objectivity:When making decisions on behalf of the Council, including awarding contracts or making appointments, Members must do so on merit.Members must have regard to any relevant advice provided to them by the Council's officers and, in particular, the Head of Paid Service, Chief Finance Officer and Monitoring Officer, where such advice is provided pursuant to their statutory duties*.</li

(*Note: This paragraph will need to be revised in the case of town and parish councils).

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**Complaints about a Member of a Council's failure to behave****1. Your name:**

Damian Wilcox

2. Contact details:

Address:

Fasgadh Sand Lane Northill Bedfordshire

Post code:

SG18 9AE

Email:

damianwilcox@btinternet.com

Telephone:

7920568940

**3. Full name of the person
the complaint is about:**

Ian Robinson

**4. Name of the Council of
which they are a member:**

Northill

5. Requesting your identity to be kept confidential:

(Please note that requests for confidentiality or anonymity will not automatically be granted. The Monitoring Officer will consider the request alongside the substance of your complaint)

Reason for anonymity:

6. Nature of the Complaint:

(definitions of these terms can be found at the end of this form).

Please tick the relevant categories

- | | |
|----------------|--|
| Selflessness | <input type="checkbox"/> Selflessness |
| Integrity | <input checked="" type="checkbox"/> Integrity |
| Objectivity | <input type="checkbox"/> Objectivity |
| Accountability | <input type="checkbox"/> Accountability |
| Openness | <input type="checkbox"/> Openness |
| Honesty | <input type="checkbox"/> Honesty |
| Leadership | <input checked="" type="checkbox"/> Leadership |

7. Please set out the details of your complaint:

I reluctantly have to make a complaint about Councillor Robinson As a new Councillor and having read the good Councillor guide as well as putting myself forward for Councillor induction training. Councillor Robinson has set the worst kind of example to myself as a new Councillor

I have been going to council meeting for some time I have witnessed the behavior of Councillor Robinson get steadily worse from both a member of the public and now a Councillor.

Examples of what I have witnessed

- Conflict of interest, representing both a local groups he is involved within the council and not acting in the interests of the local residents (although he had declared an interest in the matter he still insisted in being extremely forceful in his own interest
- Councillor Robinson is in close contact and representing two particular parishioners who have been sanctioned under an internal policy for dealing with habitual or vexatious complaints, even though he signed up to that policy and agreed with the sanction
- At a recent parish council meeting 8th April Councillor Robinson's behavior was unacceptable. He was both aggressive and bullying to the Council, the Chair and most particularly our female Clerk. When responses to his points were given either he talked over the response or if the response was unacceptable to him and the parishioners at the meeting. The tirade off attracts eventually resulted in the Clerk leaving the meeting very upset. The meeting was the adjourned.
- The behavior exhibited by Councillor Robinson would have been unacceptable in any public situation. The behavior was unacceptable in a workplace (the Parish Council employee the Clerk and therefore by extension Councillor Robinson is one of her Employers)
- But most importantly the behavior was totally unacceptable in the environment of a Parish Council Meeting.

I therefore can only conclude that Councillor Robinson has brought the Parish council into Disrepute

8. Please identify any documents which would support your complaint:

1.
- 1)
2.

ii)

3.

iii)

Please indicate the outcome you would like to achieve by submitting this complaint:

When you have completed all of the form, we would ask that you check through the information and then save or print a copy for your records.

What standards of Conduct are elected Members of a Council expected to observe? (section 6 above refers)

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**Complaints about a Member of a Council's failure to behave****1. Your name:**

Keith Bennett

2. Contact details:

Address:

72 Hitchin Rd, Upper Caldecote, Biggleswade, Beds

Post code:

SG18 9BU

Email:

keith.bennett20@ntlworld.com

Telephone:

1767223398

**3. Full name of the person
the complaint is about:**

Cllr Ian Robinson

**4. Name of the Council of
which they are a member:**

Northill Parish Council

5. Requesting your identity to be kept confidential:

(Please note that requests for confidentiality or anonymity will not automatically be granted. The Monitoring Officer will consider the request alongside the substance of your complaint)

Reason for anonymity:

6. Nature of the Complaint:

(definitions of these terms can be found at the end of this form).

Please tick the relevant categories

- | | |
|----------------|--|
| Selflessness | <input type="checkbox"/> Selflessness |
| Integrity | <input type="checkbox"/> Integrity |
| Objectivity | <input checked="" type="checkbox"/> Objectivity |
| Accountability | <input checked="" type="checkbox"/> Accountability |
| Openness | <input type="checkbox"/> Openness |
| Honesty | <input type="checkbox"/> Honesty |
| Leadership | <input checked="" type="checkbox"/> Leadership |

7. Please set out the details of your complaint:

At the Northhill Parish Council meeting on the 8 September 2013; Cllr Ian Robinson repeatedly failed to show respect and acknowledge the authority of the Chair. He did not stop talking when requested to by the Chair, talked over the Chair and monopolised the proceedings. Furthermore he was not courteous to other Councillors. At the meeting he repeatedly made statements which were contrary to resolutions previously made by Council, thus bringing the Council into disrepute by his actions.

Cllr Ian Robinson harassed the Clerk to such an extent that she left the meeting in a distressed state. The Chairman subsequently closed the meeting. Cllr Ian Robinson's behaviour was witnessed by Parish Councillors and a County Councillor together with a larger than normal gathering of the general public. His improper behaviour has also occurred at previous Council meetings.

Although Cllr Ian Robinson has been referred to "The Good Councillors Guide" by our Clerk, I feel he has not taken on board the requirements of how to conduct himself in meetings. He is discourteous and disrespectful to others.

In my opinion Cllr Ian Robinson has failed to:

1. Acknowledge that once a proposal has been agreed it becomes a resolution and is not open to further discussion.
2. Accept that some of the statements he makes at meetings brings the Council into disrepute.
3. Accept the advice and guidance offered by our Clerk.
4. Conduct himself in accordance with the requirements of The Good Councillors Guide and Code of Conduct.
5. Act in accordance with Council policy on bullying and harassment by behaving in a manner to our employee that might constitute bullying.
6. Set an example by his behaviour to enhance public trust.
7. Show respect to others.

8. Please identify any documents which would support your complaint:

- | | |
|-----|--|
| 1. | <input type="checkbox"/> Council documents are available |
| i) | <input type="checkbox"/> |
| 2. | <input type="checkbox"/> |
| ii) | <input type="checkbox"/> |

3.

iii)

Please indicate the outcome you would like to achieve by submitting this complaint:

If other, please give details:

When you have completed all of the form, we would ask that you check through the information and then save or print a copy for your records.

What standards of Conduct are elected Members of a Council expected to observe? (section 6 above refers)

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Objectivity:When making decisions on behalf of the Council, including awarding contracts or making appointments, Members must do so on merit.Members must have regard to any relevant advice provided to them by the Council's officers and, in particular, the Head of Paid Service, Chief Finance Officer and Monitoring Officer, where such advice is provided pursuant to their statutory duties*.</li

(*Note: This paragraph will need to be revised in the case of town and parish councils).

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APPENDIX H

NORTHILL PARISH COUNCIL

CODE OF CONDUCT

ADOPTED 21ST MAY 2012

1.0 Introduction

- 1.1 This Code of Conduct ("the Code") has been adopted by the Council as required by Section 27 of the Localism Act 2011 ("the Act").
- 1.2 The Council has a statutory duty under the Act to promote and maintain high standards of conduct by members and co-opted members of the Council ("Members") and the Code sets out the standards that the Council expects Members to observe.
- 1.3 The Code is not intended to be an exhaustive list of all the obligations that are placed on Members. It is the responsibility of individual Members to comply with the provisions of the Code as well as such other legal obligations as may apply to them from time to time.
- 1.4 The Code is consistent with the following principles (the "Nolan" principles of standards in public life):

- Selflessness
- Integrity
- Objectivity
- Accountability
- Openness
- Honesty
- Leadership

2.0 Who does the Code apply to?

- 2.1 The Code applies to all Members of the Council and to all co-opted members of any committee, sub-committee or joint committee or sub-committee of the Council.

3.0 When does the Code apply?

- 3.1 The Code applies whenever a person is acting in his/her official capacity as a Member of the Council or co-opted member in the conduct of the Council's business or acting as a representative of the Council.

4.0 What standards of Conduct are Members expected to observe?

Selflessness:

- 4.1 Members must always act in the public interest.
- 4.2 Members must never use their position as a member of the Council improperly to secure for themselves or any other person, an advantage or disadvantage.

- 4.3 Members must not use the Council's resources improperly for personal or party political purposes.

Integrity

- 4.4 Members must not do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, the Council.

- 4.5 Members must not disclose information given to them in confidence.

Objectivity

- 4.6 When making decisions on behalf of the Council, including awarding contracts or making appointments, Members must do so on merit.

- 4.7 Members must have regard to any relevant advice provided to them by the Clerk to the Council and (where a separate appointment is made) to the Responsible Financial Officer.

Accountability

- 4.8 Members must act in accordance with their legal obligations, including the following Acts of Parliament that confer special obligations on elected councillors:

Local Government Act 1972
Employment Rights Act 1996
Data Protection Act 1998
Freedom of Information Act 2000
Bribery Act 2010
Equality Act 2010
Localism Act 2011

- 4.9 Members must act in accordance with the Council's policies and reasonable requirements, including any protocols and codes of practice that may apply.

Openness

- 4.10 Members must give reasons for any decisions taken on behalf of the Council in accordance with any statutory requirements and the Council's Standing Orders.

- 4.11 Members must not prevent another person from gaining access to information to which that person is entitled by law.

Honesty

- 4.12 Members must declare any disclosable (pecuniary and non-pecuniary) interests or conflicts of interest that may arise in respect of their responsibilities as a Member of the Council.

- 4.13 Members must at all times ensure that their claims for expenses, allowances, and their use of facilities and services provided by the Council are strictly in accordance with the rules laid down on these matters.

Leadership

- 4.14 Members must set an example by their behaviour and shall act in a way that enhances public trust and confidence in the integrity of the Council and its Members.
- 4.15 Members must show respect and courtesy to others.
- 4.16 Members should value the Council's officers and work alongside them to achieve the Council's objectives. Members must on no account behave in a manner that might constitute bullying.

5.0 Register of Interests

- 5.1 The Monitoring Officer of Central Bedfordshire Council maintains a register of interests of Members and co-opted members of the Council.
- 5.2 The Council has determined what interests Members are required to enter in the register of interests, including those disclosable pecuniary interests prescribed by regulations. These disclosable interests are listed in Appendix A.
- 5.3 Members must notify the Monitoring Officer of any disclosable pecuniary and non-pecuniary interests that should be recorded in the Council's register of interests.
- 5.4 Within 28 days of becoming a councillor, all Members must submit to the Monitoring Officer a list of their disclosable interests and must notify the Monitoring Officer of any changes as and when they arise.

5.5. and 5.6 below resolved to be added as a revision 16.9.13

- 5.5 As an overriding obligation, members are required to abide by the law and the Nolan Committee Seven Principles of Public Life in determining whether any additional interests should be disclosed.
- 5.6 Members must disclose, when they are present at meetings of Council or its Committees, if they have a pecuniary or other interest in an item of business on the agenda of the meeting and the nature of that interest.
A general dispensation has been granted where a Member has a disclosable pecuniary interest in an agenda item, permitting them to make representations, answer questions and give evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.

Appendix A

DISCLOSABLE PECUNIARY INTERESTS

1. Notification of disclosable pecuniary interests

Within 28 days of becoming a member or co-opted member of Northill Parish Council, Members must notify the Monitoring Officer of any 'disclosable pecuniary interests'.

A 'disclosable pecuniary interest' is an interest of yourself or your partner (which means spouse or civil partner, a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners) within the following descriptions:

1. Employment, office, trade, profession or vocation

Any employment, office, trade, profession or vocation carried on for profit or gain.

2. Sponsorship

Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by M in carrying out duties as a Member, or towards the election expenses of M. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

3. Contracts

Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority—
(a) under which goods or services are to be provided or works are to be executed; and
(b) which has not been fully discharged.

4. Land

Any beneficial interest in land which is within the area of the relevant authority.

5. Licences

Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.

6. Corporate tenancies

Any tenancy where (to M's knowledge)—
(a) the landlord is the relevant authority; and
(b) the tenant is a body in which the relevant person has a beneficial interest.

7. Securities

Any beneficial interest in securities of a body where—
(a) that body (to M's knowledge) has a place of business or land in the area of the relevant authority; 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 relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

These descriptions on interests are subject to the following definitions:

- "the Act" means the Localism Act 2011;
- "body in which the relevant person has a beneficial interest" means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest;
- "director" includes a member of the committee of management of an industrial and provident society;
- "land" includes an easement, servitude, interest or right in or over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income;
- "M" means the person M referred to in section 30 of the Act;
- "Member" includes a co-opted member;
- "relevant authority" means the authority of which M is a member;
- "relevant period" means the period of 12 months ending with the day on which M gives a notification for the purposes of section 30(1) of the Act;
- "relevant person" means M or any other person referred to in section 30(3)(b) of the Act;
- "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.

2. Register of interests

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

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

3. Sensitive interests

Where you consider that disclosure of the details of a disclosable pecuniary interest could lead to you, or a person connected with you, being subject to violence or intimidation, and the Monitoring Officer agrees, if the interest is entered on the register, copies of the register that are made available for inspection and any published version of the register will exclude details of the interest, but may state that you have a disclosable pecuniary interest, the details of which are withheld under Section 32(2) of the Localism Act 2011.

4. Non participation in case of disclosable pecuniary interest

If you are present at a meeting of the authority, or any committee, subcommittee, joint committee or joint sub-committee of the authority, and you have a disclosable pecuniary interest in any matter to be considered or being considered at the meeting:

- you may not participate in any discussion of the matter at the meeting

- you may not participate in any vote taken on the matter at the meeting
- if the interest is not registered, you must disclose the interest to the meeting
- if the interest is not registered and is not the subject of a pending notification, you must notify the Monitoring Officer of the interest within 28 days.

5. Dispensations

The authority may grant you a dispensation, but only in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.

6. Offences

It is a criminal offence to

- Fail to notify the Monitoring Officer of any disclosable pecuniary interest within 28 days of election
- 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 disclosable pecuniary interest that is not on the register that you have disclosed to a meeting
- Participate in any discussion or vote on a matter in which you have a disclosable pecuniary interest
- Knowingly or recklessly providing information that is false or misleading in notifying the Monitoring Officer of a disclosable pecuniary interest or in disclosing such interest to a meeting

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.

APPENDIX I

Interview with Leanne Bacon
Clerk to Northill Parish Council
1st October 2013

1. The Clerk outlined difficulties she had experienced in her dealings with Councillor Robinson in meetings. He tries to raise matters on which previous decisions have been made in Matters Arising and often tries to re-debate matters in the minutes and tries to reverse previous decisions of the Council. However until the Parish Council meeting on 8th April 2013, she felt that she had a reasonably good relationship with Councillor Robinson. He had taken part in her appraisal as Parish Clerk and had been very complimentary and had supported an increase in her salary.
2. Matters had become heated and controversial over an affordable housing scheme. Councillor Robinson and other local residents were unhappy with the decision to recommend the Biggleswade Road Site for the scheme. Planning permission had been granted for this site by Central Bedfordshire Council and it is about to be developed.
3. The Clerk had previously tried to advise Councillor Robinson about procedure at meetings and governance issues and had provided him with a copy of The Good Councillor's Guide produced by The National Associates of Local Councils.
4. The Clerk also mentioned two other issues that were of concern to Councillor Robinson – The Beacon and [REDACTED] who were in dispute with the Parish Council and Councillor Robinson appeared to be supporting the position of [REDACTED] against the Parish Council. (This is the subject of a separate complaint made by Councillor Sally Mandley and is currently under investigation).
5. The Clerk stated at the meeting on 8th April 2013 Councillor Robinson started to raise matters in his normal manner but became very insistent. The meeting was being chaired by David Milton and he tried to stop Councillor Robinson but Councillor Robinson continued to ask questions and the Clerk to the Council took over answering the questions and there followed a quite heated and animated exchange between the Clerk and Councillor Robinson. This continued for about ten minutes until the Clerk said she walked out of the meeting. The Clerk said she was very upset and felt she was being harassed and bullied and was particularly upset that this exchange had taken place in public. The Chair then adjourned the meeting as they could not conduct any further business without the Clerk.
6. The Clerk said she had received an apology from Councillor Robinson after the meeting for the manner in which he had addressed her at the meeting. When asked what she thought would be helpful in dealing with her complaint given the limited sanctions available to the Monitoring Officer and the Standards Committee under the Code, she thought that Councillor Robinson should be required to attend some training on Council and Planning Procedure and thought a letter from the Monitoring Officer about his behaviour at the meeting would be helpful.

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APPENDIX J.

Interview: 22nd October 2013
Councillor Ian Robinson

1. Councillor Robinson has been a member of Northill Parish Council for 3 years and was elected as a Parish Council Member for Upper Caldecote. Councillor Robinson outlined the background to the Affordable Housing Issue which had caused controversy at the Parish Council Meeting on 8th April 2013. Alternative sites had been proposed for affordable housing within the Parish.
 - 1.1 Ickwell Road in the centre of the village. This site appeared to be favoured by the Parish Council and local residents, it was in the centre of the village and close to local amenities.
 - 1.2 Biggleswade Road – This was an alternative site that had been proposed on the edge of the village adjacent to No.108 Biggleswade Road
2. At a meeting of the Parish Council on 25th March 2013 Planning Officers from Central Bedfordshire Council attended to discuss with me affordable housing sites. This had resulted in a decision by the Planning Sub-Committee of the Parish Council to recommend the Biggleswade Road Site.
3. Councillor Robinson was not clear why this alternative site was being recommended as there were certain problems associated with this site. There were issues to do with sale of the site. It was on a dangerous bend, there were unsuitable ground conditions and the site was often waterlogged due to it being a former gravel pit. At the Parish Council Meeting on 8th April 2013 the owner of [REDACTED] attended the meeting to address the Parish Council and gave a written presentation. A number of local residents also attended the meeting as they were concerned about the decision of the Parish Council Planning Committee to recommend the Biggleswade Road Site.
4. When asked about whether he felt he had an interest he should declare on the issue of the affordable housing. Councillor Robinson replied that although the site under discussion was about 5 houses away from his property he had no objections in principle to the affordable housing being in this location although he hoped that the access to the site would not go behind his property. Councillor Robinson stated that at the meeting on 8th April 2013 he had been representing the views of the local residents particularly those in the bungalows in Swallowfield who lived opposite the proposed site and were concerned about the extra traffic that would be generated in this location.
5. At item 9.1 of the minutes of the previous meeting (25th March 2013) Councillor Robinson asked the Chair why Ickwell Road Site had not been progressed and why the alternative site in Biggleswade Road had been selected. Councillor Robinson stated that none of the local residents had seen the planning minutes from the meeting on 25th March 2013. Normal procedure is for the minutes of the meeting to be approved by the Chair and Vice Chair at Northill Parish Council and they will then be published on the website. Leanne Bacon the Clerk had been on leave and this had

delayed publication of the minutes and Councillor Robinson felt that had the minutes been available the members of the public at the meeting would have been in a better position to ask questions and this is why Councillor Robinson had taken up the issues at the meeting.

APPENDIX K

McShaneL01

From: Nick Pearce
To: John Atkinson
Subject: FW: Last week's letters page

Sent: 03/05/2013 10:32:37

From: Sam Vernon [mailto:sam.vernon@jpress.co.uk]
Sent: 03 May 2013 10:14
To: Nick Pearce
Subject: Re: Last week's letters page

Dear Nick,

Thank-you for the email and sorry for delayed reply - pasted text below. Sorry a bit messy - always forget how to convert the pages into PDF's!

Hope it's ok, if not let me know.

Many thanks,

Sam

council

My take on parish meeting

I am responding to David Milton's letter (Chronicle, April 19). Firstly. I would like to know if he had the Northill Parish Council's complete authority to write that letter or is it on his own behalf under the guise of the council.

He very publicly supports and rightly praises the clerk for her excellent work since taking over as clerk especially in sorting out the problems left by her predecessor and I add my support. However, I do feel that she was left "hanging out to dry" at the last council meeting by her biggest supporter, namely David Milton.

I am an ex-clerk of a parish council and several school governing bodies and I speak from experience.

In the circumstances of the last parish meeting, the fact that she was allegedly harassed, was down entirely to the very weak handling of the meeting by David Milton.

He should have been answering the questions without bringing the clerk into the debate. If he felt that time was being taken up by one person he should have said so not left it to the clerk. He should also have stopped the harassment by at least two other councillors who verbally attacked the speaker. I do not blame the other councillors and to a certain extent they were doing what the chairman should have done.

As a first time visitor to this parish meeting, I was appalled at the "bear pit" atmosphere and I sincerely hope that David Milton controls the meetings better in the future so he does not feel the need to protect in print the lady who is employed to give and take advice but who ended up having to run the meeting, which subsequently was abandoned.

I also hope that this letter does not mean that I will be muzzled by the parish council. I would like to see the authority where the council has the means to take away people's right to free speech.

John Davies
Upper Caldecote

Sam Vernon

Reporter
Biggleswade Chronicle
01767 224411 (VOIP: 6642 4411)
sam.vernon@jpress.co.uk

Follow me on Twitter: Sam_Chronicle

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www.subscriptionline.co.uk/BCH

On 2 May 2013 16:14, Nick Pearce <nick.pearce@centralbedfordshire.gov.uk> wrote:
Hi Sam,

This isn't urgent, but is there any chance you could email me a copy of last week's letters from the Chronicle. I am after a letter about Northill Parish Council.

Thanks,

Nick

Nick Pearce
Media Officer
Communications

Central Bedfordshire Council Priory House, Monks Walk, Chicksands, Shefford, Bedfordshire, SG17 5TQ
Direct Dial: 0300 300 4910 | Internal ext: 74910 | Email: nick.pearce@centralbedfordshire.gov.uk

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APPENDIX L

John Davies

25th September 2013

Complain against Councillor Ian Robinson

Dear Mr Atkinson

It has come to my notice that 7 Parish Councillors from Northill Parish Council (NPC) have made a formal complaint against one of their fellow Councillors, Mr Ian Robinson and you are the person in charge of organizing the investigation. I felt it was only right that you should have the view of a member of the public who attended the Parish Meeting on the 8th April 2013.

Firstly, I must introduce myself. My wife and I moved into our house in Upper Caldecote on the 4th February 2013. We were welcomed by a nearby resident and as a result we joined in several activities in the Caldecote Pavilion. We then decided to attend the Parish Council meeting to get an idea how things worked in the village. At that time we knew no-one at the meeting.

The agenda for the Northill Parish Council (NPC) meeting had 15 items on it, with several sub – sections. Item 4 was Open Forum for 10 minutes. I don't know whether that is standard practise to allow the public to speak for only 10 minutes when there were 21 attending. Also surely it would be better to have them speak nearer the end of the meeting rather than Item 4. Five people spoke, asking questions but not getting very satisfactory answers. One noted that the draft minutes of the Planning meeting, held 14 days previously, had only just been received. One resident stated the Clerk seemed to have too much work to cope and offered help, say as a Publicity Officer. The Chair responded that administration was dealt with by the Clerk, thus turning down his very public spirited offer.

I only raise that last paragraph as it shows the Council and the Clerk do not really listen to the public, who they are supposed to be representing and it sets the tone for the rest of the meeting.

Under Matters arising, Mr Robinson raised several matters from speed checks, Parish Notice Board and Open Forum. In most cases the Clerk took over the answering the questions, although they were addressed to the Chair. Occasionally she did ask the Chair if she could respond but as the meeting progressed, it became a dialogue between her and Mr Robinson. This is where the problem lies.

Mr Robinson asked the Clerk to detail responses from relevant parties to query why the Ickwell Road site for Affordable Housing had not progressed. The Clerk stated that she had circulated all responses but had none to hand. As this was certain to be a matter to be raised, surely she should have had this information to hand. She summarised the responses she had received from memory. In light of this, Mr Robinson asked the Council to reconsider the resolution made by the Planning Committee to approve the application for the Biggleswade Road site, which was the Council's second choice originally. Again the Clerk, not the Chair tried to clarify planning procedure and whilst talking, became very animated, waving her arms about. Mr Robinson asked her to desist and several Councillors leapt to her defence, telling Mr Robinson to calm down.

Then Mr Robinson asked why his offer to help with Salt was not minuted. Clerk again replied that it was minuted "IR offered to provide wheelie bins of salt for use at Garner Close." Mr Robinson said this was not the offer of help he was referring to. In other words the Clerk had not answered his question, yet again.

Under Correspondence and Communications Mr Robinson asked if he could speak on behalf of [REDACTED]. The Clerk reminded him that the Council had invoked a restriction on the 2 residents. Then she leant across the table and pointed her finger at his chest. He asked her to answer his questions properly and not to point at him. At this point, the Clerk walked out of the meeting stating she was being harassed and the Chair said that without a Clerk, he would have to adjourn the meeting. After that, several Councillors verbally abused Mr Robinson and the Chair tried to usher him out of the meeting. At this moment, my wife and I together with other members of public left but there are plenty to substantiate what I have written.

Apart from being a new resident, I am also an ex-Clerk to a small Parish Council. I went on a training course and things may have changed radically since I left that Parish. It was made very clear to me that the Clerk is an employee, not an employer and that I had a very definite line of action at meetings. 1) Prepare, in conjunction with the Chair, the agenda and distribute it immediately. 2) Take minutes, type them up and distribute them to the Council within days of the meeting, not 14 days later as in the Planning meeting. 3) Help the Chair, when asked, with any matters especially legal ones. 4) Be seen and not be heard. This Clerk seems to run the meeting more than the Chair, who mainly sits back and lets her. The new Chair is marginally better but the Clerk still seems to lay down the rules.

I hope from this account you can see that, whilst Mr Robinson may have been very hard and insistent with his questioning, he was getting increasingly frustrated that the Clerk (not the Chair) was answering his questions and not always giving him the answers he was looking for.

Kind Regards

John Davies.

APPENDIX M

[REDACTED]

11.4.2013

Dear Sir/Madam

RE: NORTHILL PARISH COUNCIL, ADJOURNMENT OF MEETING BY
CHAIRMAN, ON 8.4.2013.

I write as an elector in the Northhill Parish, who served as a Councillor for over 20 years followed by 12 years as Clerk to the Parish Council. Now retired, I still retain an interest in Parish affairs, and occasionally attend Council Meetings.

Whilst never one to attempt to curtail freedom of speech, I have been increasingly concerned at the ongoing activities of Councillor Robinson at meetings.. He appears to be raising issues and commenting on almost every item on the agenda of meetings. Whilst his remarks could be considered as relevant to the discussion, he is so persistent, that they could often be described as "nit picking".

It is difficult to assess his motive for this continuous raising of small issues, which are sometimes veiled assertions of the Chairman's conduct of meetings, and the competence of the Clerk. The matter unfortunately became so uncomfortable at the Council meeting on Monday of this week, that the Clerk (popular, competent & well qualified), took the exceptional action, of walking out of the meeting, probably in some distress, thus forcing the Chairman to adjourn the meeting.

This means that no further business was conducted that evening, causing the Council further expense in arranging another meeting to continue its unfinished business, prior to the Annual Meeting in Mid May.

I hope this incident has been reported officially to your Office, as this is an event unprecedented in the past 40 years of Northhill Parish Council, and calls into question its reputation of businesslike, calm and orderly management of its affairs.

I know many local electors are concerned at this state of affairs, which is primarily caused by the activities of one individual Councillor.

My questions to you, are,

* Is there any way in which a more co-operative & less abrasive attitude could be impressed on this Councillor ?

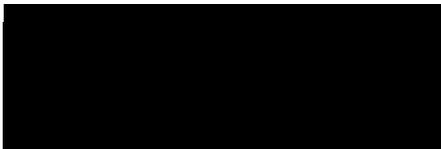
* Has the Parish Council any sanctions it could bring to bear ?

Page 2.

- * Can the Parish Council resolve to suspend a Councillor for vexatious conduct ?.
- * Do you have any powers to call this Councillor to behave in a more co-operative way ?

Your comments and advice on this issue would be much appreciated.

Yours faithfully,

A large black rectangular redaction box covering the signature of Alan P Bigg.

Alan P Bigg

To :

The Information Commissioner
Central Beds Council
Priory House
Monks Walk
Chicksands
Shefford SG17 5TQ

cc. Chairman. Northhill Parish Council
Clerk. Northhill Parish Council.
Secretary, Beds Assn. Town & Parish Councils.

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APPENDIX N

Lorna McShane

From: Nicola Kyle-Finn
Sent: 27 March 2014 15:39
To: Lorna McShane
Subject: FW: Complaints - Cllr Robinson Northill Parish Council

Please see email below from Martin.

Kind Regards,
Nicola Kyle-Finn
Admin Support Assistant
Legal Services

Central Bedfordshire Council, Priory House Monks Walk Chicksands Shefford Bedfordshire SG17 5TQ DX: 153440 SHEFFORD

Direct Dial: 0300 300 6095 (Internal 76095) | **Fax:** 0300 300 5398
Email : nicola.kyle-finn@centralbedfordshire.gov.uk

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Not protected - General Data

From: Martin Leppert [mailto:]
Sent: 27 March 2014 14:59
To: Nicola Kyle-Finn
Subject: Re: Complaints - Cllr Robinson Northill Parish Council

Dear Lorna

Many thanks for this and for our discussion yesterday.

I have now read through your draft report and am happy for my following comments to be added if you wish or to be brought to the attention of the Monitoring Officer outside of your draft report.

"I am happy to agree with your proposed way forward based on the reasons we discussed and the details set out in your report. The actions taken by the Councillor immediately after the meeting and follow up action by attending a course goes some way to mitigating his actions on the night in question. From the information supplied I think that clearly the history leading up to the meeting, the manner in which it was conducted and controlled, all helped bring about this rather unsatisfactory event. I do not think Councillor Robinson should shoulder all the blame as it would appear he felt he was being obstructed in getting appropriate information from the Parish Council (whom he is a part of), getting unhelpful responses to questions does not, in my experience, help. Nor the fact that only one of the complainants refers to his immediate apology which I feel rather lessens the quality of their complaint. Not in my opinion a very happy state of affairs.

I also feel I must point out that almost a year has passed since the night in question and I can only assume that all involved (except the Chair) remain and that Councillor Robinson has either continued to act in the manner described or modified his behaviour. I note the other case pending which appears in a number of ways linked but I wondered whether you had a view on his current behaviour? If he has moderated his approach then the proposal course of action seems appropriate (if not, then others on the Parish Council will not be that happy particularly given the other case pending which I understand is perhaps of even more of a serious nature). I also think that taking this long to resolve this type of issue is not helpful - these issues are, as I am sure you will agree, better dealt with sooner rather than later. I understand the internal pressures and need for investigations to be undertaken to ensure fair play but a long investigation etc does not in some cases help matters."

May I also take this opportunity just to make a few comments about the draft report? In section 1, para 6, you refer to an email dated September 2014 - this is of course 2013 (and a very detailed content 5 months after the event). In Appendix 1, para 2 should I think read "Matters". In para 5 there are a number of corrections I might suggest but you might want to have another look at that (raised should be raise and Chair should be Clerk). The first part of this para also seems to have got a bit muddled ().

Hope this is all helpful and happy to discuss further if you need to.

Yours

Martin

Martin Leppert

Independent Person

From: Nicola Kyle-Finn <Nicola.Kyle-Finn@centralbedfordshire.gov.uk>

To: [REDACTED]

Sent: Thursday, March 27, 2014 1:31 PM

Subject: FW: Complaints - Cllr Robinson Northhill Parish Council

Sent on behalf of Lorna McShane

Dear Martin,

Complaints about Councillor Robinson - Northhill Parish Council

Thank you for discussing this matter with me yesterday.

As we discussed I am now forwarding my draft report to the Monitoring Officer and supporting documentation to you for any comments.

Thank you for agreeing to look at this at such short notice for me.

I am happy to discuss further and my contact details are set out below.

Kind Regards,

Lorna McShane

Legal Services Manager-Commercial

EXT 74025 | T: 0300 300 4025 | F: 0300 300 5398 | DX: 153440 Shefford

Central Bedfordshire Council, Priory House Monks Walk Chicksands Bedfordshire SG17 5TQ

Nicola Kyle-Finn

Business Support Officer Commercial - Legal Services

T: 0300 300 6095 | F: 0300 300 5398 |

DX : 153440 Shefford

Central Bedfordshire Council, Priory House Monks Walk Chicksands Bedfordshire SG17 5TQ

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From: Cllr. David Kay NPC

9th April 2014

Dear Ms McShane,

Thank you for the opportunity of commenting on your initial assessment of complaints against Cllr Robinson of Northill Parish Council. You will I hope forgive my astonishment that it has taken CBC 12 months to the day to assess a relatively simple situation and produce a brief report. I must now respond within 10 days! However – that is history, you are new to the role and here are my comments:

- 1) Your paragraph show in italics below is entirely incorrect. If the Sam Vernon referred to is the Biggleswade Chronicle reporter, he is normally more professional in ensuring his facts are accurate. Our chairman David Milton was in charge of the meeting. The fact that he struggled to contain Cllr Robinson was no surprise; Robinson was virtually out of control in his playing to the gallery (Chronicle?) and would not yield the floor to anyone. Cllr Milton had tried to answer the questions, but Robinson did not like the answers, so our Clerk was trying to remind Cllr Robinson of the realities of the Planning Process. Our Chair finally adjourned the meeting. My corrections are shown below.

An email from Sam Vernon who attended the meeting and stated that the fact that the Clerk was allegedly harassed was down to the weak handling at the meeting by the Clerk (substitute Chair). The Clerk (substitute Chair) should have answered the questions raised by Councillor Robinson without bringing the Clerk into the debate and should have stopped the harassment by at least two other Councillors who verbally attacked the speaker. This was not a criticism of these Councillors as they were only doing what the Clerk (substitute Chair) should have done in controlling the meeting

- 2) The opinion of J Davis was further expressed in a strongly worded letter criticizing our Chair quite unfairly in the Biggleswade Chronicle later in the week. Mr Davis was in my opinion, backing Cllr Robinson because they were both involved in trying to reverse an Affordable Housing Planning decision taken by NPC. Mr Davis is entitled to his say, but he had only been resident in our parish for a few months and his views should be taken in context with David Milton's 30 years of service to our parishioners.
- 3) Most importantly, I have to record that Cllr Robinson's behaviour has not been moderated in the slightest. I have sent two further emailed complaints as you know – perhaps I should have used the formal complaints process. I know that others have also complained recently to CBC in the same vein.

In conclusion, whilst you have addressed the original complaints, I do not believe that the central issue is being resolved. Cllr Robinson has now taken to writing a weekly column in the Chronicle on behalf of Caldecote Voices – an organisation started by J Davis, in which he gives his own interpretation of NPC meeting outcomes. This is I think in direct conflict with our Code of Conduct. Please submit my letter to the Monitoring Officer.

Yours Sincerely

David Kay

APPENDIX P.

Lynne Wade

From: Wendi Momen <wendi@momen.org>
Sent: 09 April 2014 02:06
To: Lynne Wade
Subject: Re: RESTRICTED - Complaint re: Cllr Robinson

Dear Ms McShane,

Thank you for your email and the assessment attached.

Please note my correct address: wendi@momen.org

I am very disappointed at the decision made about Cllr Robinson.

First, it has taken a year to make the assessment: justice delayed is justice denied.

Second, the report is inaccurate: it was not the Clerk who dealt with matters on the evening in question but the Chair. Sam Vernon, the member of the public who attended the meeting, suggested that reason why 'the Clerk was allegedly harassed was down to the weak handling at the meeting by the Clerk. The Clerk should have answered the questions raised by Councillor Robinson without bringing the Clerk into the debate and should have stopped the harassment by at least two other Councillors who verbally attacked the speaker. This was not a criticism of these Councillors as they were only doing what the Clerk should have done in controlling the meeting.' This just erroneous - it was the Chair, not the Clerk, who took the meeting and I am surprised this clear inaccuracy should have been allowed into the report, suggesting either that Mr/Ms Vernon misunderstood the situation or that the report writer failed, after a whole year, to proofread the report.

Third, it is disappointing that so much weight was given to Mr Vernon's apparently inaccurate email, in the face of many other witnesses to the events.

Fourth, it is disappointing that so much weight was given to the letter of Mr John Atkinson, whose account of the events was more than five months after the meeting on 8 April and whose memory of the events could not be fresh and whose accuracy must be questioned against accuracy of the reports of those who wrote immediately.

Fifth, it is disappointing that the independent person believes Cllr Robinson when Cllr Robinson says that he is 'being obstructed in getting appropriate information from the Parish Council'. This is, of course, Cllr Robinson's very methodology for bringing the Clerk and the Parish Council into disrepute. He **does** receive appropriate and correct answers, he just **does not like** the answers because he disagrees with them. Further, he asks the same questions over and over, receiving the same answers. He accuses the Clerk of hiding information from him that he, like all Councillors, has had. By way of example, I set out below an exchange of emails between myself and Cllr Robinson arising from his very similar abusive behaviour at the Parish Annual Meeting last week. I should point out that the Clerk did respond on the night with the information she had. Cllr Robinson asked over and over the same question regarding the money - he simply would not accept the answer given.

Sixth, it is disappointing that so much weight has been given to Cllr Robinson's apology and the idea that he has taken steps to modify his behaviour. It is the case that he did send a letter of apology to the Clerk and the Councillors. I received this the next morning. I had, by that time, already written making my complaint (having made it at 02:27 a.m. on the 9th).

In the interview with Cllr Robinson on 22 October 2013, the report states: 'Councillor Robinson concluded the interview by stating that he was sorry that matters had got out of hand on the evening of 8th April 2013. He wants to put all of this behind him and develop a good and cordial relationship with the Clerk to Council who he held in great respect for the role she had played in helping the Parish Council recover from former difficulties and her professionalism. ' I have no evidence of this at all. He has done nothing to create or sustain a

good and cordial relationship. He goads her at meetings, points out 'failings' that no one else perceives to be such and is sarcastic and unrelenting.

It is the case that Cllr Robinson attended the training session - I took him there myself - but it has not modified his behaviour. At the Annual Parish Meeting on 31 March 2014, Cllr Robinson again monopolized the discussions, asked the same questions over and over, evoking very negative responses from others, including Alan Bigg. Such was the situation that I felt compelled to leave before the end. One Councillor who was unable to attend owing to ill health wrote the next morning asking how things went. My short response was: 'When it became abusive, I left. I feel we need to do more to protect our clerk.'

Thus Cllr Robinson continues to behave in much the same way as he behaved a year ago. He does not respond to pleas from the Chair to allow others to speak and he makes *ad hominem* remarks about Councillors and the Clerk.

Seventh, it is disappointing that assessor did not see fit to interview all the complainants, particularly as such weight has been given to Cllr Robinson's claims of contrition and remedy yet no attempt has been made to see if Cllr Robinson has actually changed his behaviour. I consider this to be unjust and has resulted in a recommendation that will be difficult to fulfil. In light of the prolonged period of the investigation, there was surely time to see if the views of the complainants had changed, given Cllr Robinson's suggestion that he is a changed man.

Eighth, it is disappointing that the assessment fails to take account of the psychological and emotional damage done by the very challenging actions of Cllr Robinson, actions that have continued for the entire year that it is has taken to complete this assessment. He continues to act as he did on 8 April 2013. I believe that the assessment fails to take account of the very real anguish that Cllr Robinson has caused the Clerk and other Councillors through what I have come to see as bullying.

It may come as surprise to you to know that I count myself a friend of Cllr Robinson and the Cllr Robinson counts me as his friend. He is aware of my complaint against him. I have invited him to my home and we have had long discussions over coffee. I have tried over the past 18 months to help him modify his behaviour in public meetings so that his genuine questions are able to be heard. He simply does not see that his behaviour is abrasive and rude, that the public is wearying of him and his behaviour, and that the Parish Council itself has lost the respect of the local people and its credibility as a result.

I urge the assessor to reconsider the recommendation made in the report, particularly in light of Cllr Robinson's behaviour on 31 March 2014. I am at present considering whether to lay another complaint against Cllr Robinson as a result of his actions that night.

Best wishes,
Wendi Momen

01/04/2014 09:35, D ROBINSON wrote:

Dear Leanne,
Here are the questions & comments I made at the APM on 31st March 2014 under matters arising from the minutes of the APM of the 25th March 2013. I request that these questions and comments are recorded in the minutes of this years APM and a response made by NPC to each questions & comment.

Item 6 Affordable Housing. If NPC & CB are unable to monitor the build and residents are not permitted to visit site, how can the concerns of the material planning considerations, e.g. possible chemical seepage from the old gravel pit, be effectively monitored and addressed?

Item 10 open forum. 1. [REDACTED] What is the NPC response to the phrase - 'views weren't upheld by council.....

8. [REDACTED] What is the NPC response to my comments that I had no response to my questions on representation in 2013 and that I am still awaiting a positive response to my questions on speeding correspondence in 2014?

Chairmans Annual Report ending 31st March 2013. How can NPC justify the phrase 'forced into 2 elections' when the Chair & Vice Chair respectively, nominated and seconded the second candidate, after the first candidate had offered to be coopted on to the parish council?

H & OP Committee Annual Report ending 31st March 2013 -

Caldecote Green Could NPC provide an update on the drainage problems and on the ownership and responsibility for the maintenance of the track.

Pound Close - What was the advice given by CB regarding the safety barrier near the exit?

Highway matters - Do NPC intend to spend any money on Highways in the future?

In addition, would you kindly inform me of the present balances of all the NPC accounts and advise me as to when I should have received this information. Judging by the uncertainty and different sums quoted at and after the APM, It would appear that I was not alone in having little knowledge of the accurate balances.

Finally, can you please inform me when NPC will receive the first half of the precept and the amount this half will be.

Regards,
Ian

From: Wendi Momen <wendipc@momen.plus.com>
To: D ROBINSON <d.robinson572@btinternet.com>
Sent: Tuesday, 1 April 2014, 11:19
Subject: Re: APM 31st March 2014

Dear Ian,

Like everyone, you had this in February. If you wanted to raise this, why did you not bring the information with you and refer to it?

Wendi

[accounts attached]

1 April 2014

Thank you for calmly addressing the issue by providing the info requested. I do not remember seeing this, but that is not to say I did not have access to it. I was not present at the FCM in October nor February, may be that is a contributory factor.

I take your point on this but from the public point of view, it would have been helpful for the meeting to have the accurate balances at hand, considering the Annual Financial Report was given. To have figures of about £43K quoted and then later after the meeting to quote about £117K does not inspire confidence.

I would similarly ask why did the meeting did not have the balances to hand at an APM?

Anyway I appreciate your gesture in being helpful, especially after a meeting that displayed deplorable examples of improper councillor conduct.

Best wishes,
Ian

1 April 2014

Dear Ian,

Thanks for your email.

Just off to Wales but am sending you the link to the materials circulated to all Councillors on 20th February.

[https://www.\[REDACTED\].pdf](https://www.[REDACTED].pdf)

Best wishes
Wendi

On 08/04/2014 13:23, Lynne Wade wrote:

SENT ON BEHALF OF LORNA McSHANE

Dear Councillor

Please find attached a copy of the draft Report which is to be submitted to the Monitoring Officer about the complaint you submitted about Councillor Robinson and the events that occurred at the Parish Council Meeting on 8 April 2013. This report has been considered by one of the Independent Members appointed to review the investigation.

I interviewed Leanne Bacon and Councillor Robinson in the process of my investigation and I am now writing to you to give you the opportunity to raise any matter in the report which you feel requires more consideration or which you would like me to take into account.

I would be grateful if you could respond to me within 10 days in order that I can incorporate any further comments into my report before it is submitted to the Monitoring Officer.

I apologise that there has been some delay in preparing this draft Report and look forward to receiving any further comments from you.

Yours sincerely

Lorna McShane
Legal Services Manager – Commercial
T: 0300 300 4025
Email: lorna.mcshane@centralbedfordshire.gov.uk

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The email quoted from Sam Vernon only mentions the Clerk which is incorrect, it should have made reference to the Chair and Clerk. As it is presented in the report it appears that the Clerk is running the meeting. This is an extremely misleading statement and anyone reading this report would put a very negative bias on the capability of the Clerk. If Sam Vernon's email was copied verbatim it does not make sense and would have biased the Independent Persons assessment of the situation. If it was a typing error made when compiling this report, then that is unacceptable and reflects badly on CBC Legal Services.

It is also of some concern that the report contains the full correspondence from Sam Vernon and Mr John Davies, which was submitted 5 months after the event, both of which appear to support Cllr Robinson actions, whilst the letter from Mr Alan Bigg who commented on the behaviour of Cllr Robinson is limited to a few words. This again, in my opinion, is biasing the report in favour of Cllr Robinson actions.

The Independent Persons statement *"The actions taken by the Councillor immediately after the meeting and follow up action by attending a course goes some way to mitigating his actions on the night in question.* It would appear that by Cllr Robinson saying sorry via email negates the whole raft of complaints raised against him. Although Cllr Robinson has stated he has read the "Good Councillor Guide" and undertaken extra training, in my opinion he has not changed his unacceptable behaviour and conduct, in fact I believe he has got worse. This would have been confirmed if CBC Legal Services had monitored Cllr Robinson over the 12 months it has taken to issue this report.

The Independent Persons statement *"From the information supplied I think that clearly the history leading up to the meeting, the manner in which it was conducted and controlled, all helped bring about this rather unsatisfactory event. I do not think Councillor Robinson should shoulder all the blame as it would appear he felt he was being obstructed in getting appropriate information from the Parish Council (whom he is a part of), getting unhelpful responses to questions does not, in my experience, help."* All NPC Councillors including Cllr Robinson are kept fully aware of the Council's business by way of the informative meeting minutes. However Cllr Robinson chooses to be very selective in what he remembers to suit the occasion.

On the 17 August 2013@14:25, John Atkinson sent me an email stating *"I have asked my colleague, Lorna McShane, to investigate your complaint. As you may be aware, both Lorna and I attended last night's meeting of the Parish Council and I expect that Lorna will contact you shortly in connection with her investigation."* The purpose of the visit was to monitor at first hand the conduct and behaviour of Cllr Robinson, so it is of very great concern that the findings from that visit are not included in this report.

I find it totally unacceptable that this report should take 12 months to produce and then expect a reply within 10 days with a course of action to refer the matter for local resolution. I believe this report is very biased and condones the actions of Cllr Robinson who is made out to be the innocent person which he is not. From the comments made by the Independent Person it would appear that he only reviewed this report, with glaring errors, and not all the evidence that was available.

In general a very unsatisfactory report that has not rectified the original complaints against Cllr Robinson.

Keith Bennett

NPC Councillor

15 April 14

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APPENDIX R .

Initial Assessment of complaints against Cllr Robinson on April 8th 2013.

Response by Cllr Robinson.

The 6 page assessment reveals a balanced argument. However, I maintain that at no time during the council meeting did my behaviour constitute a breach of the Council's Code of Conduct, as set out on page 1 of the assessment.

I did apologise personally to the Clerk immediately after the meeting and later sent my apologies to the chair and councillors present. I also voluntarily attended a councillor course covering practice and procedure.

My reason for apologising is that in my opinion it is a 'Gentlemanly' thing to do in a situation where my actions or words have appeared to cause offence. I liken this to someone falsely accusing me of some misdemeanour and the person showing a certain distress. My natural reaction would be to say 'I am sorry' to defuse the situation.

Despite my apologies, a number of official complaints were later issued against me as if my apology confirmed alleged misconduct. Since the meeting in April of last year, I have been excluded from council subcommittees and treated with certain disrespect. Recent letters from the Clerk have questioned my memory and competence and quite recently I was verbally abused at the Annual Parish Meeting by two councillors. I am not making any formal complaint about any these matters at the present time as I consider there have been enough complaints that could have been resolved locally through mediation.

I am certain that I have not breached any councillor conduct to date but continue to experience hostility from certain councillors. However, I am willing to accept the recommendation and welcome the opportunity to resolve this matter within the confines of the parish council without further harmful publicity of any alleged complaint against me.

Cllr Ian Robinson

15th April 2014

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APPENDIX S

McShaneL01

From: [REDACTED] **Sent:** 02/05/2014 14:41:41
To: Nicola Kyle-Finn
Cc: Lorna McShane; Melanie Clay
Subject: Re: Complaint re: Cllr Robinson (MON001.19706)

Dear Nicola

I am not sure whether you got my two earlier tries at replying to your email, if you did then please accept my apologies for this third attempt.

Mt views remain the same despite being disappointed that there does not seem to have been any changes since. This type of behaviour does not garner friends or good relations with anyone. Both sides also need to remember that they are representing their constituents and not using these offices to fight personal battles.

Given the time since the event and complaint, I think the MO should be aware of the other complaints as they may want to consider these as a whole (action taken on this case may prove problematic for any future necessary actions given that no change appears to have occurred in the way people are conducting themselves).

For your info, [REDACTED]

All the very best

Martin

Martin Leppert

From: Nicola Kyle-Finn <Nicola.Kyle-Finn@centralbedfordshire.gov.uk>
To: [REDACTED]
Cc: Lorna McShane <Lorna.McShane@centralbedfordshire.gov.uk>; Melanie Clay <Melanie.Clay@centralbedfordshire.gov.uk>
Sent: Thursday, May 1, 2014 3:32 PM
Subject: Complaint re: Cllr Robinson (MON001.19706)

Sent on behalf of Lorna McShane.

Dear Martin,

You recall that you commented on the initial drafted report concerning the above complaint. I have now circulated the draft report to the original complainants and Councillor Robinson who is the subject of complaints and I have set out a summary of their responses in the final draft of the report which is to be sent to the Monitoring Officer.

It would appear from the responses that there has been no moderation in Councillor Robinson's behaviour and conduct and as we discussed we are currently investigating two further complaints about Councillor Robinson.

In view of the responses from the complainants do you have any further comments before the matter is considered by the Monitoring Officer.

I look forward to hearing from you.

Kind Regards,

Nicola Kyle-Finn
Business Support Officer Commercial - Legal Services

T: 0300 300 6095 | F: 0300 300 5398 |

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APPENDIX T

Northhill Parish Council

Clerk to the council: Leanne Bacon, 55 Fairfield, Gamlingay, Beds, SG19 3LG
Tel – 01767 650477
Email – parishclerk@northhillparish.co.uk

Minutes of a Meeting of Northhill Parish Council held at Ickwell Village Hall, on Monday 8th April 2013 at 7.30pm

Present:- Councillors D Milton(DM), (Chair), H Papworth (HP), T Dawson (TD), D Kay (DK), , K Bennett (KB), S Mandley (SM), I Robinson (IR), W Momen (WM), D Wilcox (DW), Central Bedfordshire Council (CBC) Councillor T Turner (TT) Clerk L Bacon (LB), PS Gary Kidd and 21 members of the public (MOP)

1. To receive apologies for absence – P Maudlin and R Brinkley (unwell) and A Wild (other commitment).
2. To receive declarations of interest from councillors on items on the agenda. DM 10.1, 10.2 and 13.1 (disclosable non pecuniary).
- 2.1 To receive any written requests for dispensations for disclosable pecuniary interests
- 2.2 To grant any requests for dispensations as appropriate. I Robinson – affordable housing and allotments. Noted.
3. Police – to consider any items.i. PS Gary Kidd presented crime figures and detailed recent increase in domestic burglary. Packs for security marking property were made available. PS Kidd left the meeting. ii. To consider submission of schemes for funding from the Community Safety Fund – letter from Olly Martins, Police and Crime Commissioner. Not considered.
4. Open forum for 10 minutes to allow members of the press and public to speak on any agenda item.
Mrs Randle– Distributed a report copied to all councillors outlining objections of a group of residents to the proposed affordable housing site on Biggleswade Road.
Mrs Mullen – asked for the results of the survey of Northhill Pond and what was happening with the wild flower meadow. Chair explained that the Highways and Open Spaces Committee had recently inspected the area and recommended no increase in size of the flower meadow and added that it has now been tidied up. S Mullen expressed her opinion that the flower meadow was put in the wrong place.
Mr Innes – Considers that the terms and jargon used in parish council documents are unhelpful – plain English should be used. Expressed the opinion that the Council is not representing some of its parishioners and that meetings happen very quickly without adequate notice. Clerk responded - many councillors would agree with his comments about terms and jargon but some of these are prescribed wording – such as “pecuniary interests”. Clerk handed Mr Innes a written explanation of these. It was explained that the meetings schedule for the full year ahead is published on the website and in the newsletter distributed to all households. Some occupants of Biggleswade Rd said they did not receive the newsletter – this will be taken up with the distributors. A new website is currently under construction which may aid communications for those with access to the internet.
IR – noted that the draft minutes of the last planning meeting were not yet on the website and it has been 14 days since the meeting. DK – responded as webmaster. Will check why this has not happened and will rectify as soon as possible.
J Goodwin asked if the Council has a publicity officer – Chair explained that all Council administration is dealt with by its one employee – the Clerk.
5. To approve the minutes of meeting held on 25th February 2013. *Resolved.* and noted the minutes of the Annual Parish Meeting held on the 25th March 2013.
6. To consider any matters arising.

Northhill Parish Council

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Tel – 01767 650477

Email – parishclerk@northhillparish.co.uk

IR – 3ii. Request for speed checks on Biggleswade Road. Expressed thanks to Mrs Parker and D Price of the Speed Watch group for monitoring speed on Biggleswade Rd, the machine provided failed so no actual checks could be made. Asked if NPC could do more to reduce speeding on this road. Chair explained this was outside the remit of this council. Clerk explained that the Police had been asked more than once to do speed checks in this location. IR asked for them to be reminded again. KB noted that the equipment provided to the Speed Watch group seems to be both in high demand and unreliable.

IR – 4 .Matters arising from previous meeting on 21st January 2013. Asked if a decision had been made on removal of one of the two noticeboards in Upper Caldecote (the one outside the Church Rooms). IR referred to the article in the last newsletter and said that this was misleading and implied the decision had been made. Clerk pointed out that the minutes state this will be referred to Highways and Open Spaces for resolution. Chair explained that one parishioner had indicated to him that this noticeboard was used and that it would likely stay. Asked if the ownership of the noticeboard at Ickwell had yet been determined. Chair explained this belongs to the parish council.

IR – 5. Open Forum. Asked why names of members of the public are listed on agendas and minutes. Clerk explained that this was acceptable practice.

IR – 9.1 Asked Clerk to detail the responses from relevant parties to query why the Ickwell Rd site had not progressed. Clerk explained that she had circulated all responses to councillors, but did not have a copy of the correspondence to hand. Clerk invited IR to share the update to this matter that he had received from his own investigations and circulated to councillors. IR responded that he did not have an update and repeatedly insisted that the Clerk answer his original question. Clerk summarized the response she had received, with the caveat that this was from memory and should not be taken as verbatim - GUNG/CBC indicated that there were more complications regarding landowners willingness to sell and planning with the Ickwell site compared to the one on Biggleswade Road and therefore it had been decided to progress that one first. IR then admitted that he did indeed have an update – he had spoken to the landowner of Ickwell Road who indicated to him that they are prepared to sell the land. IR said council should reconsider the resolution made by planning committee to approve the application for the Biggleswade Road site in light of his new information. Clerk responded (with permission of the Chair) to clarify planning procedure, specifically the fact that the existence of a potential alternative site is not considered a material planning consideration and is therefore unfortunately irrelevant when determining this application. IR accused Clerk of “waving her arms around”. TD and other councillors asked IR to stop “grandstanding” and to calm down. During the discussions above, IR pointed at other councillors who made contributions and asked them to give their names as he said he had forgotten them.

IR – 9.3 Salt. IR asked why his offer to help with this was not minuted. Clerk pointed out that it was minuted “IR offered to provide a wheelie bin of salt for use at Garner Close.” IR said this was not the offer of help he was referring to.

IR – 9.4 Correspondence and Communications. IR asked if he could speak on behalf of Mr and Mrs Henegan and bring up their issues. Clerk reminded IR that this council had very recently resolved to invoke restrictions on communications with these two parishioners for 6 months due to the nature, volume and frequency of their correspondence . Clerk indicated that she was not prepared to continue being harassed by IR and left the meeting. HP also left the meeting. In their absence the Chair adjourned the meeting at 8.21pm to be reconvened at a later date.

Northhill Parish Council

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Tel – 01767 650477
Email – parishclerk@northhillparish.co.uk

Continued - Minutes of a Meeting of Northhill Parish Council adjourned from the 8th April 2013, reconvened to consider item 6. onwards at Caldecote Lower School Hall, on Thursday 2nd May 2013 at 7.45pm.

Present:- Councillors D Milton(DM), (Chair), H Papworth (HP), T Dawson (TD), D Kay (DK), , K Bennett (KB), S Mandley (SM), I Robinson (IR), W Momen (WM), D Wilcox (DW), Central Bedfordshire Council (CBC) Councillor T Turner (TT) Clerk L Bacon (LB) and approximately 15 members of the public (MOP)

6. To consider any matters arising (continued) 6.4 - IR asked if NPC had made an application for funding from Broom Quarry as he understood the deadline had passed. KB answered that he attends the Liaison Committee meetings and the application forms have not yet been agreed. IR said that he considers it will be a failure of NPC if funding is not gained from this source. KB pointed out that NPC does not currently have a project requiring funding.
9.1 – IR asked for copies of correspondence relating to 1. The decision by GUHG to progress the Biggleswade Road site first and 2. The potential development of both sites in Upper Caldecote, which he says he can't understand as it is not the wish of NPC to see this happen. AW (Planning Chair) read out an email trail, including an affirmative response from IR himself, confirming that NPC accepted 1. and 2. HP considered that 1. was a matter between the developer and the landowner. DM confirmed that it is possible that both sites in Upper Caldecote could be developed.
7. To receive and adopt minutes/reports from committees/working groups/councillors and to consider matters arising.
 - 7.1 Planning Minutes – 25th March 2013.
IR – Asked if Council would consider rescinding the decision of Planning Committee to approve the application for affordable housing at Biggleswade Road. No support from any other councillors.
 - 7.2 Highways and Open Spaces and Cemeteries and Churchyards 11th March 2013.
Amendments to draft minutes - DK – omission of discussion about request for signage near Ickwell Village Hall. KB – item 5a. should read "Caldecote Road". HP – clarification that wildflower area is not to change in size. Letter to be sent to thank Mr Binning and Phillips for work to Lych gate. Notification of schemes funded 2013/4 under CBC Local Area Plan. Not discussed.
 - 7.3 Verbal feedback from Councillors on meetings/conferences attended i. Ivel Valley Forum – D Milton, W Momen. Noted included in error.
8. **Central Bedfordshire Council**
 - 8.1 To receive a report from CBC Councillor T Turner. Latest Parish Forum meeting 28.3.12. Noted should read 24.4.13. Update at next meeting. TT gave summary of the impact of the reduction in the council tax base, funding available from CBC and support for schemes such as the "Dukemaster" running in Dunstable to help the elderly regain independence after a hospital stay. Pleasing education results in the Central Beds area. 11 Libraries upgraded. Gypsy and Traveller local plan under consultation – 65 additional pitches initially required. WM asked how CBC is managing public health now this function has been returned from the NHS. TT responded that this is working well but stressed the importance of working together with other agencies – for example with the immunization programme, IR asked for clarification on how members of the public can make representation at planning committee (specifically in relation to the application for affordable housing in Biggleswade Rd). TT reminded IR that she had already provided him with this information by email, but outlined the procedure – objectors have 3 minutes in total to present their case. The applicant and the parish council have separate slots – potentially 9 minutes of presentations in total.

Northhill Parish Council

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Tel – 01767 650477

Email – parishclerk@northhillparish.co.uk

- 8.2 To consider the following correspondence from CBC:
- i. Rural Matched Fund – to consider support for bid for funding horse riding safety improvements. *Resolved* to approve T Soar to progress this bid. KB suggested Broom Quarry could be another potential source of funding.
 - ii. Member briefing on welfare reform. Noted.
 - iii. Update on budget and Council tax for 2013-14. TT covered this under 8.1.
 - iv. Consultation on Proposed Modifications to the 'Minerals and Waste Local Plan: Strategic Sites and Policies' 2.4.13 – 15.5.13. Noted previously circulated for councillors to comment individually.
9. **Finance**
- 9.1 Audit 2012-13 initial report following meeting with internal auditor. Noted no problems identified at this stage. Audit dates for 2012/13 – noted public inspection dates and requirements for display of notices and Audit Briefing note from BDO. Noted.
- 9.2 Accounts paid and to be approved. *Resolved* to approve.
- 9.3 Bank reconciliation Feb and March 2013. *Resolved* to approve.
- 9.4 End of year budget review. Noted. Full accounts to be presented to next meeting for approval in compliance with statutory timescales.
- 9.5 Request for funding – Link-a-ride Community Transport. Resolved that Clerk will ask for more detail of local usage and refer to Establishment Committee for consideration. WM added that parishioners should be encouraged to use local services as they will otherwise be lost.
- 9.6 Parish maintenance – i. Tree works Upper Caldecote Churchyard. Now completed – account not yet presented. ii. Additional bollard and chains on Ickwell Green. Noted, not yet ordered. IR asked if Council would consider installing similar at Caldecote Green – next Highways and Open Spaces to discuss. Local residents were not supportive of previous suggestion of installing kerbs to protect this area of the green.
- 9.7 Section 137 limit for 2013-14 £6.98 for info. Noted.
10. **Parish Matters**
- 10.1 Northhill Pond Committee update. Noted. Wildflower area will stay but not be enlarged next season.
- 10.2 Allotments – proposal to form working group – volunteers to next meeting. IR and WM volunteered to be involved. Asked if NPC would allow him to approach owner of Seddington site to suggest a portion of the site be reserved for council run allotments. DM considered that as these allotments were available to all, there was no need. IR explained that some people wanted the security of council tenure, rather than private. DM suggested the support for this suggestion should be assessed via the next newsletter.
- 10.3 Preen – Northhill Parish Council is runner up in highest percentage of households participating - £150 vouchers to distribute to good causes. Noted. HP to claim vouchers – *resolved* these could be divided between 3 schools in the parish.
11. **Correspondence and Communications** – to consider any received. IR asked if he could bring up some letters and articles he considered were relevant to various agenda items. As these were not listed or received by Council this request was declined. AW explained that the proper procedure would be for items to be sent to the Clerk for inclusion if necessary (Discussed again after item 14)
12. **Staff and Councillor matters**
- i. BATPC training programme 2012 – attendees. KB and DW booked on courses.
 - iii. Nominations for Chair/Vice Chair Council year 2013-14 for AGM. Noted Clerk will circulate expression of interest forms for completion prior to the meeting.
13. **Highways** – to report any urgent items and receive latest Highways bulletin. Noted. Parishioners encouraged to report any issues direct to CBC. i. Temporary road closure notice for May Day. Noted.
14. **Items for the next agenda** – IR asked that "Protocol" of council meetings be included. Council not in support as training for whole council covering this was recently undertaken

Northhill Parish Council

Clerk to the council: Leanne Bacon, 55 Fairfield, Gamlingay, Beds, SG19 3LG

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– Clerk to circulate some training notes as a reminder. AW –To address recent concerns, Anglian Water representative to be invited give presentation on foul water treatment in Upper Caldecote. LB advised this would be better at a future meeting as the next meeting (AGM) has a very full agenda already. TD – presentation on preferred form of thatching – deferred to future meeting as previous. AW – Highways and Open Spaces item – verges encroaching on footpaths in parish. DM – PM sent apologies for tonight's meeting and has been unwell – suggests Council send card to wish him a speedy recovery and one to Cllr C Maudlin offering congratulations on her appointment to Chair of Central Bedfordshire Council.

The following relates loosely to agenda item 11. and is recorded to provide an accurate and complete record of the meeting:

IR – Referred to a recent letter in the Biggleswade Chronicle and asked on whose authority this was published. Clerk explained that the Establishment Committee had resolved that the Chair should make a public statement regarding its responsibility as a responsible employer to protect its staff and that he has the authority to make such a statement on behalf of the Council. As this was not made at the public session in April, it was made public via a press release. IR asked that it be recorded that the Chair has not responded to 3 messages he (IR) has sent. IR asked DM to comment on letter from J Davis in the Biggleswade Chronicle – no comment. . DM, HP and AW expressed concern that IR has been forwarding some messages outside the list of intended recipients, ignoring the privacy disclaimer. IR denied that he had forwarded Council emails, but one that "affects his integrity and caused a lot of upset". IR asked why the Clerk had forwarded one of his messages about Housing Needs surveys to John Atkinson. Clerk explained that Mr Atkinson, as head of Legal and Democratic Services at CBC is dealing with a complaint she has submitted about IR and she considered that matters within the email were pertinent to this complaint. IR asked that it be recorded that he didn't think this was necessary.

WM commented that when you ask a question you do not always get the answer you like.

"RESOLVED that under Section 1 of the Public Bodies (Admissions to Meetings) Act 1960 and in view of the confidential nature of business about to be transacted, it is advisable in the public interest that the press and public be temporarily excluded and they are instructed to withdraw whilst matters pertaining items 16 and 17 are discussed

15. **To consider: Update on Easements.** No update, this is an on-going item.
16. **Date of next meeting – Annual General Meeting Monday 20th May, Caldecote Church Rooms.** Noted.
17. **Closure of meeting. 9.36pm.**

Signed..... Dated.....

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Central Beds Public Hearing 29/30 September 2014

Defence Document/8 April 2013/Cllr Ian Robinson

The Central Beds Monitoring Office advised that any defence documents should be received by the Monitoring Office on or before 8 September 2014.

This **Defence Document/8 April 2013/Cllr Ian Robinson**, referred to as **Document**, together with the appendices as separate pages is requested to be given to each member of the Public Hearing Panel, including the Central Beds Clerk and the Central Beds Legal Officer assisting the Panel.

The Document is Cllr Robinson's response to the complaints in the **Complaints Investigation Report 6 June 2014**, referred to as **Report**. The majority of Cllr Robinson's comments refer to the complaints of 8/4/13 on pages 1-10. Further comments from Cllr Robinson, not directly related to the 8/4/13, are on Page 11.

No.s 1-7 and Appendices A-T refer to the Report and Y1-Y14 appendices, refer to the Document. References to page No.s are to this Document unless otherwise stated.

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Facts & factual comments are in Black print and/or underlined

Perceptions, opinions and fictional comments are in *Italic Purple Print*

Background history The events leading up to the evening of the 8/4/13, were that both Northill Parish Council and the parish residents, had chosen one of two Affordable Housing sites in Upper Caldecote. Since both Council and parish residents did not wish to see both sites developed in Upper Caldecote, the first choice site was on Ickwell Road. However, as a result of a Council Planning committee recommendation at a meeting on the 25/3/13, the Council resolved to support a Central Beds planning application for the second choice site on Biggleswade Road. The Planning meeting fuelled village resident anger, in that copies of the planning application for the Biggleswade Road site were only available at the start of the Planning meeting. Also, the Clerk appeared to control the meeting, despite the Chair of the Planning Committee being present.

It needs to be emphasised that the Biggleswade Road site was not the second choice site of the **Village of Upper Caldecote**. Nearly 40 village residents considered this site to be beset with material problems and were concerned that the reasons for the developers not to progress with the Ickwell Road site had not been fully explained or debated. However, the Clerk sent the planning recommendation to Central Beds Planning the same evening, thus removing the opportunity for the application to be fully considered by the public before the next Full Council meeting on the 8/4/13.

In an Email from GUHG, the developers, had already confirmed in December 2012, its decision not to progress with the chosen site. Yet, according to the site owner, plans had been drawn up for this site and GUHG had stated that it might eventually develop both sites in the village. Furthermore, Emails from GUHG, in January 2013, made it abundantly clear that certain information **was not for the public domain, APPENDIX Y1**. Although these decisions were confirmed in the Council Newsletter in the Winter of 2012/2013, no detailed explanation was publicised and remains so until the present time. Several days before the meeting on the 8/4/13, the Ickwell Road site owner made a written statement to Cllr Robinson, confirming that he had always been willing to sell his site and would match any offers on other sites. Furthermore, according to the owner, his site had been identified and approved by CUHG and Central Beds Planning, **APPENDIX Y2**.

Outline of the evening of 8/4/13 An objection document representing the concerns of nearly 40 village residents, relating to the Biggleswade Road site, was presented to a Council meeting on the 8/4/13. In addition, Cllr Robinson considered that it was his duty to bring the statement from the Ickwell Road site owner, to the Council's attention and request an explanation of why this preferred site was not being progressed.

However, the meeting failed to follow protocol in a number of ways. **Firstly**, there was no debate on the objection document and the Minutes from the Planning meeting were unavailable. **Secondly**, the Chair was unable to answer Cllr Robinson's questions and passed them on to the Clerk. **Thirdly**, the Clerk was permitted to respond and only partly answered the questions and dismissed both the questions and statement as being irrelevant. **Fourthly**, there were uncontrolled interruptions from Councillors. **Fifthly**, the Chair failed to advise or explain to the public, the reason for the requested confidentiality of the matter from GUHG. **Sixthly**, the chair did not express any concern to the public, that GUHG had gone against the wishes of both Council and village residents, **Lastly**, the Clerk walked out and the Chair abandoned the meeting.

Response to 1. Summary of complaints against Cllr Robinson

All seven complaints refer to the **Nolan Principle of Leadership**. This Principle is related to events that allegedly took place whilst Cllr Robinson was questioning the Chair at a meeting of Northill Parish Council on the 8/4/13. Three complaints refer **only** to Leadership. Four complaints refer to five other Nolan principles, **APPENDIX H**. Four Councillors make further complaints not directly related to the 8/4/13.

Response to 2. Corroboration of issues by complainants

2.1 Although the individual complaints are generally corroborated regarding the 8/4/13, there are glaring differences in the detail. The alleged time of Cllr Robinson's questions and statement to the Chair, varies from 10 minutes, **APPENDIX I**, to one hour, **APPENDICES D & E**, but the meeting only lasted 51 minutes, **APPENDIX T**. The Clerk's interview with the Investigating Officer mentions Cllr Robinson's apology and glowing report of the Clerk and of her recommendation of a Councillor Training Course, which Cllr Robinson subsequently attended, **APPENDIX I**.

2.2 The 7 complaints are detailed in **APPENDICES A to G**, and grouped on **Page 4**.

2.2.1 The alleged Email from Sam Vernon does not appear in the Appendices. **APPENDIX K** is actually a letter written by **John Davies** to the Biggleswade Chronicle in April 2013. This was forwarded by Sam Vernon to Nick Pearce and then forwarded again to John Atkinson. **John Davies** also wrote another support letter to John Atkinson on the 25/9/13 **APPENDIX L**.

There are also detailed accounts that do not corroborate with the detail of the complaints. These are the Minutes of the meeting, **APPENDIX T**, the interview with the Clerk on the 1/10/13, **APPENDIX I** and correspondence from **Jill Parker**, **APPENDIX Y3** **Jean Cordy**, **APPENDIX Y4** and **APPENDIX Y5**. Extracts from these accounts can be found on **Page 7** of this Defence Document.

2.2.2 **Cllr Robinson comments as follows** - I pay respect to the experience of Alan Bigg and I consider his observations to be fairly accurate. However these issues, big or small, are still important because they sometimes have been raised by parish residents at previous meetings. *Councillors often appear disinterested in following up these matters. Alan Bigg might remember that under the previous Chairman*, much more time was allowed for constructive debate and challenging questions. My memories of Cllr Milton would be of keeping a close scrutiny on things by numerous questions to the previous Chair.

Mr Bigg, being a resident of Northill, has not personally experienced the trauma of some residents in the proposed development in Upper Caldecote. If he had carefully noted that David Milton, the Chairman, was not leading the meeting and was failing to answer the questions relating to a very big issue, *he might have expressed different views*. I am also surprised that Mr Bigg's previous experience of meeting protocol did not lead him to question the role of both the Clerk and Chair during the questioning.

Grouping of 3. Alleged breaches of the Code of Conduct (Ref 3.1.1, 3.1.2, 3.1.3 in the Report) and APPENDICES A to G complaints made by Councillors. Complaints are grouped according to Cllr Robinson's views. Similar complaints are not listed.

FACTS (black print)	PERCEPTIONS	OPINIONS
Disorder Meeting abandoned Clerk walked out Residents were unhappy	<i>Repeatedly made statements contrary to previous resolutions</i>	<i>Bringing Council into disrepute Harassment and bullying Breached NPC Code of Leadership The Clerk APPENDIX A</i>
Clerk distressed Apology made Pointed at Councillor Said ' what's his name' Not accept Clerk's answers Disagreed with resolutions Reconsider application Disgraceful proceedings	<i>Refused to let anyone speak Talking for 20 minutes Out of control Hostile questioning to Clerk Prevented Chair from chairing Prevented others from speaking</i>	<i>Erratic & inappropriate behaviour Playing to the audience Apology unacceptable Disregarded Standing Orders Disgraceful behaviour Cllr Papworth APPENDIX B</i>
	<i>Received adequate answers</i>	<i>Failed to set an example Behaviour might be excused Aggressive performance Cllr Kay APPENDIX C</i>
Clerk nearly tears Cannot bring documents to support this	<i>An hour long rant Made faces and glared Ad hominem attacks on Clerk</i>	<i>Failed to value Council's Officer I Agrees with right to raise questions Belittled two Councillors Disrespectful to the Chair Cllr Momen APPENDIX D</i>
(Asked) to be allowed to finish Three other members had their hands up Have not attached any documents	<i>Banged hand on table Gesticulating to Clerk, Chairman & other members shouting them down Talking for about one hour Chair attempted to break into tirade (of Cllr Robinson) Raised his voice Despite being asked did not cease his rant</i>	<i>Failed to regard protocol Cllr Mandley APPENDIX E</i>
	<i>Talked over the responses of the Clerk</i>	<i>Cllr Wilcox APPENDIX F</i>
Does not acknowledge that Resolutions are not open to further discussion		<i>Cllr Bennett APPENDIX G</i>

Response to 3. Alleged breaches of the Code Conduct: Details of the evening of 8/4/13 outlined on Page 2 & Grouping on Page 4

FACTS These are taken from the FACT column on **Page 4**, the Minutes of the meeting, **APPENDIX T** and Cllr Robinson's observations. The facts are corroborated by the correspondence in the **Report Page 2**, the Independent person, the **Report Page 5** and the conclusion by the Investigating Officer, the **Report Page 7**. Also, this **Document Page 7**.

Some village residents were unhappy with the Council's recommendation of the Biggleswade Road site and presented the Council with 13 copies of an objection document listing the reasons for the material objections to this site, **APPENDIX T**. The documents were not acknowledged by the Chair.

Later in the meeting during 'Matters Arising', I asked the Chair to explain why the Ickwell Road site was not being progressed, but the Chair passed the question to the Clerk. I advised the meeting of the willingness of the owner to sell his site and according to the owner, the positive response from the developers and Central Beds Planning. Members of the public then witnessed the disgraceful proceedings that followed, including interruptions from Councillors and poor control by the Chair. After partly responding to the questions and statement and dismissing them both, the Clerk later walked out, **APPENDIX T**. *The Chair did not have to abandon the meeting and the Vice Chair could have recorded the Minutes after the Clerk walked out.*

The unrepresentative decision to recommend a different site was not fully explained or discussed. The new, possibly confidential statement, that I presented to the meeting, **APPENDIX Y2**, caused the Clerk to be distressed and possibly harassed. *I deny that I was personally responsible for causing either distress or harassment and I consider the accusation of bullying to be outrageous.*

Pointing at Cllr Kay was not intended to be offensive in any way and I asked another Councillor 'what's your name' as I had genuinely forgotten it, being accustomed to calling him Tony. Furthermore, the comment served as a little light relief during his interruption. Cllr Kay did not personally complain and the other Councillor was not one of the official complainants. I asked the Chair to be allowed to finish as I was getting interruptions from Councillors although they had their hands up. A verbal apology was made to the Clerk immediately after the meeting and later by Email to the Councillors. None of the complainants had evidence to support their claims of my allegedly breaking the Councillor Code of Conduct.

PERCEPTIONS, Page 4. *I deny all these fictional allegations.* I repeat that the whole meeting only lasted 51 minutes and there is no reference to the allegations in the Minutes **APPENDIX T**

OPINIONS, Page 4. *I deny most of these opinions.* The comments from Cllr Kay - '(Cllr Robinson's) Behaviour might be excused' and those of Cllr Momen - 'agrees with Cllr Robinson's right to question' lessen the quality of the complaints. Also, since most of the Report is in reference to my approximate 10 minute questioning on the 8/4/13, *it would suggest that it has been somewhat inappropriate to take the complaints to Public Hearing. I completely deny the allegation that I have brought the Council into disrepute. On the contrary, I believe the seven failings mentioned at the bottom of page 2 were the main cause of bringing the Council into disrepute.*

Response to 4. Consultation with the Independent Person:

Martin Leppert refers to Cllr Robinson's apology after the meeting and subsequently attending a Councillor Training Course as mitigation for any alleged actions. Mr Leppert also notes that... *'the history leading up to the meeting, the manner it which was conducted and controlled, all helped to bring about this rather unsatisfactory event...'* **APPENDIX N**

Response to 5. Comments from the complainants on Draft report

Cllr Robinson has responded to many of these comments earlier **on Page 5**. The support from Mr Davies is based on his observations and not because of a common concern. **APPENDIX O**.

Response to 6. Conclusions (by the Investigating Officer)

Cllr Robinson's comments

The Investigating Officer's comments corroborate those of the witnesses on **Page 7**. I did take the opportunity to direct questions to the Chair, not the Clerk. The questions were repeated because appropriate answers were not forthcoming from the Chair. I felt uncomfortable because the meeting was not following correct protocol in that the Clerk had been asked to address me on the Chair's behalf. The accusations by the Clerk of being harassed and bullied are invalid for a number of reasons.

Firstly the questions were directed to the Chair, not the Clerk.

Secondly, *the questions were perceived as being insistent or harassing*. The questions were calmly repeated, through necessity, and then followed up with a statement from the owner of the Ickwell Road site. In my opinion, *the statement caught the whole meeting off guard*, because the reason for not progressing the Ickwell Road site was not for the public domain. This put the Clerk and the Councillors in an awkward position. *One could even suggest a harassed position*.

Thirdly, although it is likely that the clerk was harassed, which in the context of the allegation means being troubled or worried. There is a difference in meaning between **'Cllr Robinson allegedly harassed (troubled) the Clerk'** and **'The Clerk was harassed (troubled) by being put in a awkward position'** or as one witness stated... *'The Clerk was left out to dry'*.

Lastly, it is inconceivable that the Clerk was allegedly bullied. This means to be hurt, frightened or browbeaten. To suggest that the Clerk was at the receiving end of a bully, that is myself, is a serious and outrageous accusation.

While accepting the spirit of the Investigating Officer's conclusion, *I do not consider I have been broken any aspect of the Councillor Code of Conduct*. However, I have always supported the recommendation to resume normal Council business as opposed to continuing internal disputes. The words of Martin Leppert on the updated report echoes this sentiment **APPENDIX S**.

Comments from Minutes, interview and correspondence re 8/3/13

Minutes of the Council meeting 8/4/13 - 'IR (Cllr Robinson 9.1 asked clerk to detail the various responses from relevant parties to query why the Ickwell Road site had not been progressed. Clerk explained that she had circulated all responses to councillors, but did not have a copy of the correspondence to hand...he had spoken to the landowner of the Ickwell Rd (site) who indicated to him that they are prepared to sell the land....council should reconsider the resolution made by the planning committee...Clerk responded this is unfortunately irrelevant' **APPENDIX T2.**

Mrs Leanne Bacon, Clerk. Taken from an interview with the Investigating Officer – 'Until the parish Council meeting of 8th April 2013, she felt that she had a reasonably good relationship with Cllr Robinson. (Referring to the meeting on 8/4/13) the Clerk to the Council took over answering the questions and there followed a quite heated and animated exchange between the Clerk and Cllr Robinson. This continued for about 10 minutes until the Clerk walked out...' **APPENDIX I.**

John Davies Ex Clerk—'The Chair should have answered the questions raised by Cllr Robinson without bringing the Clerk into the debate and should have stopped the harassment of at least two other councillors who verbally attacked the speaker' (Cllr Robinson) **APPENDIX K** – 'the Clerk took over answering the questions although they were addressed to the chair...although Cllr Robinson may have been hard and insistent with his questioning he was getting increasingly frustrated that the Clerk, not the Chair was answering his questions and not giving answers to the questions he was raising.' **APPENDIX L.**

Jill Parker parishioner, – 'Cllr Robinson asked for more detailed clarification on a particular matter, and Chairman then requested the Parish Clerk,, Mrs Leanne Bacon, to provide more information. She did so by answering Cllr Robinson direct. He addressed another question to the Chairman who again asked the Clerk to clarify. She again, directed her answer to Cllr Robinson instead of normal protocol which would be to reply to the Chairman...At no time, to my knowledge, did Cllr Robinson address any questions direct to the Clerk...Cllr Robinson requested more detail on the subject, he was enquiring about, the Clerk began to speak, then arose from her seat and left the room.' **APPENDIX Y3.**

Jean Cordy, parishioner, – *'The Chair allowed the secretary (Clerk) to run the meeting which in any forum is not the role of the secretary. The overriding impression is that the secretary had ideas above her station and not least a complete lack of interest in our case...'* **APPENDIX Y4.**

[REDACTED], parishioner, - *'It was not (Cllr) Robinson that has brought the council into disrepute – on the contrary, it was the way the Chairman, Clerk and other members of the council behaved by acting as they have, that has brought the a feeling of no confidence in the Parish council and has brought itself into disrepute. Many onlookers were appalled at the chairman for not chairing the meeting and astonished that the clerk seems to call the shots in certain discussions.'* **APPENDIX Y5.**

Martin Leppert, Independent Person, reviewed the complaints and relevant papers – *'I do not think Cllr Robinson should shoulder all the blame as it would appear he felt he was being obstructed in getting appropriate information from the parish Council.'* **APPENDIX N.**

Conclusion from Cllr Ian Robinson Cllr Robinson has responded to the alleged breaches of the Code of Conduct regarding the evening of the 8/4/13, together with documental evidence for his defence in the **APPENDICES**. The main issue is the Clerk's complaint of Cllr Robinson's alleged breach of the Council's Code of conduct regarding **Leadership, Appendix H** during about 10 minutes of questioning the Chair by Cllr Robinson causing disorder.

I repeat that, in my opinion, much of the blame for the disorder was due to the failings of the Chair, who has since been voted out of office. These failings are corroborated in witness statements on Page 7. For some inexplicable reason, the Clerk chose to blame me with allegations of harassment and bullying and sent a formal complaint to the Monitoring Office on the 9/4/13, copying to all Councillors, but excluding myself. An inspection of the Councillors' complaints, that defend both the Clerk and the Chair, reveals a barrage of hostile, uncorroborated complaints about my alleged behaviour in questioning the Clerk, when my questions were addressed to the Chair. There are also incredulous comments on unrelated issues and the Councillors appear to use this opportunity to vent their feelings and wishes to have me removed from office. This very disturbing unprecedented hounding continues to the present day from several Councillors and the Clerk, **See Page 11**. The main gist of my defence is the absence of any substantial factual evidence, apart from pointing and forgetting names. *I do not consider that these factual misdemeanours are a breach of Councillor Conduct and for the issues to be taken to a Public Hearing is beyond comprehension.* There is no evidence that I said anything or did anything that was seriously out of order. The complaints of allegedly banging my hand on the table, ranting on for an hour, frightening other Councillors and the other imaginary observations, are completely untrue and total nonsense. The allegations, some factual, made during the debate were based on a personal impression of what was seen and what was heard. On the one hand, seven complainants alleged I was harassing and bullying, whilst other attendees at the meeting gave a different view. The Minutes do not record evidence of harassment and bullying and I would suggest the comments by the Clerk referring to being harassed by me, was a perception in common with the other perceptions and opinions grouped on **Page 4**

Much has been made of the reason for my apology as being evidence of guilt, which I completely deny. Any distress felt by the Clerk, was caused by the sequence of events during the debate. John Davies comments...'**she (the Clerk) was left hanging out to dry ...by her biggest supporter, namely David Milton' (Chair) APPENDIX K.** Any apology by me was a token of showing concern for the Clerk and the disgraceful proceedings of the meeting. Please note that APPENDIX K is not from Sam Vernon but from John Davies. See 2.2.1. **Page 3.3**

The unfortunate demise of the previous Clerk, whose fraudulent actions, unnoticed by the Council, were unravelled by the present Clerk. This praiseworthy detection has for some reason, raised the profile of the Clerk in the eyes of Council, to a position well above her duties. Any unpopular questioning of Council matters is often answered by the Clerk as opposed to the Chair. In this capacity, most Councillors believe that the Clerk, as the Responsible Officer, is always correct. Councillors rarely question her actions and any challenging questions by residents or myself, are often met with unpleasantness from some Councillors and protection of the Clerk to the point of unbelief. This is undoubtedly what happened during my questioning on the 8/4/13 and sadly continues.

Any indication that the Clerk might resign due to a burden of overwork allegedly caused by responding to Freedom of Information FOI and Subject Access SA, requests, is awarded. This amounts to more protection of the Clerk, an increase in overtime decided by the Clerk, and silencing the questioner whether it is a parishioner or Councillor like myself. *I would suggest that Council should take a serious note of the excessive time and money wasted in fighting legal issues against parishioners and myself.* I say waste, as the Council has already lost two legal battles against two parishioners. However, the Clerk and 6 Councillors, against the advice of the Investigating Officer, often appear blinkered in their relentless determination to press the present complaints to a Public Hearing. On top of all this, the Clerk and the newly voted Chair carry on, regardless of time, money and effort, with their active attempts to continue to fight the issues the Council has already lost. This is regardless of the Council's priority of acting in the best interest of the electorate, **APPENDICES Y6 and Y7**. The 5 FOI requests were sent over 24 hours were repeat requests previously unanswered.

At the recent Council meeting on 1/9/14, the Council was overwhelmingly sympathetic to the alleged burden of work of the Clerk dealing with legal issues caused by the Council itself. As a result, a crucial residential issue of drainage affecting several homes with residential concerns raised over several years, was once again stalled. My offer to assist, by obtaining quotes for the drainage work, and hence reduce the alleged burden of work, were refused. I decided not to press the matter on behalf of residents attending, at the risk of being accused of further harassment and bullying.

In my opinion, the actions of the Council in closing ranks to support the Clerk and its unwillingness to listen to the views of parishioners and the views of Councillors that support the parishioners, is unhealthy. It demonstrates a corporate character of inflexibility and unwillingness to act in a manner that the electorate have requested and deserve. I have noticed these Council traits during my term in office and refer to the **Northill Parish Plan** submitted to the Council in 2008. Out of all the recommendations to the Council, by the parish residents and after several years work, very little has been achieved in the Parish, **APPENDICES Y8a/b**.

*I sincerely hope that my position and influence on the **Northill Parish Neighbourhood Planning Group** can help to reverse the trend and some positive action will be seen in the future.*

*I consider it is my duty as a Councillor to question issues, sometimes robustly, on behalf of the electorate, **to seek the truth**.* This is what I have done and will continue to do while I remain in office. *If the Clerk and certain Councillors consider my continuing actions to be inappropriate and give cause to formally complain, then that is a privilege of their position. However, I would maintain that accurate objective comments, listening and representing the views of the electorate and a willingness to reconsider previous decisions, in the light of fresh information, should be an overriding factor when considering Councillor Conduct.* Although there are 6 Councillor Complaints, the Council actions against me over the last 18 months have been somewhat Draconian, e.g. **APPENDICES Y13a/b**. *It has not created a healthy environment for a supposedly democratic and representative authority. The Parish deserves better than a corporate body that is inflexible and opposes or ignores so many things that its residents have requested. Northill Parish Council needs to have a good look at itself, otherwise it will be the cause and victim of its own disreputable actions.*

Cllr Ian Robinson 8th September 2014

Y APPENDICES as separate pages

**Y1 Email from Geoff Evans GUHG re matters not for the public domain Y2
Statement from owner re willingness to sell Ickwell Road site**

Y3 Support witness letter from Jill Parker re 8/4/13

Y4 Support witness letter from Jean Cordy re 8/4/13

Y5 Support witness letter from [REDACTED] re 8/4/13

Y6 Clerk's Email to Alistair Burt MP re FOI and SA requests

Y7 Cllr Papworth's Email to Alistair Burt MP re FOI and SA requests

Y8a/b

Comments on Parish Plan 2008 confirming Council had achieved little

Y9 Minutes of the Planning meeting on 25/3/13

Y10 Email from the Clerk refusing FOI request

Y11 Email from Cllr Papworth refusing FOI request

Y12 Email from the Clerk suggesting Cllr Robinson has memory problems

Y13a/b

Resolution from Cllr Bennett requesting non communication with Clerk

Y14 Witness statement regarding inaccurate financial figures and abuse

Cllr Robinson's responses to complaints unrelated to 8/4/13

Cllr Papworth 3.1.1 1 - At the Planning meeting on the 25/3/13. I was in the public gallery hence references to monopolising and voting are invalid, **APPENDIX Y9**.

Cllr Mandley 3.1.3.5 - I supported the views of the two parishioners in winning their two appeals against the Council. The Council alleged that the parishioners had caused the resignation of the previous Clerk, yet the resignation letter does not name the two parishioners as being the cause. The parishioners continue to be silenced despite winning the appeals. In a separate complaint*. Cllr Mandley makes some very serious allegations against me [REDACTED] and this is the subject of a separate ongoing enquiry by the Monitoring Office, the details of which, I have been asked not to divulge. Cllr Mandley has also questioned my integrity privately and publicly in relation to the same 2 parishioners. * I have recently learned that this complaint was withdrawn on 13/8/14.

CllrKay 5.1.4 – The articles are the comments of Caldecote Voices which are submitted by me to the Biggleswade Chronicle. Any grounds for misconduct here are nullified by the comments of the Investigating Officer in **5.1.5**

Cllr Momen 5.2.1 – 5.2.4 – I have never **accused the Clerk** of withholding information despite the fact that both the Clerk and Cllr Papworth, as acting Chair have refused certain FO1 requests, **APPENDICES Y10 and Y11**. The references to goading and sarcasm are completely unfounded.

Since the Clerk recommended that Matters Arising be removed from Council agenda items, the Annual Parish Meeting on the 31/3/14, provided an opportunity to ask some previously unanswered questions from the public gallery. The questions were copied to the Clerk the following day, **APPENDIX P, Page 2**. The response from the Clerk was that I have memory problems, **APPENDIX Y12**. This reply from the Clerk is with the Monitoring Office and is part of a separate complaint.

The Clerk does not acknowledge my greeting at meetings and since the 8/4/13 her correspondence to me is very formal. I am now requested not to communicate with Clerk until June 2015, as resolved by an Employment Grievance Panel of Cllrs Bennett, Kay & Mandley, (the Clerk being Cllr Papworth on 13/5/14. I declined to attend the hearing, as I was given one working days notice, disallowed representation and refused requested documents to prepare a defence. **APPENDIX Y13**.

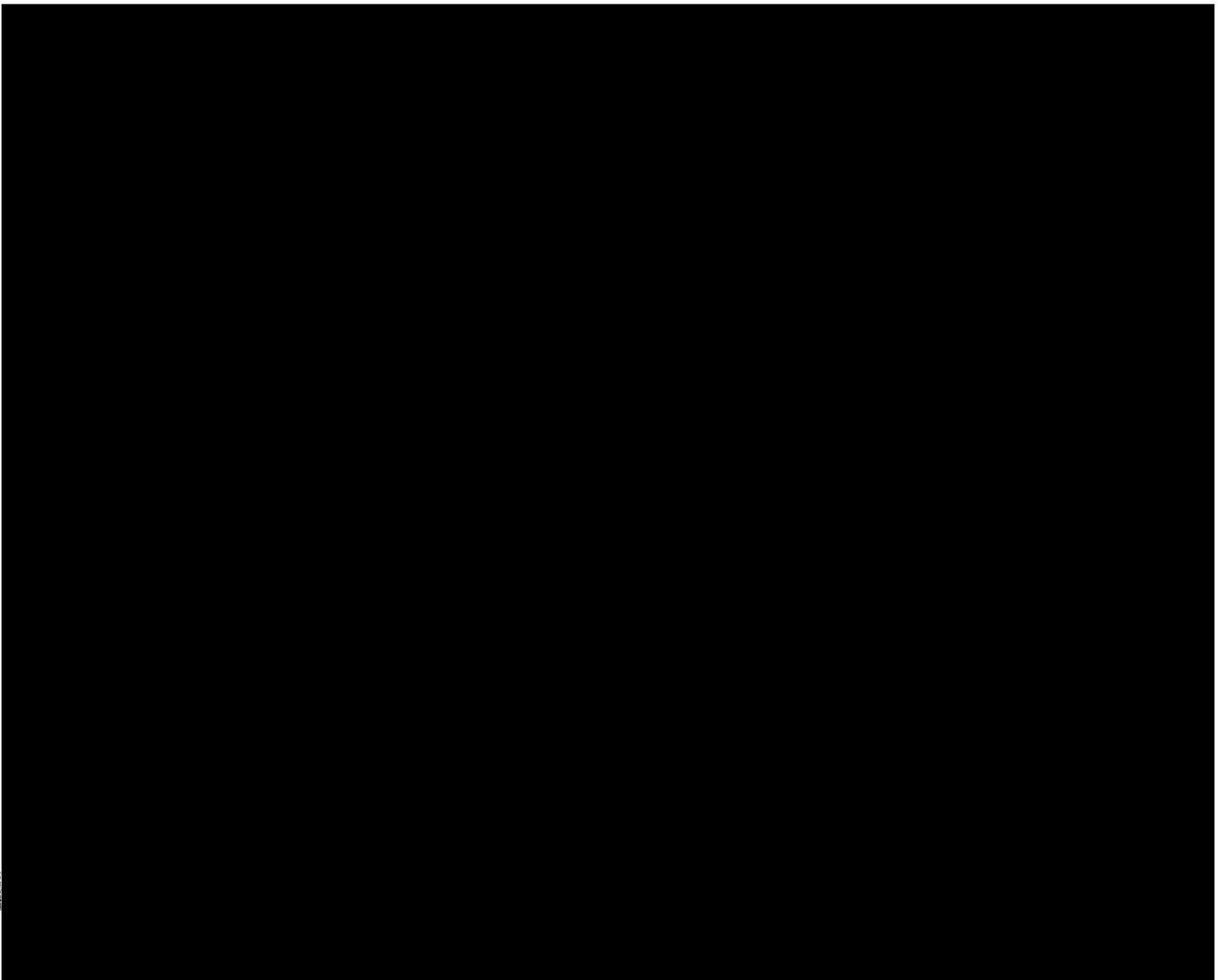
Cllr Momen APPENDIX P. I was in the public gallery at the the APM on the 31/3/14 and witness statements confirm that the Clerk was unable to provide accurate figures to questions on finance. I also received repeated abusive comments from a Councillor. **APPENDIX Y14**. I consider comments about improving my conduct are inappropriate as I refute that I have ever breached any Councillor Code of Conduct during my term of office.

Cllr Papworth APPENDIX B, questions my honesty over pecuniary interests of which I have none. In addition, Cllr Papworth apologised for wrongly suggesting that I had passed a confidential letter to two parishioners

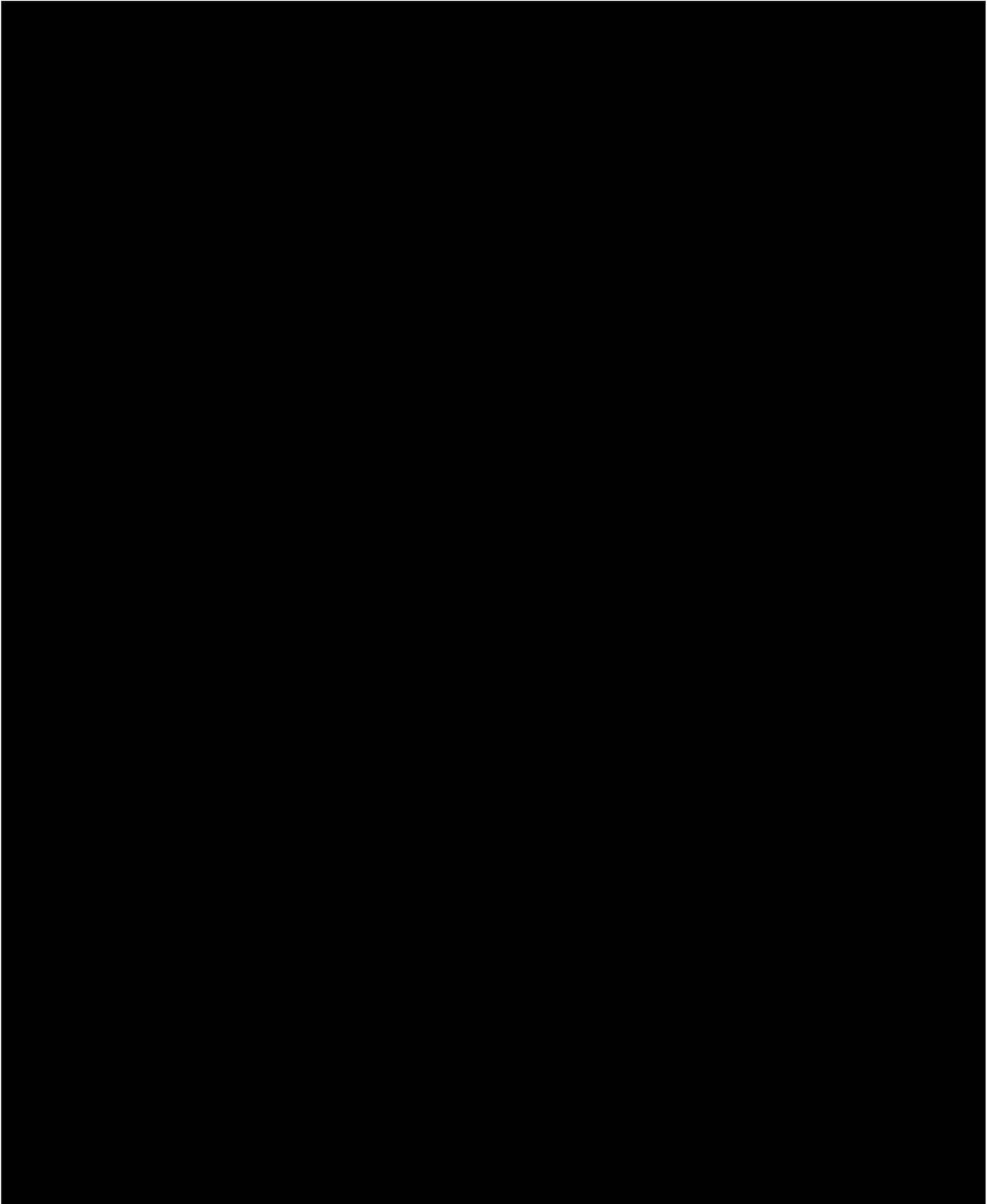
Cllr Ian Robinson 8th September 2014

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YI



Y2



Dear Mrs McShane

It has recently come to my attention that Councilor Ian Robinson, Northill Parish Council, has received a complaint made against him, regarding an incident that occurred during a meeting of Northill Parish Council, on the 8th April 2013.

As a resident of Upper Caldecote, part of the parish of Northill, I attended that meeting and as an observer I would appreciate the opportunity to give an account as to how I saw the incident develop.

Cllr Robinson was questioning the Chairman, Mr David Milton, about various matters, during which there was an exchange of questions and answers. Cllr Robinson asked for more detailed clarification on a particular matter, and Chairman then requested the Parish Clerk, Mrs Leanne Bacon, to provide more information.

She did so by answering Cllr Robinson direct. He addressed another question to the Chairman who again asked the Clerk to clarify. She, again, directed her answer to Cllr Robinson, instead of normal protocol which would be to reply to the Chairman, who would clarify a reply to the questioner. (even if the Chair acknowledged the Clerk could reply).

At no time, to my knowledge, did Cllr Robinson address any questions direct to the Clerk, although he did comment.

As far as I remember, at a point where Cllr Robinson requested more detail on the subject he was enquiring about, the Clerk again began to speak, then arose from her seat and left the room. I understand she was tearful. At this point Chairman closed the meeting.

In all of the 50 years or more that I have been attending both Town and Parish Council meetings I have watched and listened to, sometimes, very heated argument, but never seen anyone leave a meeting under those conditions.

In my honest opinion, if the Clerk had kept to protocol, and given her replies directly back to the Chairman, for him to answer Cllr Robinson's queries, the present situation would never have arisen.

Cllr Robinson is very passionate about the representative work he carries out in the Parish, and can be very persistent when enquiring or questioning, but I did not consider he was being offensive in any way.

Subsequent to this event, I did find it unusual that all long standing sub committees of NPC were dissolved, except Planning and P3, and a new single committee elected to encompass all previous committees, Finance and General Purposes Committee. I noted that Cllr Robinson was the only member not elected to this all encompassing committee, even though he was elected democratically by parishioners to help fulfill their needs in the Parish. This, of course, means he is unable to represent between parishioners and Councilors when the F and GP Committee are in session.

More to the point, parishioners have not yet been informed who will represent particular interest for the new Committee, especially the now defunct Highways and Open Spaces which is very relevant to this parish.

Sincerely, Mrs Jill Parker, Upper Caldecote. 18th October 2013.

To whom this may concern –

I have been advised that a formal complaint has been levelled at Cllr. Ian Robinson, from a Northill Parish Council meeting.

At the meeting the villagers of Upper Caldecote were afforded a mere three minutes to make their representation against the plans proposed for affordable housing at an earlier meeting on 8th April 2013.

My observations are these – The Chair allowed the secretary to run the meeting, which in any forum is not the role of secretary. The role of secretary is to record the minutes and keep quiet or advise the Chair accordingly so that relevant issues may be discussed. Never before in all my experience in business has this ever been allowed to happen. The overriding impression is that the secretary had ideas above her station and not least a complete lack of interest in our case, probably borne out of whole disinterest as not least she is a resident of Gamlingay and quite frankly doesn't give a 'damn' about Upper Caldecote, as she, personally, will not be affected!!!!

The most frustrating aspect of my impression is that the Chair sat there as if a 'dummy' with no input whatsoever.

Due to the very nature of the apparently foregone conclusion of the outcome, our spokesperson naturally became somewhat frustrated, especially at the running of the meeting by a mere secretary!! Yes I am happy to demean her role!

Agreed Cllr. Robinson did gesticulate at which point the Secretary, I suggest, had met her intellectual superior could not 'stand the heat', leading her to walk out.

The over-riding impression of this whole debacle is that the committee had in all probability reached their intended outcome in private forum and were merely paying lip service to an alleged public enquiry which was no more than a sop to the affected residents!

We are sympathetic to the need for 'affordable housing' and have suggested that there are better processes to complete the aim. But No – Your committee have made their mind up, from which we have to ask why, not least as you have already decided the contractor.

Jean Cordy.

Mrs Cordy can verify this letter
on the day of the hearing 29/30 Sept 14

From: [REDACTED]
To: D ROBINSON <d.robinson572@btinternet.com>
Sent: Tuesday, 9 April 2013, 21:30
Subject: RE: Adjourned Council Meeting

Hi Ian,

[REDACTED] here on [REDACTED] e-mail. I am proposing to send the below e-mail to yourself, David Milton and Helen but NOT the Clerk directly as she is being criticised in it (note: that would be harassment!) and ask it to be forwarded to Kay. I can't send it directly to Kay because he has blocked me on e-mail apparently.

Message begins:

I have the permission of Cllr Robinson to read your e-mail and make my response to it. You may check with Cllr Robinson. As a Councillor of good standing you will acknowledge my right as a tax paying parishioner to voice my concerns as I see fit.

Oh dear, oh dear, oh dear Councillor Kay - this is just another incident where I feel you, and possibly the rest of the councillors have completely misread or misunderstood the public you represent.

The larger than average crowd were at the meeting to support Councillor Robinson and were heckling the council for various shortcomings. It was not councillor Robinson that has brought the council into disrepute - on the contrary it was the way the Chairman, Clerk and other members of the council behaved by acting as they have that has brought a feeling of no confidence in the Parish council and has brought itself into disrepute. Many onlookers were appalled at the chairman for not chairing the meeting and astonished that the clerk seems to call the shots in certain discussions!

It is not councillor Robinson that needs to apologise but the rest of the council for their conduct at this and many other previous meetings. I can assure you that Councillor Robinson has the backing of a great many people in the Parish - many of whom witnessed the shambles on Monday night. It has been an eye opener for many reasons:

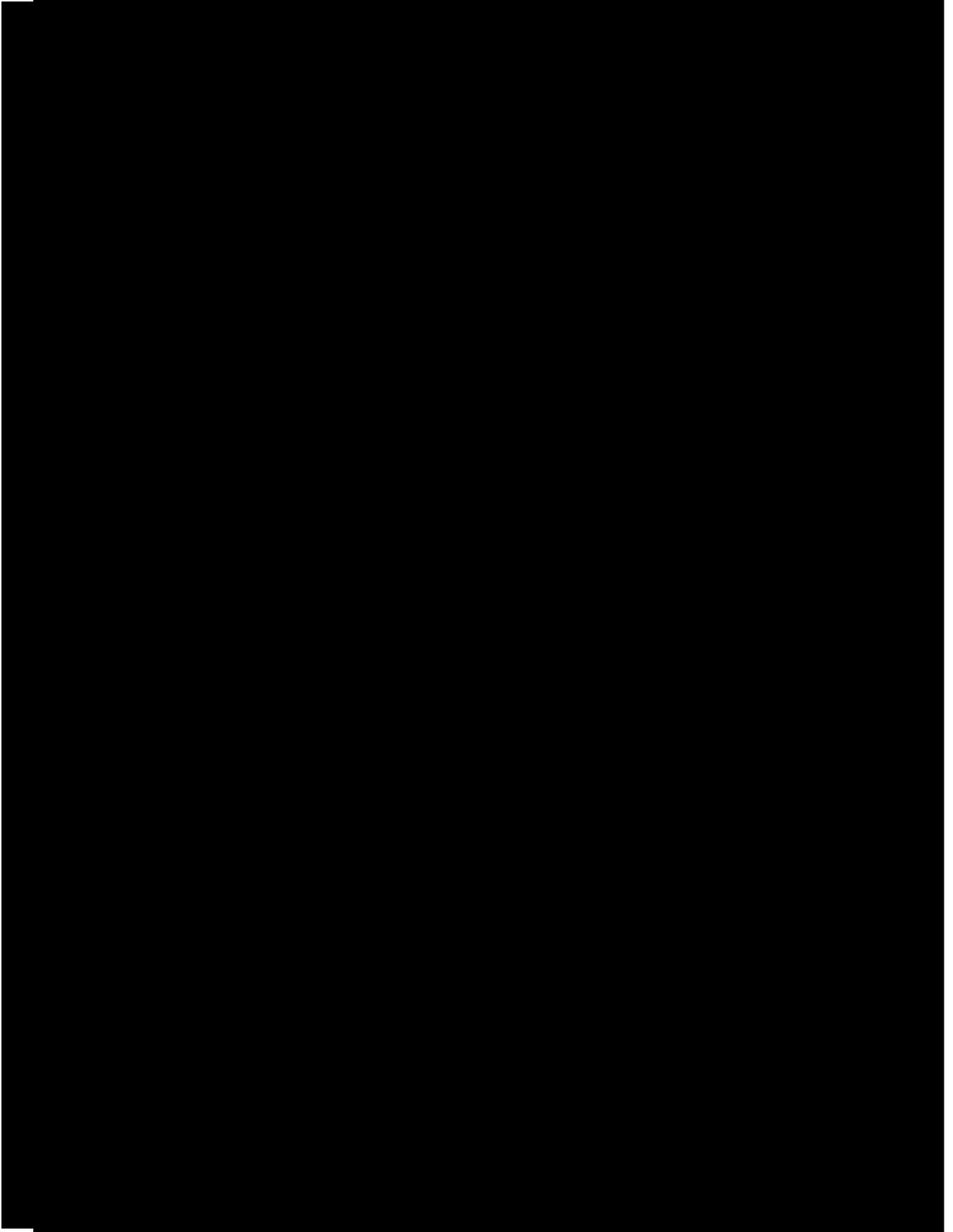
- The Clerk waving her fingers at a councillor is a sight many have not seen before. This is instigating a confrontation. A Clerk should give professional, impartial legal advice and take down minutes. If the Clerk gets upset at a situation of her own making and leaves the room, how can the public have confidence in her ability to impartially continue her role at Northill Parish?
- Cllr Dawson asking Cllr Robinson to control himself - a complete breach of meeting protocol. It is Cllr Dawson who should be apologising to Cllr Robinson.
- Cllr Momen getting upset that she had raised her hand to respond to Cllr Robinson for some considerable time - when she should have been directing her frustration at the Chairman for not doing his job.

I do not know if your comments in your e-mail were intentionally sycophantic towards Cllr Milton, but you come across as someone eager to please him, at your own expense of looking out of touch to those who supported Cllr Robinson.

There is only one failure at the meeting, the failure to control and chair the meeting to avoid its collapse, a failure that is certainly not the fault of possibly the most popular, hard working and well meaning Councillor that Northill Parish has seen for some considerable time. For clarity I mean Cllr Robinson, not Cllr Milton. Or you.

Your e-mail appears harrasing and bullying towards Cllr Robinson. I trust you will be sending Cllr Robinson an apology - perhaps with flowers? Ian loves thorny Scottish thistles.

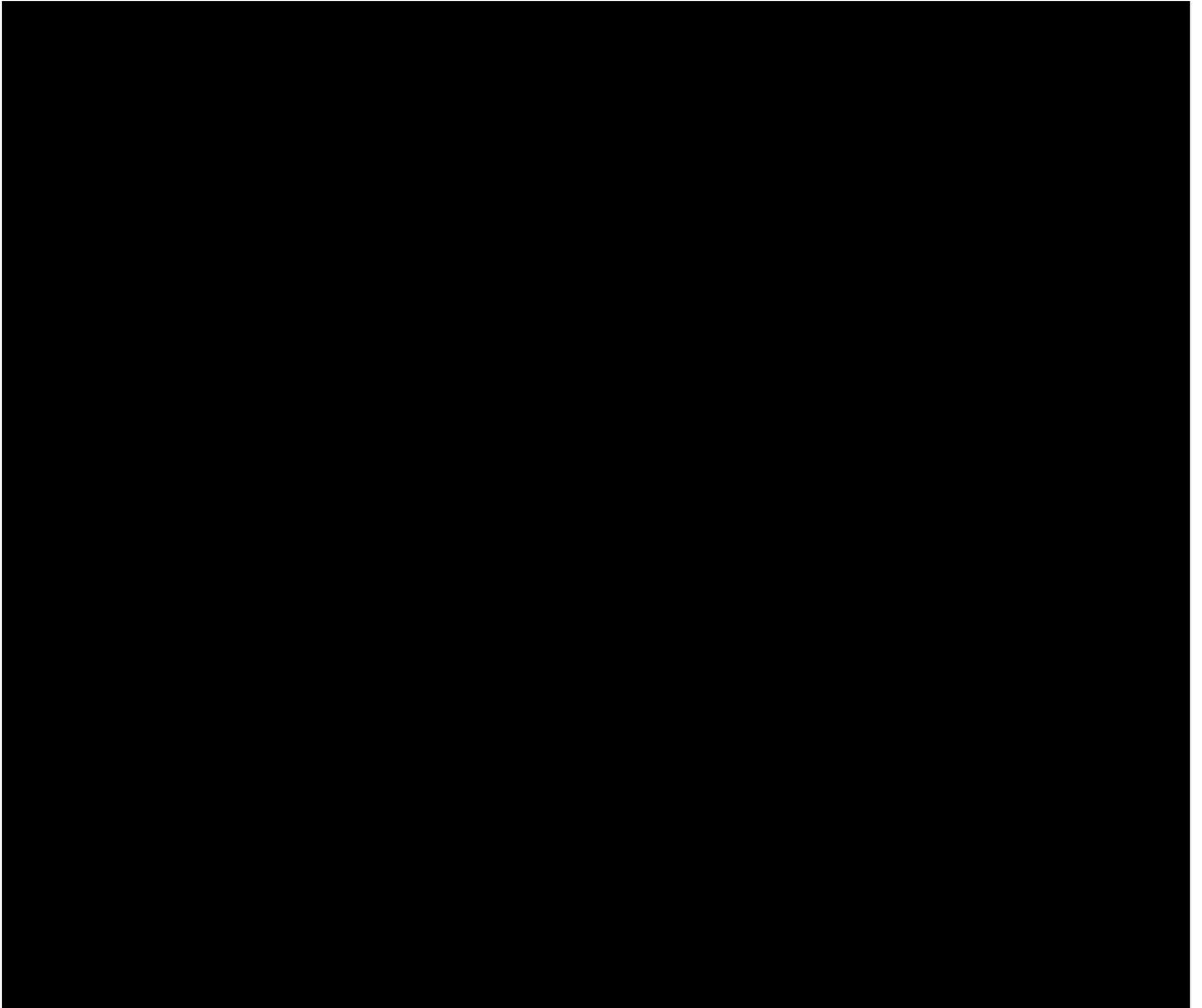
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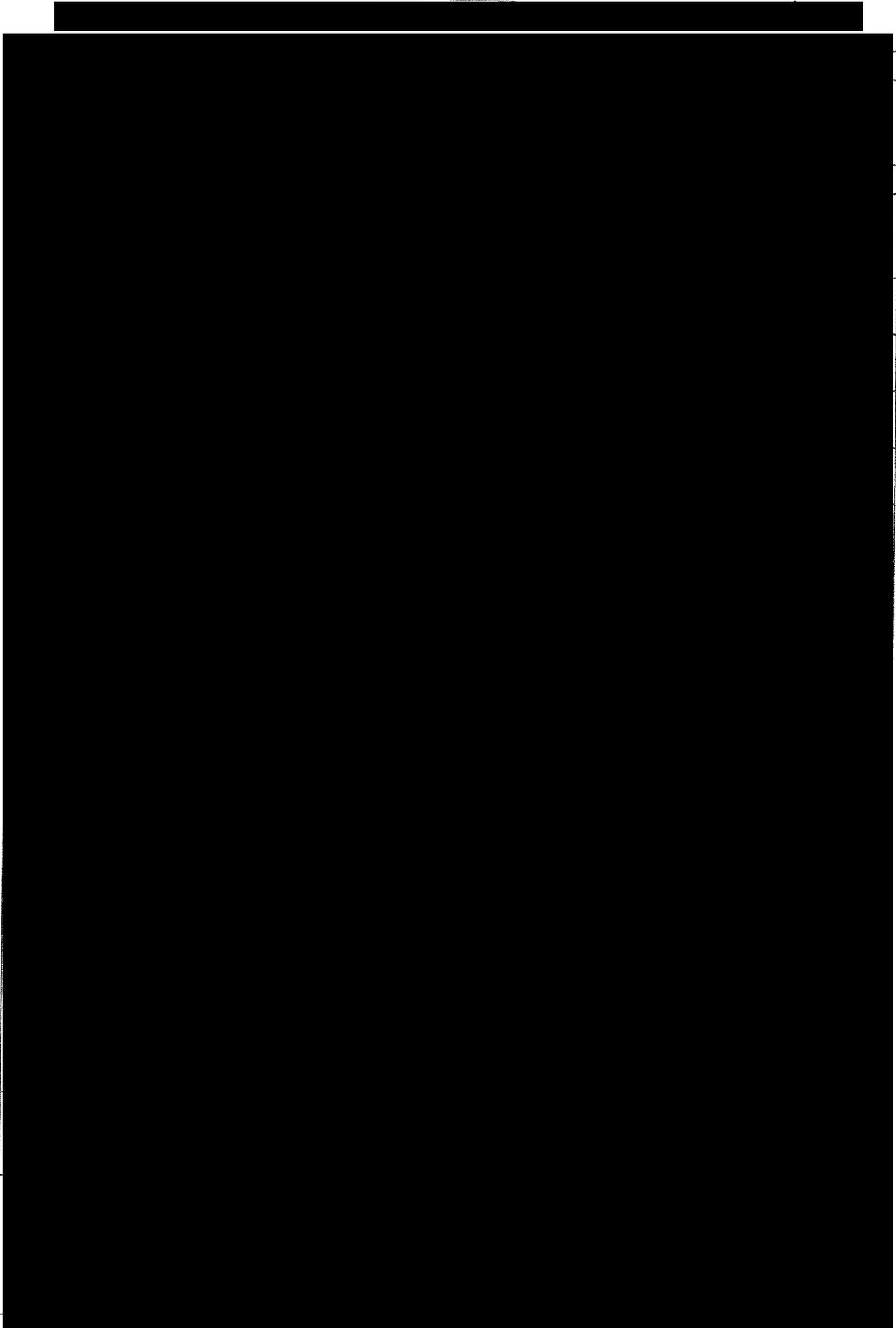


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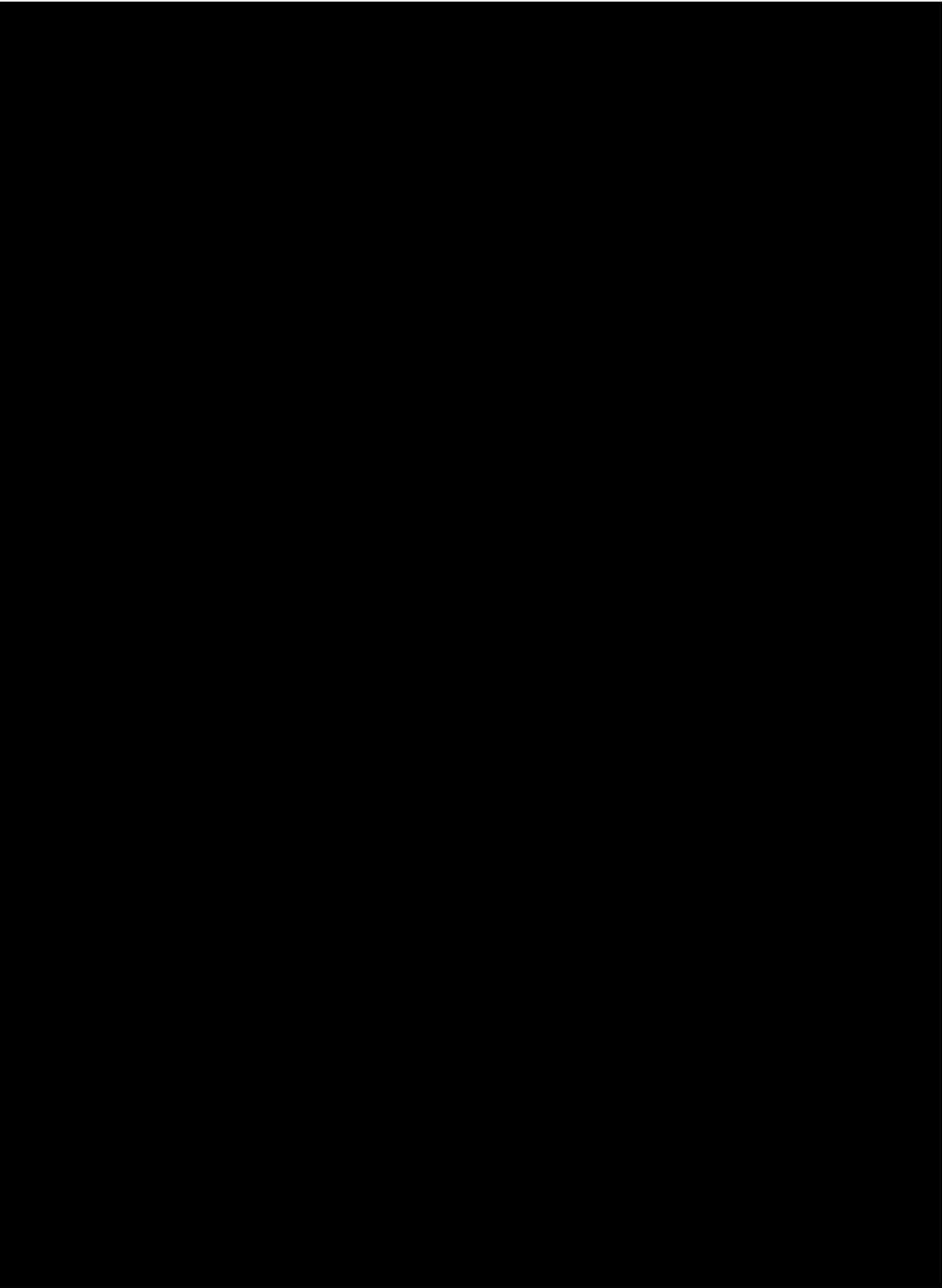
<https://exchange2010.fivemail.co.uk/owa/?ac=Item%204%20VI%20Note&i>

Y7





Y8B



19

Northhill Parish Council

Clerk to the council: Leanne Bacon, 55 Fairfield, Gamlingay, Beds, SG19 3LG

Tel – 01767 650477

Email – parishclerk@northhillparish.co.uk

Minutes of a Meeting of the Planning Committee held at Caldecote Church Rooms on Monday 25th March 2013 at 7.00pm

In attendance: A Wild (Chair), W Momen, T Dawson, K Bennett, R Brinkley (deputy for W Momen, not voting), S Mandley, D Milton and H Papworth (ex officio). Clerk L Bacon, District Councillor T Turner and 12 members of the public.

1. To receive apologies for absence. None.
2. To receive declarations of interest from councillors on items on the agenda. None – all councillors have been granted a dispensation to discuss and vote on all applications in the parish.
- 2.1 To receive any written requests for dispensations for disclosable pecuniary interests. None.
- 2.2 To grant any requests for dispensations as appropriate

3. Open forum for 10 minutes to allow members of the public to speak on any agenda item. J Goodwin – asked for clarification on applicant and meaning of “affordable housing”. Clerk explained that application proposed provision of shared ownership/affordable rental properties of different sizes and styles. Applicant is Grand Union Housing (part of Aragon). *Social HOUSING*

I Robinson – Made a statement copied to CBC expressing support for concept of affordable housing in the parish but outlining his reservations about this site due to isolation from village amenities, additional demands on water supply and inadequacy of foul water drainage, safety concerns at the site entrance due to speeding traffic on Biggleswade Road and under occupancy of other affordable housing site (Chantry Piece) in the parish. He urged CBC to reconsider the Ickwell Rd site in preference.

Mr and Mrs Randal – echoed Mr Robinson’s comments and added that the ecological survey was inadequate and inaccurate, that there is a dangerous sump to the rear of the site and that the photographs provided with the application do not illustrate the danger of a bend in Biggleswade Rd near the site entrance. Mr Randal raised concerns relating to the planning history of the site, pointing out that previously the site had been proposed by the landowner for more extensive housing development.

Mrs Parker – agreed with the comments made above.

Mr Smith – also in agreement and pointed out that drainage problems on Biggleswade Rd extend to numbers 106/109.

Mr Goodwin – Agrees with the above, particularly that speeding needs to be addressed, that drainage problems are a key consideration and pointing out that Biggleswade Road is not gritted. Previous communications he has had with Anglian water indicate that the local pumping station is already working to capacity.

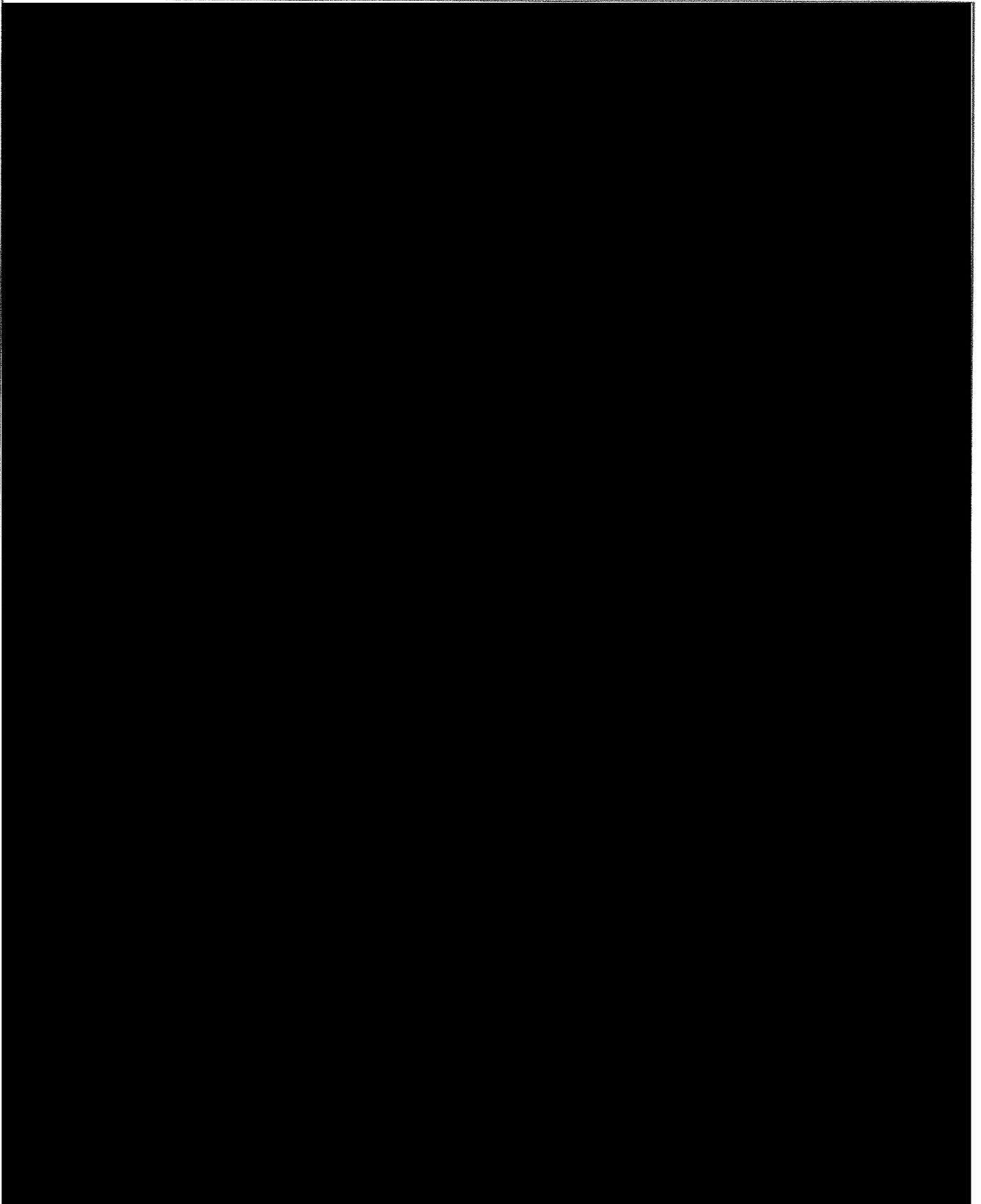
Mrs Webb – offered information that the delay on progressing the Ickwell Rd site may be due to disagreement about the sale of the land.

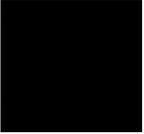
I Robinson considered that insufficient public consultation had taken place and that meetings were not adequately advertised, hence the low level of response. Complaints were made about CBC procedures - the lack of regular updates on the CBC website, immediate neighbours were not notified of the application and that notices for the diversion of the footpath were placed incorrectly.

Chair thanked all those who had contributed. Clerk pointed out that one further objection had been received by this committee. Item 6 was brought forward.

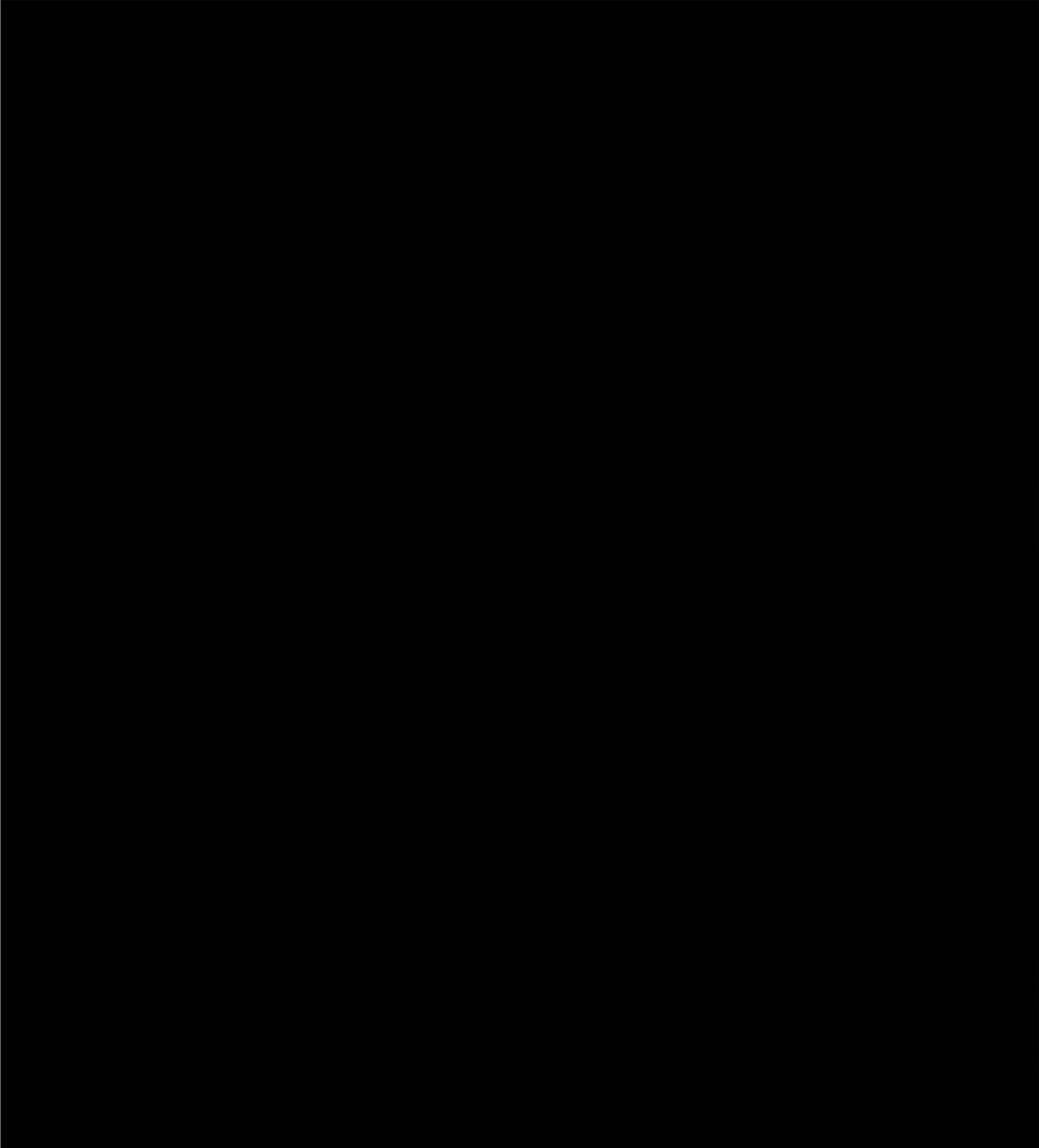
These minutes are published and provided, and may be used, only on the basis that the user assumes all responsibility for any loss, damage or consequence resulting directly or indirectly from them or their use. For the avoidance of doubt the only legally acceptable version of the Minutes of Northhill Parish Council are those signed in Public Meetings by the Chairman. They are available for public inspection from the Clerk.

Y 10



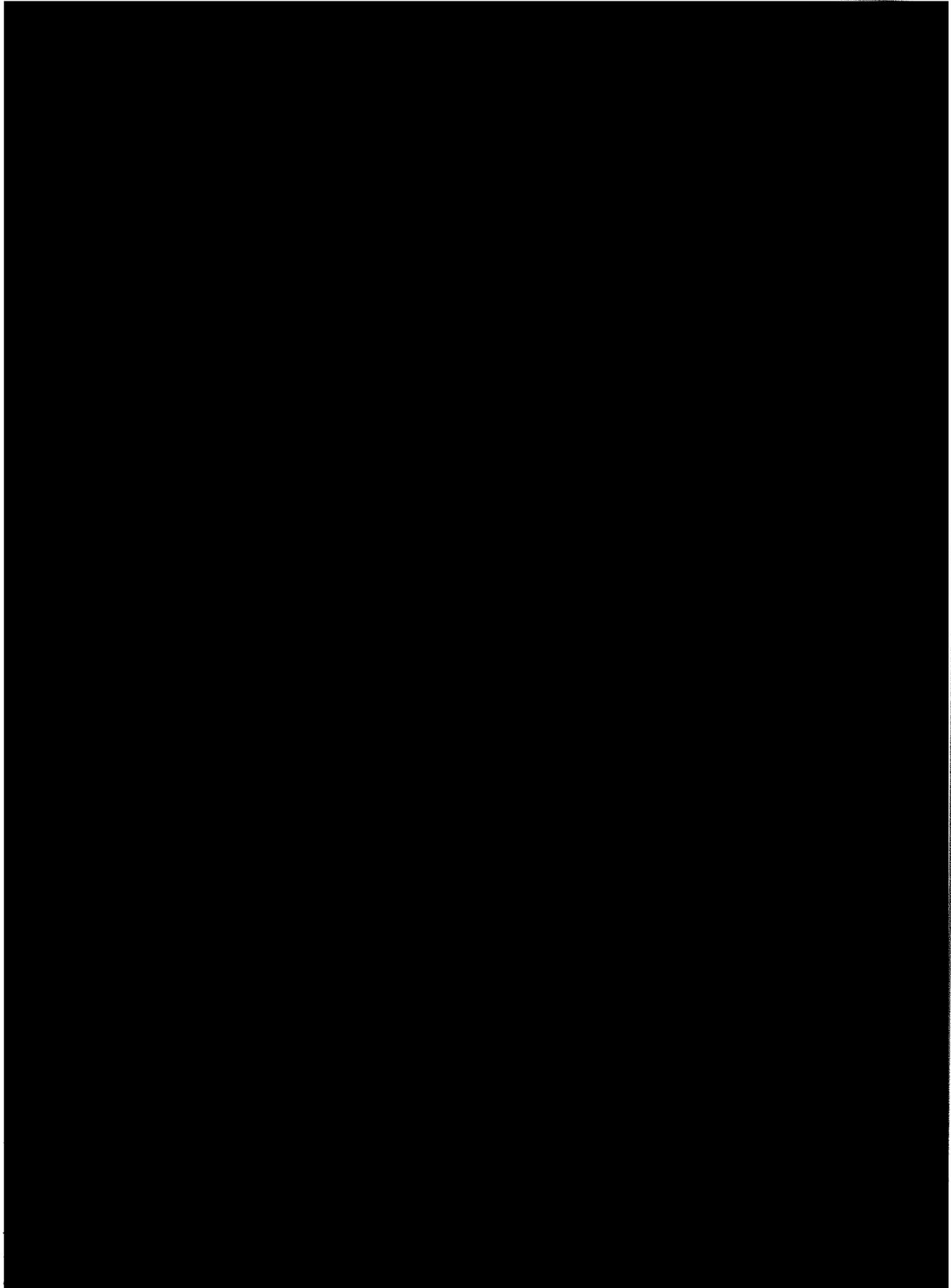


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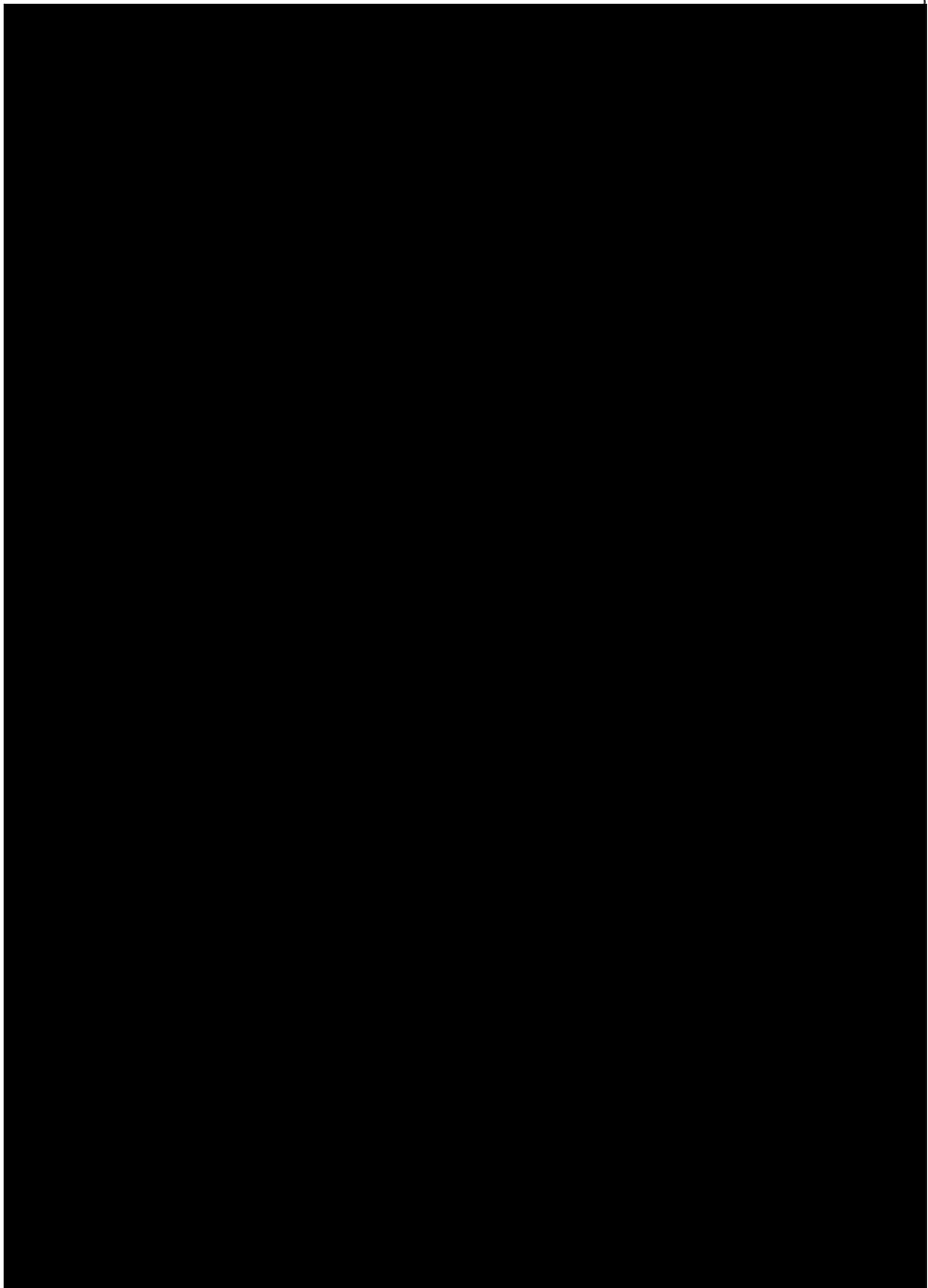


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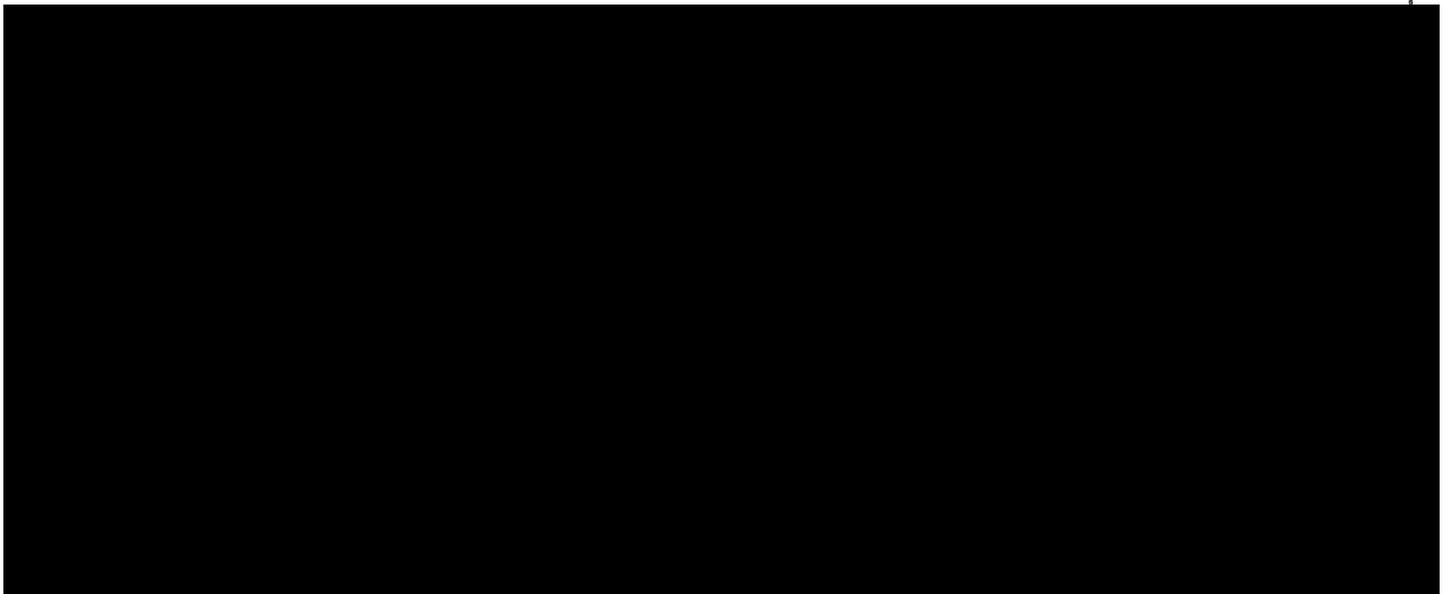
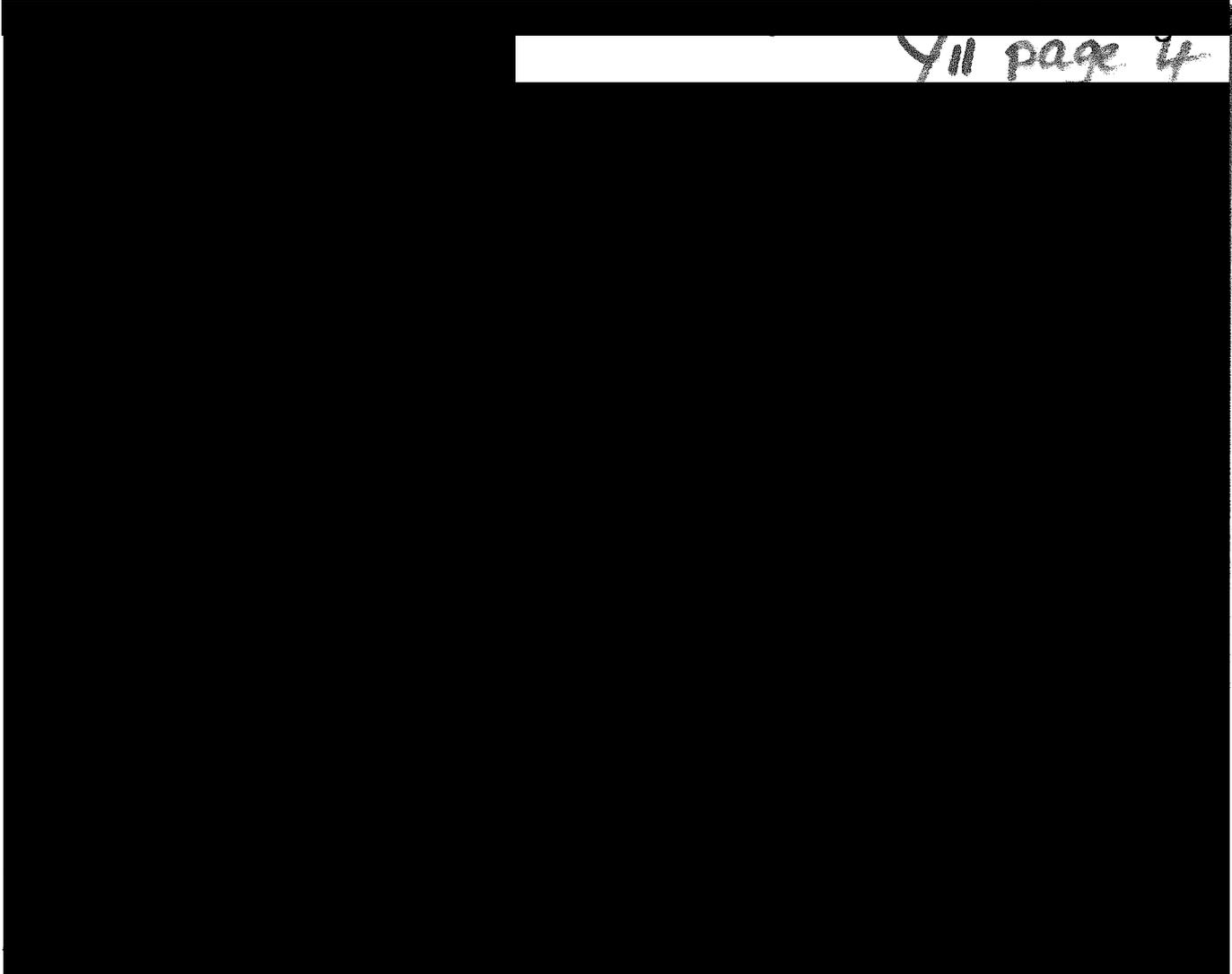
Y11 page 2



Y11 page 2



Y11 page 4



Y 12

Subject: RE: APM 31st March 2014

From: parishclerk (parishclerk@northhillparish.co.uk)

To: d.robinson572@btinternet.com;

Cc: andywild28@ntlworld.com; helen_vet1@hotmail.com;
keith.bennett20@ntlworld.com; sally.m@virginmedia.blackberry.com;
damianwilcox@btinternet.com; mtb6k0ay@ntlworld.com;
davidmilton291@btinternet.com; wendipc@momen.plus.com;
r.maudlin@hotmail.com; flash.dawson@btinternet.com;

Date: Tuesday, 1 April 2014, 11:42

Mr Robinson,

You attended last night's Annual Parish Meeting as a member of the public, but other members of the public in attendance were well aware that you are also a parish councillor.

I am sorry to have to tell you that I think you may have some memory problems. This would explain the fact that you frequently say you can't remember matters that have been discussed at Council (of which you are a member), don't remember seeing documents that were circulated to you in your Council pack and forget the advice within the Good Councillors Guide (which you have said you have read) on numerous occasions.

This forgetfulness often means you ask irrelevant questions, causing time wasting and frequent breaches of the Code of Conduct.

I understand you feel you are trying to demonstrate to members of the public that you are pursuing their issues, but in fact, your confusion about Council matters means that you are in danger of bringing the Council into disrepute.

You publicly say that you fundamentally disagree with many of Council's decisions. If you do not feel able to support collective decision making or abide by the code of conduct and/or are finding it difficult to remember Council matters and procedures, I suggest you should consider your position as a Councillor.

Kind regards,

Leanne Bacon

Parish Clerk and RFO - Northhill Parish Council

Telephone contact hours:-

Mon 1-3pm

Tues 9-11am

Thurs 2-4pm

Tel 01767 348180

55 Fairfield

Gamlingay

Beds

SG19 3LG

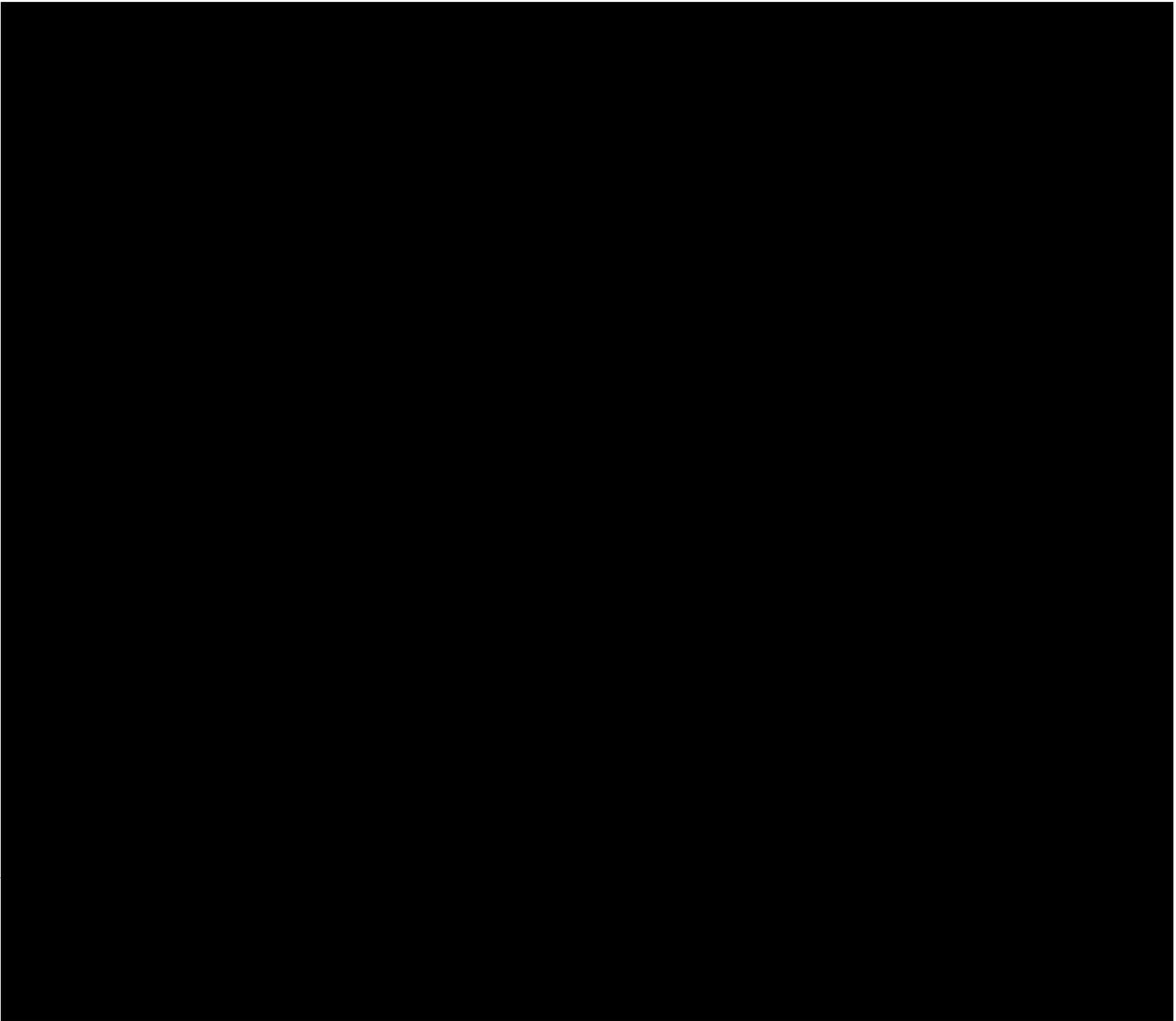
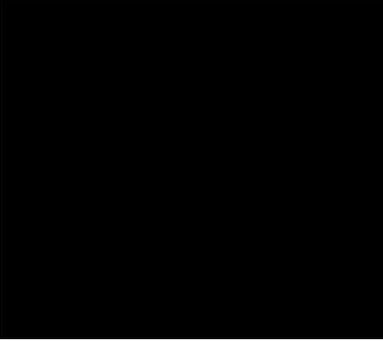
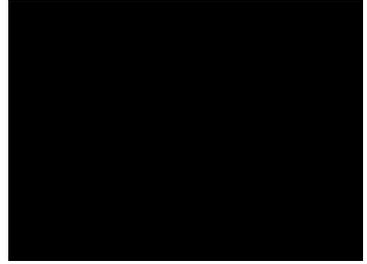
website - www.bedsparishes.gov.uk/northhill-parish-council

See APPENDIX P page 2 for
Cllr Robinson's Email
to the Clerk 1/4/14 9.35 hrs.

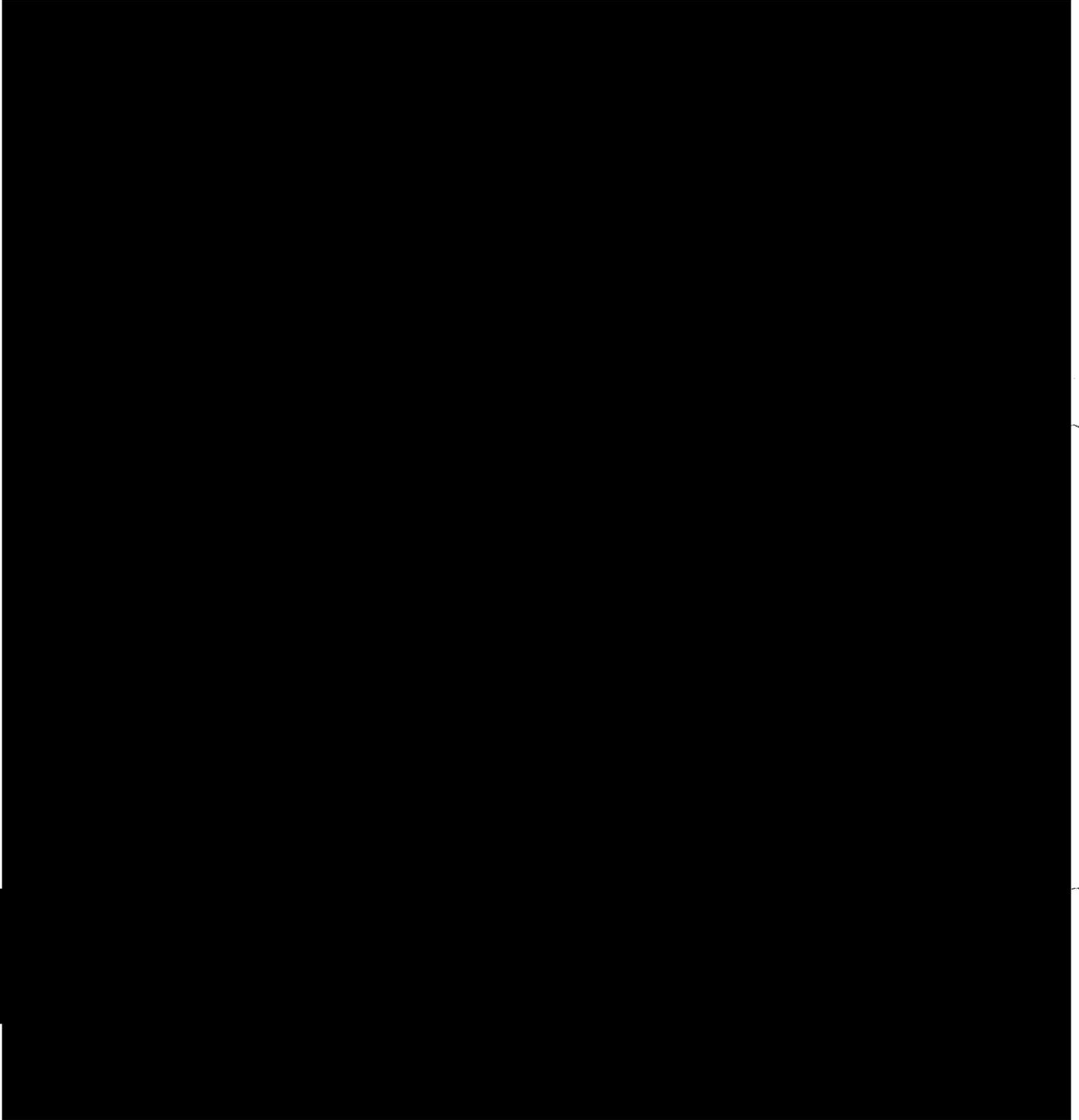
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<https://uk-mg-bt.mail.yahoo.com/neo/launch?.partner=bt-1&...> 04/05/2014

Y13a



Y13b



Y14

From: [REDACTED]
Sent date: 05/09/2014 - 23:08
To: d.robinson572@btinternet.com
Subject: Fwd: Neils Question about account balances at the APM

-----Original message-----

From : [REDACTED]
Date : 05/09/2014 - 11:27 (GMTDT)
To : d.robinson572@btinternet.com
Subject : Neils Question about account balances at the APM 31/3/14

Ian,

Both [REDACTED] and I were at this meeting and were witnesses to this.

We have checked our notes and we do confirm that Neil asked for the value of the reserve funds and balances of the other accounts. Clerk replied back with only the balance of the reserve fund and did not mention any other accounts. When [REDACTED] cross examined the clerk about how much money NPC had - he asked for an approximate balance of all accounts and clerk said she was not prepared to give out the information as she was not sure - [REDACTED] then pressed on and asked if it was a 5 or 6 figure sum and she was still not prepared to answer.

In addition, we confirm that Cllr Robinson was called a Pratt twice by Cllr Dawson during the meeting.

I hope this helps.

[REDACTED]

I, Neil Campbell confirm that I attended the APM on the 31st March 2014 and the contents of the above email from [REDACTED] are correct. I am not available to attend Cllr Robinson's hearing due to work commitments but am willing to provide evidence on his behalf at a later date should this be required.

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IN THE MATTER OF:

**COMPLAINT BY LEANNE BACON, PARISH CLERK TO NORTHILL PARISH COUNCIL
AND PARISH COUNCILLORS
AGAINST CLLR D.I. ROBINSON, NORTHILL PARISH COUNCIL**

**STANDARDS SUB-COMMITTEE HEARING
TO BE HELD ON 29 AND 30 SEPTEMBER 2014**

**WITNESS STATEMENT OF
CLLR HELEN PAPWORTH**

1. I, HELEN PAPWORTH, a Councillor of Northill Parish Council ("the Council") and my address is Colemoreham Farmhouse, 17 The Green, Ickwell, Biggleswade, Bedfordshire SG18 9EE, do hereby state as follows.
2. I attended a General Meeting of Northill Parish Council on Tuesday, 8 April 2013 as a member of the Parish Council and also as the Vice Chairman of that Council. Since then, I have been elected as Chairman of the Council (on 1st September 2014).
3. During that meeting, I witnessed the Chairman, Cllr David Milton having to abandon the meeting when the Parish Clerk, Leanne Bacon, left the meeting room in distress. Mrs Bacon had been subjected to some very hostile and repeated questioning over a period of 20 minutes or more from Cllr Robinson during the "Matters Arising" section of the Agenda. Cllr Robinson was in such a state that he could not remember the names of the Councillors, calling them "Councillor what's his name", refusing to let anyone else speak or interrupt him as he did not want his behaviour challenged. Cllr Kay and Cllr Dawson were attempting to interrupt Cllr Robinson for that purpose, and I had my hand raised to attempt to speak to complain. This disgraceful behaviour follows on from the previous Council Meeting, on 25th March 2013, when both a Planning Meeting to discuss Affordable Housing and the Annual

Parish Meeting were held on the same night. Cllr Robinson had monopolised the floor at these meetings, with complete disregard for protocol, despite the Parish Clerk having set out this information quite clearly in an email sent to all Councillors beforehand.

4. In my opinion, Cllr Robinson's behaviour towards the Parish Clerk at the meeting on 8 April 2013 constituted bullying. He also prevented the Chair, Cllr David Milton, from effectively chairing the meeting by prolonging the "Matters Arising" item and not allowing any other Councillor an opportunity to speak.

5. An Agenda item at the meeting on 8th April 2013 was to approve the Planning Committee decision of 25th March 2013 for Affordable Housing in Upper Caldecote. The Council had had a consultation with parishioners in September 2012 as a result of which the Council preferred a site on Ickwell Road, Upper Caldecote. However, the developers, Grand Union Housing Association were not able to progress this site as there were several owners of this land and not all of them were willing to sell their share. I do not think that Cllr Robinson was aware of all the issues with regard to the sale of this land and he therefore repeatedly questioned as to why the Ickwell Road site was not being put forward by the Parish Council, and continues to do so to this day.

6. As a result of Cllr Robinson's erratic, inappropriate and extremely rude behaviour, the Planning Committee decision of 25th March 2013 was unable to be approved by full Council until a reconvened meeting on 2nd May 2013. There were a large number of concerned members of the public present on 8th April 2013, all concerned to see what would be decided, an opportunity which they lost. In my opinion, Cllr Robinson's behaviour brought the Council into disrepute. I would say that there were at least 25 people at this meeting who witnessed Cllr Robinson's behaviour.

7. Cllr Robinson seems unable to accept the democratic process and accept that once a decision is made by the Committee/Council corporately, then that is the decision of the Council and he consistently tries to have issues re-debated and even overturned.

8. I believe Cllr Robinson was out of control at the meeting on 8 April 2013. Cllr Robinson was playing to the floor with complete disregard for the procedures and standards expected by the Council.

9. At this meeting, Cllr Robinson brought up a list of matters arising at Item 6 on the agenda, some of which related to [REDACTED]. There was a history to the Council's previous dealings [REDACTED] which had culminated in the Parish Council resolving to restrict [REDACTED] communications to Council, because of [REDACTED] vexatious attitude and correspondence and the submission of numerous Freedom of Information requests and emails to the Parish Clerk. Cllr Robinson was therefore acting in direct conflict with Council's resolution.

10. The background to the Parish Council's dealing with [REDACTED] was that there had been a number of requests to purchase land [REDACTED] which was in the ownership of the Parish Council. The land was community land transferred to the Parish Council by a developer and contained covenants that the land was to be used as such. [REDACTED]

[REDACTED] This same decision had been previously made twice by the Parish Council. After that, [REDACTED] Parish Clerk, with emails and in August 2011, she resigned referring to harassment by [REDACTED]

11. Leanne Bacon, the Parish Clerk, joined Northill Parish Council in September 2011. Numerous emails were still being sent to the Parish Clerk. [REDACTED]

[REDACTED] The Parish Council had their reasons why they would not agree to sell the land. There were covenants on the land which restricted it to amenity use by the public, and the Council felt that it was inappropriate to dispose of the land. [REDACTED] were subsequently deemed as vexatious due to their persistent requests, including Fol requests, to the Parish Clerk in 2011, a decision which was upheld by the Information Commissioner but later reversed on appeal.

12. After the Parish Clerk left the meeting on 8 April 2013, she was very distressed. I believe that the Parish Clerk is a "strong" person, evidenced by the fact that she withstood very hostile and repeated questioning from Cllr Robinson, a bombardment that lasted longer than most other employees would have tolerated. After 20 minutes, she left the meeting and went to the kitchen. I followed her out of the meeting in protest at what I had witnessed.

13. I went back into the room after five minutes to see what was happening. I just remember the situation being somewhat confused as nobody had sat back down again and it was at this point that Cllr Milton had to abandon the meeting.

14. Before Leanne Bacon left the meeting, the Chairman, Cllr Milton had attempted on several occasions to regain control of the meeting and I also have a recollection of Cllr Kay and Cllr Maudlin who were sitting opposite Cllr Robinson, both trying to bring the meeting under control.

15. This situation had arisen because Leanne Bacon was having to answer all the questions relating to the "Matters Arising" agenda item. The procedure of the Council was that all of these questions and answers should have been referred through the Chair.

However, because of Cllr Robinson's behaviour and persistent questions directed at Clerk, the Chair was unable to follow this procedure.

16. The abandoned meeting was reconvened on 2 May 2013. Cllr Robinson continued to occupy the Council's time on Affordable Housing but his behaviour was better – he had apologised in-between. I wrote to him during that time as I felt so strongly about his disgraceful behaviour. I wrote to say that I was not prepared to discuss Council business with him, as I did not think his behaviour was acceptable for a Parish Councillor. I also felt unable to discuss Council business with him because of his close liaison with [REDACTED]

[REDACTED] Cllr Robinson has always denied that he was a friend or acquaintance of [REDACTED]. I continued to maintain my self imposed ban of not corresponding with Cllr Robinson until January 2014, when Cllr Robinson sent very long email in large bold font to Clerk. I found this e mail particularly aggressive and decided to answer on her behalf, but his reply continued in the same bullish manner as the original e mail. However, when I became Acting Chair in May 2014, I wrote to Cllr Robinson to indicate that I would communicate again, in order for Cllr Robinson to maintain some contact with the Council, because of an employment panel situation that had arisen.

17. This was because the ongoing behaviour of Cllr Robinson led to Leanne Bacon raising a grievance about her employment with the Parish Council in early May 2014. As a result, Cllr Robinson was instructed not to have any further communication with the Parish Clerk and to address all emails and correspondence to the Chair, at that time, Cllr Wild. He continued to send in various irritating e mail requests, one of which included 15 FoI questions. Most of these were considered irrelevant to his current case eg a request for the resignation letter of our previous clerk, and another for the details of our current clerk's employment contract.

18. Northill Parish Council had to hold two Grievance Panel meetings, as required by employment law, commencing 8 May 2014, to consider issues raised by the Parish Clerk. As a result of this, Cllr Robinson was asked to attend their second meeting on 13th May 2014 to give his views on her grievances about him, but decided not to attend. He complained that he had only been given 24 hours' working notice to prepare for the meeting and consistently failed then (and even now continues to fail) to understand that Clerk's grievances needed to be resolved and replied to within 7 days. He was however informed of the opportunity to attend on 9 May 2014, the day after the Panel's first meeting. The Parish Clerk had handed in a list of 13 grievances, which the Grievance Panel went systematically through, looking at evidence from emails and minutes. Eleven out of thirteen of the grievances were upheld by the panel. I was not a member of the Grievance Panel but acted as note taker .

19. One of the observations I have made about Cllr Robinson's behaviour is that he misreads or mis-interprets information and statistics that are presented to him. It is worrying that Cllr Robinson reads a document and fails to interpret it correctly. He appears to interpret situations as he sees them and not as presented in documents.

20. I think the decision of the Grievance Panel illustrates the steps that had to be taken to control and moderate the behaviour of Cllr Robinson in order for the Parish Clerk to function effectively in her role.

21. The Caldecote Voices Group was established after 8 April 2013 as a splinter group and Cllr Robinson and others took opportunity to criticise the Parish Council publicly about the siting of the Affordable Housing. However, when challenged, Cllr Robinson said he was not a member of the group, just their publicity officer. I am of the opinion that Cllr Robinson used his position as publicity officer of the Group to write critical articles on the Parish Council. I deem this unacceptable.

22. Cllr Robinson's behaviour has been better since 8th April 2013, but still unacceptable at times. Due to illness, I was not present at this year's Annual Parish Meeting (31.03.14) and a subsequent Council Meeting (14.04.13) but I have been told that his behaviour was again out of order, and "that a line had been crossed". However, I would like to stress that since the decision of the Grievance panel to restrict his contact with Clerk, his behaviour has been exemplary.

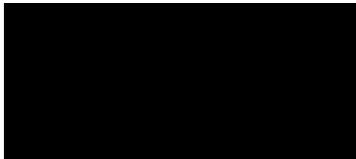
23. The meeting on 8 April 2013 was not an isolated incident as there had been previous bad behaviour from Cllr Robinson. After the apology Cllr Robinson wrote to Leanne Bacon, his behaviour still did not change very much and he continued on his mission to overturn a previously made corporate decision about the Affordable Housing site at Biggleswade Rd, as opposed to the Ickwell Road site.

24. Cllr Robinson also continued to put forward matters which were in the favour of [REDACTED] and I feel that Cllr Robinson should put forward comments which are representative of the whole Parish, not just the views of [REDACTED]

25. In my opinion, Cllr Robinson's interrogation of Leanne Bacon, the Parish Clerk, challenging her competence and causing her to walk out of a public meeting brings the Council into disrepute. Cllr Robinson had contributed to Leanne's recent glowing appraisal, approving her pay rise, yet weeks later on 8th April 2013 he was challenging her abilities. I believe that Cllr Robinson thinks that the Parish Clerk is competent when she acts in accordance with his wishes, but when she does something that she has been instructed to do by the Council with which he disagrees, he "goes off the rails".

26. At no time during the Affordable Housing issue did Cllr Robinson declare a disclosable pecuniary interest, although he only lives 5 houses away from the development site. He was also slow to declare a personal interest. As so much time has gone by, I am unable to remember at exactly what point he declared a personal interest, but in my opinion he should have done it much sooner than he did. Obviously, it is a matter for Cllr Robinson to decide whether or not he had an interest to declare, however had I lived where he does, I would have declared both a personal and, more importantly, a disclosable pecuniary interest. His failure to declare this meant that he was able to continue fighting publicly the decision to site the affordable housing at Biggleswade Rd, so close to his house.

Signed:

A solid black rectangular box redacting the signature of Cllr Helen Papworth.

Cllr Helen Papworth, now Chair, Northill Parish Council

Date: 21st September 2014

IN THE MATTER OF:

**COMPLAINT BY LEANNE BACON, PARISH CLERK TO NORTHILL PARISH COUNCIL
AND PARISH COUNCILLORS
AGAINST CLLR D.I. ROBINSON, NORTHILL PARISH COUNCIL**

**STANDARDS SUB-COMMITTEE HEARING
TO BE HELD ON 29 AND 30 SEPTEMBER 2014**

WITNESS STATEMENT OF

LEANNE BACON

1. I, LEANNE BACON, Clerk to Northill Parish Council ("**the Council**") of 55 Fairfield, Gamlingay, Beds SG19 3LG. I have been the Clerk to the Parish Council since Sept 2011.
2. In my role as Parish Clerk, I was present at the General Meeting on 8 April 2013 and, as a result of Cllr Robinson's behaviour towards me at that meeting, I became very frustrated and upset.
3. In the past, I have experienced difficulties in dealing with Cllr Robinson, especially at meetings. Cllr Robinson tries to raise matters on which previous decisions have been made in "Matters Arising" and often tries to re-debate matters in the minutes and also tries to reverse previous decisions made by the Parish Council.
4. However, until the Parish Council Meeting on 8 April 2013, I felt that I had a reasonably good relationship with Cllr Robinson as he had participated at my recent appraisal meeting as Parish Clerk and had been very complimentary towards my performance and had supported an increase in my salary.

5. However, matters had become heated and controversial over an Affordable Housing scheme. Cllr Robinson and other local residents were unhappy with the decision to recommend the Biggleswade Road Site for the scheme. Planning permission had been granted for this site by Central Bedfordshire Council and development was to proceed shortly.

6. I had previously attempted to advise Cllr Robinson regarding procedure at meetings and governance issues and I had provided him with a copy of The Good Councillor's Guide produced by The National Associates of Local Councils.

7. I also mentioned two other issues which were of concern to Cllr Robinson namely, The Beacon [REDACTED] who were in dispute with the Parish Council. Cllr Robinson appeared, in my opinion, to be supporting the position of [REDACTED] against the Parish Council. (It is minuted that he said he supports them.) I believe this is the subject of a separate complaint made by Cllr Sally Mandley who has submitted a Witness Statement.

8. At the meeting on 8 April 2013, Cllr Robinson started to raise matters in his normal manner but became very insistent. The meeting was being chaired by Cllr David Milton who tried to put a stop to Cllr Robinson's behaviour but Cllr Robinson continued to ask questions and I took over the answering of the questions, whereupon there followed a quite heated and animated exchange between myself and Cllr Robinson. This continued for about 20 minutes until I walked out of the meeting. I was very frustrated and upset and felt that I was being harassed and bullied, particularly because this exchange had taken place in public. The Chair then adjourned the meeting as he could not conduct any further business without me being present at the meeting to take the minutes and fulfil the role of Parish Clerk and the meeting had descended into disorder.

9. I received an apology from Cllr Robinson after midnight on 9 April 2013 for the manner in which he addressed me at that meeting. This email apology was also circulated to all Members of the Parish Council.

10. Although Cllr Robinson did apologise for his behaviour on 9 April 2013, he has continued to be rude and aggressive in his questioning to me in public meetings. He consistently requests information that has already been provided to him; one example of this was that he insisted at a Parish Council Meeting that I provide current details of the balances in Parish Council bank accounts. I was given no notice of this request, nor did I have the bank statements or bank reconciliation to hand, as these are approved at Finance committee meetings, rather than full Council and therefore was not able to provide a completely up-to-date snapshot of the accounts. Cllr Robinson's questioning of me on the accounts when this information was not available, was totally unreasonable and appeared

to be an attempt to undermine my position as Parish Clerk and Responsible Financial Officer and make me appear incompetent.

11. Since the Parish Council Meeting on 8 April 2013, Cllr Robinson's behaviour has continued to be a concern to both myself and the other Parish Council Members. He becomes very insistent on certain matters. He makes requests for information but does not accept this information when it is provided to him or particularly if he does not like the answer he is provided with. He has a role with a Resident Pressure Group called "Caldecote Voices" which I consider to be a particular problem and which I would suggest brings him into direct conflict with his role as a Parish Councillor and his declaration to provide by the Nolan Principles. I have been hesitant to further complain to the Central Bedfordshire Council because of the bureaucratic process and long timescales this involves. I have therefore sought to address the matter in other ways.

12. In May 2014, because of the continued behaviour of Cllr Robinson towards me as an employee of the Parish Council, I found it necessary to invoke the Parish Council's grievance procedure. Cllr Robinson did not attend the hearing and, in his absence, the Grievance Panel found a substantiated 11 out of 13 issues I had raised in the grievance procedure. The Panel, in determining the grievances I had raised, put in place various mechanisms which meant that Cllr Robinson did not approach me directly and communicated instead with the Chair of the Council, Cllr Helen Papworth.

Signed:

Leanne Bacon, Clerk to Northill Parish Council

Dated: 24 September 2014

IN THE MATTER OF:

**COMPLAINT BY LEANNE BACON, PARISH CLERK TO NORTHILL PARISH COUNCIL
AND PARISH COUNCILLORS
AGAINST CLLR D.I. ROBINSON, NORTHILL PARISH COUNCIL**

**STANDARDS SUB-COMMITTEE HEARING
TO BE HELD ON 29 AND 30 SEPTEMBER 2014**

**WITNESS STATEMENT OF
CLLR SALLY MANDLEY**

1. I, SALLY MANDLEY, a Parish Councillor on Northill Parish Council ("the Council") and my address is Manor Place, Upper Caldecote. I have been a member of the Parish Council for approximately 7 years.
2. I was in attendance at the Parish Council Meeting on 8 April 2013 and, as a result of behaviour I witnessed at that meeting, I made a formal complaint to the Central Bedfordshire Council Monitoring Officer.
3. Cllr Robinson's behaviour at the Parish Council Meeting on 8 April 2013 was not a one-off. For some time previous to this meeting, he had taken an active role in supporting [REDACTED] who had applied on three occasions to buy a piece of land [REDACTED]. I have observed Cllr Robinson becoming increasingly friendly with [REDACTED]. Cllr Robinson is, of course, free to associate with whomever he wishes, but from what I have observed, this friendship has developed to such an extent that I consider that it is affecting his judgement on Council business. Cllr Robinson was asked by the Chairman, Andrew Wild, to consider his position with regard to his friendship [REDACTED] and whether he should declare an interest as he is very vocal in supporting [REDACTED] at meetings.

4. On the advice of Bedfordshire Local Council Association, the Parish Council was advised that it was not appropriate to have an item on the Agenda "Matters Arising". The reason being that adequate notice of these items could not be given and it is not appropriate to allow further debate on decisions that have directly been made and acted upon. Cllr Robinson was very unhappy that "Matters Arising" had been removed from the Agenda.

5. One item of business that had occupied the Parish Council prior to the meeting on 8 April 2013 was a decision on a site for Affordable Housing. A needs assessment had taken place and two sites were under consideration by Grand Union Housing Association and a consultation exercise was carried out with regard to a plot on Ickwell Road and another at Biggleswade [which is approximately 5 houses away from Cllr Robinson].

6. Ickwell Road was the first choice for the Affordable Housing site but, when Grand Union Housing Association approached the 5 co-owners of the land, there was no consensus to sell the land to the Housing Association. However, the owner of the Biggleswade site was willing to sell the land to the Housing Association and this was the reason that this site was progressed.

7. Cllr Robinson clearly disagreed with this decision and seemed to have a lack of understanding about the process of democratic decision making, in that once a decision is made by the Parish Council, it cannot immediately be overturned because a member of the Parish Council does not agree with the decision.

8. At the meeting on the 8 April 2013, Cllr Robinson questioned the decision that had been taken on the site for the Affordable Housing. He became very loud, rude and erratic and was shouting. Other Parish members indicated a desire to speak by raising their hands in the normal way to attract the attention of the Chairman and the Chairman tried to allow other members of the Parish Council to speak. Cllr Robinson continued with his tirade and it only stopped when the Clerk left the room and the Chairman called the meeting to a halt.

9. Prior to the meeting on 8 April, I am aware that the Clerk had corresponded with Cllr Robinson. In that correspondence, she dealt with several matters and she gave him a further copy of the "Good Councillor's Guide" and referred him in particular to paragraph 39, Annual Parish Meeting, page 26 – duty to act properly as a Councillor and represent all the electorate. This guidance also makes reference to the role of the Chair and that the Chairman is in charge of the meeting and should command respect. Cllr Robinson, in his reply to the Clerk on 20 March 2013, stated that perhaps he did need to agree with Council decisions and stated that he would endeavour to pay closer attention to the rules.

10. However, a week later on 8 April, Cllr Robinson was out of control at the Meeting and was vigorously challenging a validly made decision of the Parish Council and was very insistent and demanding in his questions addressed to the Chair, but because of the responses that were needed, the information was supplied by the Clerk who had the information and this became a tirade against the Clerk, rather than questions being addressed to the Chairman.

11. In May 2014, Leanne Bacon made a formal grievance complaint to Northill Parish Council and I sat on the Panel appointed to hear the grievance. The grievance was a formal complaint about Cllr Robinson's behaviour since April 2012, including:-

- He continually brings up matters that have been discussed and determined by Northill Parish Council which is timewasting and unnecessary.
- He does not respect the decisions taken by the majority of members on the Parish Council.
- He challenges the minutes and asks for all his comments to be recorded in full in the minutes.
- He continually complains that he does not receive information or is given incomplete or inaccurate information, although he is given the same information as all other Parish Councillors.

12. The Clerk stated in her grievance that this behaviour affects her personally in her role as Clerk.

13. Cllr Robinson asks the same questions over and over again if not satisfied or he does not like the information he receives and does not take the advice supplied. He apologises for his conduct but does not moderate his behaviour.

14. The outcome of the Grievance Hearing was that the Panel found 11 of the 13 grounds substantiated on the evidence before the Panel.

15. The Panel had 5 days to determine the grievance raised by our Clerk and invited him to a meeting. Cllr Robinson declined to attend the meeting.

16. The Panel determined that Cllr Robinson should only address the Chair in meetings and should send all correspondence to the Chairman in future.

17. I would describe the behaviour I have observed towards the Clerk as bullying and harassing, particularly on the evening of 8 April 2013.

18. Cllr Robinson does not appear to make decisions on merit and on the information before the meeting and comes to the meeting with a pre-determined and biased approach to the issues under discussion. He harasses and berates our Clerk and refused to accept corporate decisions and takes every opportunity to publically belittle her at meetings.

19. Cllr Robinson denies that he has any friendship with [REDACTED]
[REDACTED] He makes visual contact with [REDACTED] during meetings and gestures to [REDACTED] He has been observed driving around to [REDACTED] at 10.30pm immediately after Council Meetings which I think goes beyond [REDACTED] being merely acquaintances of Cllr Robinson.

Signed: ..

[REDACTED]
Cllr Sally Mandley,
Northhill Parish Council

Dated: [23] September 2014

Witness Statement of J.L.Davies.

I have agreed to be a witness at the Hearing because I would like the truth to be told as seen by an unbiased member of the Public.

My wife and I came to live in Upper Caldecote on 4th February 2013 and, as a means to understand the village, we attended the Parish Council Meeting of 8th April 2013. We did have an interest in one of the items on the Agenda, namely the Affordable Housing in Biggleswade Road. We had earlier received an invitation to a meeting to discuss the site as the plans showed 2 hammerheads, one of which pointed directly at [REDACTED] where we live. Having seen how developers, having got a foothold on land, often extended their operations we did not wish to see a large estate being built on land close by which at the moment gives us a very good view of the countryside. Nor did we wish to see the estate extended through into [REDACTED]

We attended this meeting and it was there that I first met Mr Robinson. The next time I saw him was at the Parish Council Meeting of 8th April 2013, so by appearing as a witness it can hardly be said I knew him as it was one occasion. Also we only called in at the end of the meeting as we were engaged elsewhere in St Neots..

I have had some experience as a Clerk for a small Parish Council and also as Clerk to several School Governing Bodies. I have attended training courses for both posts therefore feel I am qualified to comment on the meeting of 8th April 2013. When we arrived in the village a local resident invited us to join in various activities in the Caldecote pavilion and we went to the Parish Meeting to increase our knowledge of the village.

The Agenda had 15 items on it with many sub-sections. Item 3 was the Police Report which took some time after the usual early meeting preambles. Then the Public were invited to speak in the Open Forum for 10 Minutes. As usual this took more than the allotted time. 5 people spoke and were answered by the Chairman or the Clerk. One person stated the Council needed a Publicity Officer and offered his services, as he felt the Clerk was over-worked. The Chair stated the Clerk dealt with this but did not thank the person for his offer.

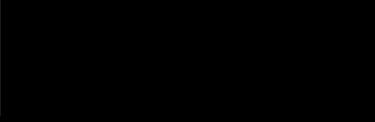
We then progressed to approval of Minutes and matters arising. Then Mr Robinson started to ask the Chair questions about the affordable housing site. The Clerk took over the answering of questions. As far as the public was concerned, they never heard or saw the Chair pass the questioning over to the Clerk. The Clerk never gave a straight forward answer to the questions saying at least twice that she did not have the information to hand and was speaking from memory. Surely, knowing an item was likely to come up for discussion, she should have the necessary papers to hand and not rely on her memory.

Mr Robinson has been accused of harassing and bullying the Clerk. If the Chair had taken control of the meeting and not left the Clerk "to hang out to dry", this whole unsavoury business would not have happened. Also Mr Robinson would not have been

harassed by some members of the Council. If the Clerk had all her papers with her and given the straight answers, Mr Robinson would not have got frustrated with the Chair and the resultant "bear pit" atmosphere would not have happened.

I must make it clear that the whole meeting took 51 minutes as stated in the Minutes and the shocking episode above took no more than 10 minutes as I believe the Clerk has corroborated.

Signed



John Davies.

Central Bedfordshire Public Hearing 29th/30th September 2014

Witness Statement

In support of Councillor D.I. Robinson, Northhill Parish Council.

I am a resident of Northhill Parish and have been involved, reasonably closely, in Parish affairs since residing in the village of Upper Caldecote. Before moving to the parish I lived in a small town where I regularly attended Council Meetings from the age of 17 years. Therefore I consider that I am equipped to be aware of rules and procedures of Council meetings

Briefly, my understanding is, that one of the duties of councillors is to listen to the problems and concerns of residents, then where possible bring forward those views and concerns, whether he/she is personally interested or otherwise, to the attention of the Parish Council. This may be at a Parish Council meeting where residents are present, and can therefore participate, or in day to day contact with other Councillors.

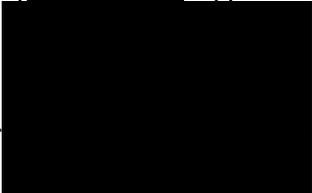
Residents of Pound Close in Upper Caldecote had very particular concerns regarding the very long period of maintenance neglect to the 'children's play area', or amenity area. They also were very concerned regarding the danger of the speed of traffic passing the entrance to the small Close. Councillor Robinson helped to bring these concerns to the attention of Northhill Parish Council on behalf of the residents.

Councillor Robinson is also active in other committees in the village/parish, including our Neighbourhood Plan, and is always ready to give his time and energy to these projects.

I consider that any allegations that may have been made against Councillor Ian Robinson being dishonest, not declaring pecuniary interest, lacking integrity or breaking the rules of Councillors Code of Conduct are incorrect. He can sometimes be a little vociferous, he is outspoken and enthusiastic by nature, and has a will to 'get things done'. At Council Meetings I have never heard him be offensive or rude, perhaps sometimes a little persistent in his argument. I could offer the opinion that if he were to be given straight answers to his questions, immediately, this current situation may not have arisen.

I was Secretary to a village group where Councillor Robinson agreed to be the Publicity Officer. I confirm that his articles for the local press were always vetted by the members of the Committee, and I believe on one occasion a small error was overlooked. This was amended the following week.

Jill Parker,  Upper Caldecote.

Signed ..  ..

Date.....17.9.2014.....

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Dear Mrs McShane

It has recently come to my attention that Councillor Ian Robinson, Northill Parish Council, has received a complaint made against him, regarding an incident that occurred during a meeting of Northill Parish Council, on the 8th April 2013.

As a resident of Upper Caldecote, part of the parish of Northill, I attended that meeting and as an observer I would appreciate the opportunity to give an account as to how I saw the incident develop.

Cllr Robinson was questioning the Chairman, Mr David Milton, about various matters, during which there was an exchange of questions and answers. Cllr Robinson asked for more detailed clarification on a particular matter, and Chairman then requested the Parish Clerk, Mrs Leanne Bacon, to provide more information.

She did so by answering Cllr Robinson direct. He addressed another question to the Chairman who again asked the Clerk to clarify. She, again, directed her answer to Cllr Robinson, instead of normal protocol which would be to reply to the Chairman, who would clarify a reply to the questioner. (even if the Chair acknowledged the Clerk could reply).

At no time, to my knowledge, did Cllr Robinson address any questions direct to the Clerk, although he did comment.

As far as I remember, at a point where Cllr Robinson requested more detail on the subject he was enquiring about, the Clerk again began to speak, then arose from her seat and left the room. I understand she was tearful. At this point Chairman closed the meeting.

In all of the 50 years or more that I have been attending both Town and Parish Council meetings I have watched and listened to, sometimes, very heated argument, but never seen anyone leave a meeting under those conditions.

In my honest opinion, if the Clerk had kept to protocol, and given her replies directly back to the Chairman, for him to answer Cllr Robinson's queries, the present situation would never have arisen.

Cllr Robinson is very passionate about the representative work he carries out in the Parish, and can be very persistent when enquiring or questioning, but I did not consider he was being offensive in any way.

Subsequent to this event, I did find it unusual that all long standing sub committees of NPC were dissolved, except Planning and P3, and a new single committee elected to encompass all previous committees, Finance and General Purposes Committee. I noted that Cllr Robinson was the only member not elected to this all encompassing committee, even though he was elected democratically by parishioners to help fulfill their needs in the Parish. This, of course, means he is unable to represent between parishioners and Councillors when the F and GP Committee are in session.

More to the point, parishioners have not yet been informed who will represent particular interest for the new Committee, especially the now defunct Highways and Open Spaces which is very relevant to this parish.

Sincerely, Mrs Jill Parker, Upper Caldecote. 18th October 2013.

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Central Beds Public Hearing 29/30 September 2014.

Witness statement from Mrs. R. Randle.

I attended the Northhill Parish Council Planning Committee Meeting and the Annual Parish Meeting, both held in Upper Caldecote on the evening of March 25th. 2013 and can confirm the following facts:

- During the public session of the Planning Meeting I, along with other local residents, raised objections to the planning application for Affordable Housing in Biggleswade Road [CB/13/00554/FULL].
- One of the other people voicing material objections to these plans from the floor of the meeting I now know to be Councillor Ian Robinson.
- Following the time allotted for public comment the committee discussed the application and a vote was taken. Comments made by members of the Committee were not easy to hear, nor were their votes. The Clerk announced that the application was approved by a unanimous vote.
- From the floor it was very difficult to see or hear who of the group gathered at the front of the hall voted. There seemed to be more people than the number allocated to that committee on the PC website even allowing for the Clerk, Chairman and Vice Chairman of the PC. [Perhaps given the number of members of the public present some introductions or indications of procedure would have helped.]
- Later the same evening I attended the ACP and during the 'open forum' I made comment on the decision of the earlier Planning Meeting and raised a question; this question was not answered.
- Scanned copy of handwritten comments/question inserted below.

R of Forum Parish meeting 103/1

Whilst supporting the need for affordable housing I am very disappointed that the planning committee supported the application discussed this evening. It was not their first choice and questions regarding their first choice have not been answered - Why? They could have chosen not to support this application whilst supporting the ^{and planning for} identified need. Members have spoken of apathy in the community, when community members take interest, submit comments and attend meetings and are unsupported. How this was achieved April 2013?? I feel completely unsupported.

- Later Councillor Robinson, from the floor, asked for a breakdown of the Planning Committee vote; this was refused by the Clerk.
- Several members of the public asked about an Extraordinary Council Meeting and were advised by the Clerk on the process of requesting this.
- I also attended the Northhill Parish Council Meeting of the 8th April 2013. I arrived at the time indicated for Councillors' Surgery and was surprised to see that little seemed organised – no chairs or tables set out.
- Before the meeting I handed to each Councillor present [and the Clerk] a copy of a presentation on behalf of a group of residents of Upper Caldecote which was relevant to item 7.1 on the agenda.
- During item 4, Open Forum, I made reference to item 7.1 on the agenda, and the document I had distributed, asking that full council ratification of the decision of the Planning Committee made on March 25th be deferred until the document I had circulated had been considered. A scanned copy of this statement is included below.

To Open Forum

April 9th
meeting.

I wish to speak with reference to item 7.1 on the agenda for this meeting, the planning meeting of March 25th 2013 and application number ~~CBC~~ CB/13/00554 in particular. Unfortunately I was not able to read the minutes of ~~the~~ ^{that} meeting as at 5.30 this evening they were still not on the website although the heading ^{of the minutes page} refers to draft minutes being available within 2 weeks of ~~the~~ meeting.

However I would ask that the full council withhold their decision to accept or reject the recommendation of the planning committee until all members of the council have had time to study the full details of the presentation they have received this evening.

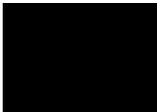
Thank you

No answer received as meeting terminated before that point on agenda.

Subsequently learned that Planning decision was sent to CBC on 25/03/13 after meeting. Time to do that ~~but~~ on same day, but minutes of meeting not on website two weeks later?!!!

- Receipt of this document was not acknowledged by any member of the Council although it is noted in the Minutes. I did not receive an answer to my question that evening as the meeting did not reach item 7.1 on the agenda. I have never received a formal answer to the question.
- Throughout the meeting it was very difficult to hear what was being said. The acoustics of the venue are not good and it is difficult to arrange tables and chairs so that the Council members and Clerk can see and hear each other and allow the public to also see and hear. There is no amplification available. There was constant mumbling from the public, asking one another what had been said and requests to 'speak up'. Consequently the meeting became louder and louder. A more forceful contribution from the Chairman from the start of the meeting might well have improved matters.
- Under item 6, 'Matters Arising', Councillor Robinson presented a document to the Chair which stated that the owner of the alternative housing site in Ickwell Road which had been the Councils preferred choice confirmed availability of the site. Councillor Robinson asked why this site had not been progressed. Discussion at this point became heated. Here again more forceful intervention and no delegation by the Chairman should have occurred.
- I have recently become aware that at the time of this meeting [08/04/13] and to date the reasons for not progressing the Ickwell Road site are confidential. I can confirm that many local residents feel that this falls far short of the aims of 'Clear and Transparent Local Government'.

Signed:



(R.A.RANDLE).

Date:

21/09/14.

APPENDIX (II)

DECISION NOTICE DATED 14 OCTOBER 2014

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STANDARDS SUB-COMMITTEE HEARING

29th and 30th September 2014

**Consideration of whether
Councillor I Robinson
was in breach of the Councillors' Code of Conduct
of Northhill Parish Council**
Case reference MON001.19706

Localism Act 2011

Members of the Hearing Sub-Committee: Cllr K Matthews (Chairman)
Cllr D Bowater
Cllr D Jones
Cllr Mrs J Lawrence
Cllr A Shadbolt

Legal Advisor to the Hearing	Ms Melanie Clay, Monitoring Officer
Hearing Administrator	Mr Leslie Manning, Committee Service Officer
Others Present	Miss Maria Damigos, Corporate Lawyer Ms Mel Peaston, Committee Services Manager Mr Martin Leppert, Independent Person Mr Christopher Fogden, Independent Person
Member:	Cllr Ian Robinson Cllr Robinson is a member of Northhill Parish Council and was a councillor at the time of the incident which gave rise to the allegations. During the hearing Cllr Robinson was assisted by Mr Christopher Fogden as the Independent Person appointed under the Localism Act 2011.
Investigating Officer	Ms Lorna McShane, Solicitor
Witnesses:	Cllr Helen Papworth, Northhill Parish Council Cllr Sally Mandley, Northhill Parish Council Mrs Leanne Bacon, Clerk to Northhill Parish Council Mrs Randle, Northhill Parish resident Mr Davies, Northhill Parish resident Mrs Parker, Northhill Parish resident The Sub-Committee also heard from Cllr Mrs P.E. Turner, MBE, Member of Central Bedfordshire Council and Ward Member for Northhill Parish
DOCUMENTATION:	<ul style="list-style-type: none"> • Procedure for the hearing • Report of Investigating Officer, including appendices A - T to that report. This report was treated as containing exempt information until the Sub-Committee determined whether to exclude the press and public from the hearing.

1 INTRODUCTION

- 1.1 The outcome of an investigation concerning seven complaints into Cllr Robinson was to be further considered at a hearing of the Standards Sub-Committee.
- 1.2 The hearing took place at 10.30am on 29th September 2014, adjourned overnight and continued at 10.30am on 30th September 2014 at Beadlow Manor Golf Club, Shefford. The Standards Sub-Committee consisted of Cllrs K Matthews, D Bowater, D Jones, Mrs J Lawrence and A Shadbolt, all being councillors of Central Bedfordshire Council. The hearing was chaired by Cllr K Matthews.
- 1.3 The subject member, Cllr I Robinson attended the hearing and was supported by Mr Christopher Fogden, appointed as an Independent Person under the Localism Act 2011.
- 1.4 The Investigating Officer, Ms Lorna McShane, also attended the hearing.
- 1.5 Martin Leppert, appointed as an Independent Person under the Localism Act 2011, was also in attendance to assist the Sub-Committee. Mr Leppert was the Independent Person consulted by the Investigating Officer during the investigation into the complaints.
- 1.6 The Monitoring Officer and legal advisor to the panel was Ms Melanie Clay, assisted by Miss Maria Damigos. The hearing was clerked by Mr Leslie Manning, supported by Ms Mel Peaston.

2. PROCEDURE

- 2.1 The Chairman Cllr Matthews made reference to the Agenda which included the hearing procedure and the Investigating Officer's final report. He introduced the Sub-Committee, dealt with housekeeping and preliminary issues and went through the Agenda items. He confirmed that the hearing was to be held in public.
- 2.2 A member of the public indicated that they wished to film the hearing and this was facilitated.
- 2.3 Having referred the Subject Member and Investigating Officer to the procedure the Chairman indicated that subject to timing he anticipated calling the Ward Member to comment on her views of the behaviour of Cllr Robinson after hearing the witnesses for the Investigating Officer. The Chairman indicated this change in the order of witnesses was being accommodated due to the time constraints of other business of the Ward Member and all parties agreed.

3 PRELIMINARY DOCUMENTS

- 3.1 The Sub-Committee was provided with the investigation report and its annexes together with a defence document submitted by the subject member in sufficient time to enable preparation in advance of the hearing.
- 3.2 Prior to the hearing there was an agreed exchange of witnesses statements which were relied upon by the Subject Member and the Investigating Officer in presenting their cases.
- 3.3 The hearing was advised that although the Agenda documents provided to the Sub-Committee contained exempt information, those parts of the documents referred to or relied upon during the course of the hearing would become public as the Sub-Committee had determined that the matter would be heard in public.
- 3.4 The complaints all related to one set of circumstances, namely that during the Northhill Parish Council meeting of 8th April 2013 the Subject Member's behaviour breached the Northhill Parish Council Councillors' Code of Conduct.

4 PARAGRAPHS OF THE CODE OF CONDUCT CONSIDERED RELEVANT AT THE TIME OF THE ALLEGATION

4.1 The Investigating Officer stated that the relevant paragraphs of the Northill Councillors' Code of Conduct were:

“4.14 Members must set an example by their behaviour and shall act in a way that enhances public trust and confidence in the integrity of the Council and its Members

4.15 Members must show respect and courtesy to others

4.16 Members should value the Council's officers and work alongside them to achieve the Council's objectives. Members must on no account behave in a manner that might constitute bullying.”

5 SUMMARY OF THE INVESTIGATING OFFICER'S REPORT

5.1 All of the complaints corroborate each other and set out the same version of events on the evening of 8th April 2013. As there was no dispute as to the facts that led to the complaints being made the Investigating Officer interviewed Leanne Bacon, the Clerk to Northill Parish Council, and Cllr Robinson, the Subject Member.

5.2 Based on evidence set out in the Investigating Officer's report, the additional information received from members of the public and after consultation with the Independent Person the Investigating Officer concluded that Cllr Robinson had behaved as alleged.

5.3 The Investigating Officer concluded that Cllr Robinson had breached the Northill Councillors' Code of Conduct in failing to set an example by his behaviour; failing to act in a way that enhances public trust and confidence in the integrity of the Council and its Members; failing to show respect and courtesy to others and; failing to value the Council's officers and work alongside them, in that he behaved in a manner that might constitute bullying.

5.4 The Investigating Officer recommended that a local resolution be sought to conclude the matter.

6. EVIDENCE SUBMITTED BY THE SUBJECT MEMBER IN RESPONSE TO THE INVESTIGATOR'S REPORT

6.1 The Subject Member having received the Investigating Officer's final report and being advised that the matter was going to a hearing was given the opportunity to put forward any further information which he wished to be considered by the Sub-Committee. Cllr Robinson submitted a document disputing the facts set out in the report and the complaints. He submitted that his actions did not breach the Nolan principles or paragraphs 4.14, 4.15 and 4.16 of the Northill Councillors' Code of Conduct. Specifically Cllr Robinson also denied that he:

- 6.1.1 repeatedly made statements contravening previous resolutions
- 6.1.2 refused to let anyone else speak
- 6.1.3 behaved in a way which was out of control
- 6.1.4 prevented the Chairman from chairing the meeting
- 6.1.5 talked for more than 10 minutes despite requests to stop
- 6.1.6 received adequate answers to his questions
- 6.1.7 banged his hand on the table and gesticulated
- 6.1.8 shouted during this period
- 6.1.9 talked over the responses of the Clerk
- 6.1.10 displayed erratic and inappropriate behaviour
- 6.1.11 played to the audience composed of members of the public
- 6.1.12 disregarded Northill Parish Council's Standing Orders
- 6.1.13 behaved in an aggressive manner
- 6.1.14 belittled two Northill Parish Councillors
- 6.1.15 was disrespectful to the Chair

6.1.16 failed to observe protocol.

7 REPRESENTATIONS MADE BY THE INVESTIGATING OFFICER ON THE FINDINGS OF FACT

7.1 In support of the findings in the Report the Investigating Officer called three witnesses:

7.1.1 Cllr Helen Papworth, Chairman of Northill Parish Council

7.1.2 Cllr Sally Mandley, Member of Northill Parish Council

7.1.3 Mrs Leanne Bacon, Clerk to Northill Parish Council

7.2 Each of the above witnesses read from their witness statement and provided evidence which was substantially the same as the details contained in their original complaints.

7.3 After hearing from Cllr Papworth, the Sub-Committee indicated that due to the availability of Cllr Mrs P.E.Turner they would hear from her at that point and received her views on the meeting of 8th April 2013 as Ward Member for Northill in the context of her considerable experience of Council meetings, having been a Member and Leader of both the previous Mid Beds District Council and current Central Bedfordshire Council. Cllr Turner's view was that Cllr Robinson's contribution went past heated debate and that the Subject Member crossed the line of acceptable behaviour.

7.4 The Subject Member had the opportunity to question all the witnesses.

8 REPRESENTATIONS MADE BY THE SUBJECT MEMBER ON THE FINDINGS OF FACT

8.1 The Subject Member called 3 witnesses:

8.1.1 Mrs Randle

8.1.2 Mr Davies

8.1.3 Mrs Parker

8.2 Each of the witnesses read from their witness statement evidencing their support of the Subject Member's representation of the parishioners of Northill Parish. Their evidence highlighted the following points:

8.2.1 The Chairman of the meeting did not control the meeting

8.2.2 The Clerk took over answering the questions

8.2.3 There was dispute as to whether the Chairman had passed over the Subject Member's questions to the Clerk for her to answer

8.2.4 The Clerk was unable to provide full answers

8.2.5 It was noisy at the meeting and the layout and acoustics of the room mean it is not easy for the public to hear what was being said.

8.3 The Subject Member also read out his statement "Comments on the facts" denying that his actions had harassed and distressed the Clerk. He then set out his suggestions as to what were the sequence of events that had resulted in her feeling harassed and distressed. Cllr Robinson further stated that seven statements corroborated his view of the reasons for the harassment and distress.

8.4 Cllr Robinson also stated that correct protocol had not been followed by the Chairman and the Clerk.

9 FINDINGS OF FACT

9.1 Based on the documents provided to the Sub-Committee and the submissions and evidence given for the Subject Member the Sub-Committee made the following findings of fact:

9.1.1 Cllr Robinson directed questions to the Chairman, who did ask the Clerk to respond

- 9.1.2 Cllr Robinson was persistent
- 9.1.3 Cllr Robinson was enthusiastic
- 9.1.4 Cllr Robinson tried to represent parishioners' views at the meeting on 8th April 2013
- 9.1.5 The Clerk did direct answers to Cllr Robinson
- 9.1.6 The Clerk was the most appropriate person to give answers to Cllr Robinson's questions as she had the paperwork and had knowledge of the issues
- 9.1.7 The Chairman did not retain control of the meeting
- 9.1.8 There was dialogue between Cllr Robinson and the Clerk
- 9.1.9 The meeting on 8th April 2013 was disorderly
- 9.1.10 The Chairman did not stop Cllr Robinson's questions
- 9.1.11 That Cllr Robinson harassed the Clerk based on the following definition from the Protection from Harassment Act 1997:-
"harassing a person includes alarming the person or causing the person distress" (i.e. the effect the conduct has on the person is relevant) and the person whose course of conduct is in question ought to know that it amounts to (or involves) harassment of another if a reasonable person in possession of the same information would think the course of conduct amounted to (or involved) harassment of the other.
- 9.1.12 The length of time of Cllr Robinson's questioning was at least 10 minutes
- 9.1.13 There was a misunderstanding by Councillor Robinson as to the status and use of confidential information in the meeting of 8th April 2013
- 9.1.14 That Cllr Robinson monopolised the floor
- 9.1.15 Cllr Robinson would not relinquish the floor
- 9.1.16 That Cllr Robinson raised his voice
- 9.1.17 That Cllr Robinson took advantage of the Chairman not having control of the meeting
- 9.1.18 Cllr Robinson did not use offensive or insulting language.

10 SUBMISSIONS MADE BY THE INVESTIGATING OFFICER REGARDING BREACH OF THE CODE OF CONDUCT

- 10.1 The Investigating Officer submitted the following:
- 10.2 That the relevant sections of Northhill's Councillors' Code of Conduct are sufficiently similar to the former National Model Councillors' Code of Conduct to make the use of the Standard's Board guidance of relevance when looking at the standard of conduct here.
- 10.3 That Guidance had indicated that a clear line must be drawn between the requirement to show respect to others and the freedom to disagree with their views and opinions. It was the Investigating Officer's view that the evidence heard by the Sub-Committee showed that this line had been crossed and that this was the view of the seven complainants and also the Ward Member.
- 10.4 That the Subject Member's behaviour is ongoing as evidenced by a grievance being raised by the Clerk and being upheld by the grievance panel convened by Northhill Parish Council as employer, resulting in all correspondence from Cllr Robinson to the Clerk being stopped.

11 SUBMISSIONS MADE BY THE SUBJECT MEMBER REGARDING BREACH OF THE CODE OF CONDUCT

- 11.1 Cllr Robinson referred to his document "Comments on the Code of Conduct" submitted to the panel and stated that although his questioning at the meeting was persistent it was not such as to breach paragraph 4.14 of the Councillors' Code of Conduct ("Members must set an example by their behaviour and shall act in a way that enhances public trust and confidence in the integrity of the Council and its Members") as he was in fact attempting to promote transparency and show the integrity of the Council.

- 11.2 Cllr Robinson submitted that his actions were intended merely to emphasise his comments and questions and were not meant to be offensive. Cllr Robinson also answered the point about his forgetting a councillor's name as being that he did indeed simply forget it. He agreed that he raised his voice, but commented that he did so to combat the poor acoustics in the room and he pointed out that the Sub-Committee had already established that he had not used offensive language and as such did not breach paragraph 4.15 of the Code ("Members must show respect and courtesy to others").
- 11.3 Cllr Robinson reminded the Sub-Committee of his positive comments at the Clerk's appraisal. Despite the Sub-Committee's findings of harassment of the Clerk, Cllr Robinson submitted that this had not been malicious but accidental and due to his nature, and was not a breach of paragraph 4.16 of the Code of Conduct ("Members should value the Council's officers and work alongside them to achieve the Council's objectives. Members must on no account behave in a manner that might constitute bullying").
- 11.4 Councillor Robinson also pointed out that certain procedural points of Northill Parish Council's Standing Orders had been clarified during the hearing and the fact that he had not previously been aware of those could explain his concerns at the meeting, and therefore his questioning during the meeting was at that time appropriate and rational.

12 FINDINGS ON THE BREACH OF THE CODE OF CONDUCT

- 12.1 The Standards Sub-Committee found unanimously that Cllr Robinson's behaviour at the meeting on 8th April 2013 had breached the requirement to set an example and act in a way that enhances public trust and confidence in the integrity of the Council and its Members. Cllr Robinson's behaviour was instrumental in the Chairman being unable to control the meeting as he took advantage of the failure of the Chairman to control the meeting and monopolised the floor, and would not relinquish the floor. The Sub-Committee considered that this did not set a good standard of behaviour for a councillor. The Sub-Committee accepted that Cllr Mrs Turner's knowledge and experience (over many years as a principal council member and leader) led her to conclude that Cllr Robinson had crossed an acceptable line thus breaching this part of the Councillor Code of Conduct by such behaviour.
- 12.2 The Sub-Committee also considered that the persistent questioning at the meeting would not enhance public trust and confidence in the integrity of the Council. The fact that one of its own members had failed to accept the answers provided to him could indicate that there was more information that was not being given. Whilst this could be the case, dealing with such issues in the way that he did Cllr Robinson did not allow reasoned explanation and possibly enhanced the feelings of some that any failure to provide information was being done maliciously. Furthermore it could be expected that Cllr Robinson should understand the decision making processes of the Council and the limitations imposed on the Council in respect of information provided in confidence.
- 12.3 The Standards Sub-Committee also found unanimously that at the meeting of 8th April 2013 Cllr Robinson had demonstrated a lack of respect and courtesy to others. It is not a prerequisite to use offensive or insulting language in order to demonstrate a lack of respect and courtesy to others and the Sub-Committee agreed that raising one's voice, monopolising the floor and failing to relinquish the floor despite others wanting to speak amid the meeting deteriorating generally showed disrespect and a lack of courtesy to the Chairman and the other councillors. The fact that the Chairman did not have control of the meeting and that he failed to stop Cllr Robinson's questioning did not excuse Cllr Robinson's behaviour.
- 12.4 It was noted by the Sub-Committee that 10 minutes could be considered a short time, however the fact that the questioning continued despite the restive state of the meeting was the relevant issue and to continue with such behaviour for any length of time showed a lack of respect and courtesy.

- 12.5 The Standards Sub-Committee also found unanimously that as Cllr Robinson had harassed the Clerk by his questioning and behaviour he had also failed to work alongside and value the Council's officers to achieve the Council's objectives. Whilst Cllr Robinson had directed his questions to the Chairman, the Chairman had asked the Clerk to respond. It was therefore appropriate for the Clerk to answer the questions in order to move the meeting along as she was the most appropriate person to do so. Cllr Robinson's frustrations at this were misguided and he confirmed during the hearing that he did not mind the Clerk answering him direct. To continue questioning in the manner that he did amounted, in the Sub-Committee's view, to harassment as the end result was that the Clerk felt harassed. It was irrelevant that the questions were directed to the Chairman as it was the Clerk who was needed to respond. The Sub-Committee accepted the Clerk, Mrs Bacon's, evidence that it was the impact on her of Cllr Robinson's unrelenting questioning that caused her to leave the room.
- 12.6 The Sub-Committee did agree that Cllr Robinson's actions fell short of actual bullying, however his behaviour was of such a kind as to indicate that Cllr Robinson was certainly not working with the Clerk to achieve the Council's objectives.
- 12.7 Whilst Cllr Robinson can be acknowledged as enthusiastically representing his parishioners' views there is no reason to do so in such a manner which obviously caused some distress to the Clerk specifically and to other persons present.
- 12.8 The Sub-Committee did discuss whether there had been a breach of the Code of Conduct with Martin Leppert, the Independent Person consulted by the Investigating Officer during the investigation. Mr Leppert did not demur from the Sub-Committee's view that there was a breach of the Councillors' Code of Conduct and that some sanction should be applied. He further expressed the view that this matter should have been dealt with long before now and that the events since the meeting of 8th April 2013 had led to the public hearing. Mr Leppert also made the point, and the Sub-Committee agreed, that it is very odd that Cllr Robinson was not made aware of certain procedural issues and requirements of the Council until the first day of the hearing.

13 REPRESENTATIONS ON SANCTIONS TO BE IMPOSED MADE BY THE INVESTIGATING OFFICER

- 13.1 The Investigating Officer confirmed that during her investigation she was keen to explore if there was a breakdown of communications or a lack of trust which could perhaps be dealt with by a local resolution but this did not appear to be the case. The Investigating Officer suggested that an appropriate person could work independently with the Council and Cllr Robinson to assist with this.

14 REPRESENTATIONS ON SANCTIONS TO BE IMPOSED MADE BY THE SUBJECT MEMBER

- 14.1 Cllr Robinson reiterated that he had apologised to the Clerk and that he had previously undertaken training in respect of appropriate behaviour at Council meetings, but was nonetheless willing to undertake more training

15 SANCTIONS IMPOSED BY THE STANDARDS SUB-COMMITTEE

- 15.1 The Standards Sub-Committee took into account the submissions by the Investigating Officer and Cllr Robinson in relation to potential sanctions. In particular the Sub-Committee took into account the previous training Cllr Robinson has already received and that he considered that his apology had been 'the gentlemanly thing to do' and the serious nature of the breaches of the Code of Conduct and the long-lasting effects resulting from those.

- 15.2 The Sub-Committee agreed to apply the following sanctions:

- 15.2.1 the public censure of Cllr Robinson; and
 15.2.2 that Cllr Robinson be required to issue a public apology to all Northill Parish Council members and the Clerk, Mrs Bacon, at the next appropriate Northill Parish Council meeting, the wording of the apology to be approved in advance by the Monitoring Officer.

16 RIGHT TO APPEAL

- 16.1 If either the complainant or the Member against whom a complaint has been made is dissatisfied with the outcome, he/she may ask for the decision to be reviewed (an appeal). A review (appeal) will be undertaken by the Standards Appeals Sub-Committee made up of Members who have not previously been involved in the consideration of the complaint.
- 16.2 Any review (appeal) must be received in writing by the Monitoring Officer within 21 days of issue of the written decision notice and may be made only on the grounds of:
- the procedure being wrongly applied;
 - new evidence has come to light since the hearing ; or
 - a misdirection in law.
- 16.3 The review (appeal) will not be a rehearing and will be conducted on papers only.
- 16.3 A new Independent Person will also be asked to give their view prior to any decision being made.
- 16.4 The Standards Appeals Sub-Committee may confirm, or set aside the original decision if it considers it unreasonable and substitute its own decision.
- 16.5 The Standards Appeal Sub-Committee decision is final and there is no further review (appeal).

17 RECOMMENDATIONS TO THE COUNCIL

- 17.1 It is accepted that the misunderstandings of Cllr Robinson of the procedural requirements and the Standing Orders of Northill Parish Council contributed, in part, to the reasons for his behaviour and it is recommended that Northill Parish Council ask the National Association of Local Councils to assist them to review their Standing Orders (SO's). It is further recommended that the Council ensures all Members have access to an updated copy of the SO's and briefings are provided to Northill Parish Councillors to secure proper understanding across the Council of the SOs.

APPENDIX (III)

**APPEAL BY CLLR ROBINSON WITH
APPENDICES**

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Cllr Ian Robinson. Public Hearing 29/30 Sept. 2014

Appeal by Cllr Robinson to the Conclusion

This is an **Official Appeal** and contains comments that Cllr Robinson would like brought to the attention of the Monitoring Officer, regarding events leading up to and after the Public Hearing.

The references are to the **8 page report** of the Public Hearing, **PH or Agenda Item 8** of the Hearing and hard copies of **(Appeal) Appendices AP** where stated. **Appendix AP 7** is a separate response by Cllr Robinson to the **Submission Statement** by the Investigating Officer and forms part of the Appeal. Appendices 1 to 6 are submitted as hard copies

Comments in **Bold Type** are considered of prime concern by Cllr Robinson

1. NATURE OF THE COMPLAINTS

- a) As stated by the Investigating Officer and the Hearing Panel, Cllr Robinson allegedly breached the Northhill Parish Code of Leadership. Yet, instead of accepting the recommendation of a local resolution by the Investigating Officer, agreed by Cllr Robinson to draw a line under the issue, the complaints moved to a Public Hearing.
- b) According to a document produced by Central Beds in July 2012, the involvement of a Standards Sub Committee will only occur in relation to the more serious complaints, such as those dealing with **potential criminal conduct, Appendix AP 1.**
- c) Cllr Robinson considers that the allegations made are not remotely those of a criminal nature and that to imply criminal conduct, by virtue of holding a Public Hearing, is **beyond justifiable reasoning.**
- d) Furthermore, the **implications of alleged criminal behaviour** leading up to the Hearing, has had a most damaging effect on Cllr Robinson's character and on his family, which remains to this day.
- e) The definition of harassment used in the allegation of harassing the Clerk was one that **cannot be defended.** The definition implies that if the complainant feels harassed, the defendant is guilty of harassment. This definition made in 1997 is possibly outdated and Cllr Robinson considers that a more recent definition used by Parish Councils and ACAS alike, dated 2010, would have been more appropriate.
- f) The individual complaints do not corroborate each other, **5.1** and there was a dispute in a large number of opinions, e.g. some complainants timed the debate as one hour when the **PH Findings of Facts 9.1.12** is at least 10 minutes, Full details of the varied perception and opinions are to be found in Cllr Robinson's Defence Document, **Agenda P 94**

2. NATURE OF REPORTING THE COMPLAINTS ALSO SEE PAGE 7 OF THIS DOCUMENT

- a) Cllr Robinson asks why the Clerk did not follow the **Northhill Parish Council's Standing Orders 26** in dealing with complaints regarding employees. This implies that *The Clerk should have contacted the Chair of the Finance and General Purposes Committee in the respect of a grievance matter.*
- b) Cllr Robinson considers that the failure by the Clerk to follow the Standing Orders, and to send her complaint directly to the Monitoring Officer, then copy her complaint to all Parish Councillors and the Ward Councillor, was inappropriate and hasty.
- c) **Standing Order 31** states that *Councillors should notify the Clerk being the Proper Officer, in the first instance, in respect of an alleged breach of the Code of Conduct.* The Councillors complained to the Monitoring Office directly, and in this respect were not following the Standing Orders.
- d) Furthermore, the Hearing's conclusion demonstrates that the relatively minor alleged breach of the code, could have been dealt with calmly and satisfactorily **within the confines of the Parish Council**, by following the Standing Orders and the recommendation of the Investigating Officer, **Agenda P18 June 2014.**
- e) Cllr Robinson's latter opinions are strengthened by the fact the Clerk admitted she had a **reasonably good relationship with Cllr Robinson prior to the meeting on the 8/4/13, Agenda P 55**

f) The latter comment argues that the issue was blown up out of all proportion. For a debate of at least 10 minutes, during which the Clerk and Councillors either pointed or verbally attacked Cllr Robinson, leading to a Public Hearing usually reserved for potential criminal offences, is beyond comprehension, **Minutes of the meeting 8/4/13, Agenda P 86**

g) Cllr Robinson considers that this unprecedented procedure suggests something **quite alarming** and although no blame is levelled at the Standards Board or to the Hearing itself, the outrageous and unproven allegations would suggest that the Parish Council was behaving in a most disreputable manner.

3. REASONS FOR THE PUBLIC HEARING

Cllr Robinson is not aware of the reasons for the Public Hearing and would ask that these are formally made known to him by the Monitoring Officer.

4. WITNESS STATEMENTS

a) Cllr Robinson had agreed to 3 Defence Witnesses being allowed, plus 1 Character Witness. However on the 24/9/14, the day of exchange of Witness Statements, only 2 statements were given to Cllr Robinson, with the 3rd statement of the Clerk not being received until the 26/9/14.

b) Furthermore, unknown to Cllr Robinson, 2 further Complaint Witnesses, those of Cllr Turner, the Ward Councillor and Lorna McShane, the Investigating Officer, were called on the days of the Hearing. Cllr Robinson had not seen their statements and was unable to prepare his questioning of these witnesses, if allowed by the Panel.

c) The Investigation Complaint Report, stated that the complaints referred to the events of the 8/4/13 and the Parish Council Code of Conduct 4.14, 4.15 & 4.16. The contents of this report and that of the Hearing, referred to many other allegations and alleged breaches of conduct that subsequently **had no bearing on the evening in question. Agenda P 11**

d) Cllr Robinson refers here to his alleged inappropriate association with two parishioners, the APM on the 31/3/14, his involvement with Caldecote Voices, a village residents association, in 2014 and events leading to a Grievance Employment Panel meeting on the 13/5/14, amongst others.

e) Cllr Robinson believes he was disadvantaged in not knowing these issues would be raised at the Hearing and hence did not prepare his defence for these issues, nor did he provide relative Defence Witnesses.

f) The allegations against the [REDACTED] **played a major part in the Hearing**, yet the issue had little to do with the 8/4/13.

g) Cllr Robinson was not asked if he wished to call Jill Parker, a Character witness, although she was present throughout the Hearing.

h) Despite earlier requests, Cllr Robinson was not given a list of all the public attendees at the meeting on the 8/4/13 by Cllr Papworth, the Chair of Northill Parish Council, until the week before the Hearing. He was still not given a copy of the list, but asked to visit Cllr Papworth's home to inspect the list only. As a result of this request delay, Cllr Robinson was unable to provide independent letters of support from any other witnesses before the agreed deadline imposed by the Monitoring Office.

5. THE MANNER AND PROCEDURE OF THE HEARING

a) Cllr Robinson was informed that the Panel had not conducted a Hearing previously and this may explain that the procedure flowchart was not entirely followed as displayed, **Agenda P 9**.

b) The biggest concern was that **Findings of Fact, PH Section 9**, was not established at the beginning of the Hearing as indicated in the Hearing Procedure, **Agenda P 9** and did not provide Cllr Robinson an opportunity to use his defence based upon facts as he had carefully planned, **Agenda P 94**

c) The requests for a definition of harassment and bullying, that the Hearing would only deal with the events of the 8/4/13 with the subsequent breach of the code and a redaction of unrelated issues in the report, were refused by the panel. **Appendix AP 3**

- d) Cllr Robinson was not aware that Cllr Turner, the Ward Councillor, had put in a complaint soon after the 8/4/13 and would subsequently be called as a Complaint Witness.
- e) Cllr Robinson considers that the privileged protection afforded to the Clerk of not being questioned by Cllr Robinson, for fear of being harassed in public, to be a **serious prejudicial matter**.
- f) Cllr Robinson considers that **Cllr Papworth exercised a most blatant and outrageous perception** in this request, by suggesting that the Clerk is not safe from verbal harassment by Cllr Robinson.
- g) Though generally supportive of the Panel's judgement, Cllr Robinson generally believed this action **was well beyond acceptable procedure** at the Hearing.
- h) Cllr Turner, who is well respected within Central Beds, confirmed that she had experienced many heated debates. In Cllr Robinson's opinion Cllr Turner, in her reference to '*Cllr Robinson has crossed the line*', failed to provide serious allegations of poor conduct akin to a criminal offence, warranting a Public Hearing.
- i) Cllr Robinson was not aware of any Witness Statement of the Investigating Officer until the Hearing, nor was he aware that the Investigating Officer would cross examine him, since it was not stated in the **Procedure Flowchart, Agenda P 9**
- j) Although thoroughly unexpected, Cllr Robinson accepted, what he considers to be strong persistent questioning from the Investigating Officer. However, he wishes it to be noted, that in his eyes and in those of many attendees of the Hearing, the harassing manner of the cross examination **was far more severe** than the alleged harassment of the Clerk on the 8/4/13.
- k) The issue above becomes more important when it is considered that if the Clerk was questioned in this manner by the Investigating Officer or anyone else, would she had made a complaint of **alleged harassment at the Hearing?**
- l) Cllr Robinson also considers that the Submission Statement of the Investigating Officer did not keep to the Findings of Fact, **Appendix AP 7**
- m) Also, the opportunity for Cllr Robinson to prepare a suitable defence to cross examine the Investigating Officer as a witness, did not arise.
- n) The Investigating Officer made it very clear that she was questioning Cllr Robinson and any questioning of her as a witness, **was subsequently denied**.
- o) Cllr Robinson was not prepared in his defence to question the Complaint Witnesses on issues unrelated to the 8/4/13, nor did he have Defence Witnesses to call on for the unrelated issues for reasons given above.

6. EVIDENCE NOT APPARENTLY FULLY CONSIDERED AT THE HEARING, INCLUDING FRESH EVIDENCE

- a) The Agenda for the Parish Council Planning meeting on the 25/3/13, where the committee recommended the Biggleswade Road site was issued on the 18/3/13 stated that the site had already been recommended. This suggests that the **decision had already been made before the Planning meeting, Appendix AP 4**
- b) The Chair of the 8/4/13 meeting publicly stated at a subsequent Parish Council meeting that his article in the Biggleswade Chronicle on the 19/4/13 commenting on harassing and bullying the Clerk **did not refer to Cllr Robinson**, who has witness statements to support it, **Appendix AP 5**
- c) The official minutes written by the Clerk, one of the complainants, records that the Chair replied '*no comment*'. However, such wording, even if accurate, does not confirm that Cllr Robinson in the Chair's view, was harassing or bullying the Clerk. At the same time, the Chair, by stating '*no comment*' was allegedly not giving reasons to the Parish Council for his article. This could be described as allegedly breaking the Council's Code of Conduct, **Openness 4.10 Appendix AP 6**
- a) Quite a lot was made regarding the designated powers of the Parish Council Planning committee in having the authority to make a resolution on a planning application.
- d) Cllr Robinson was mildly rebuked for not reading and following his copy of the Standing Orders adopted by the Parish Council on the 21/5/12.

e) Cllr Robinson has subsequently read the latest Standing Orders containing recent revisions and finds there is **no reference to this designated power of the Planning Committee** or any other Committee, www.bedsparishes.gov.uk/northill-parish-council

f) Reference was made at the hearing through the Complaint Witness Statements, to the Employment Grievance Panel as being necessary to prevent Cllr Robinson communicating with the Clerk. However the **legality of the meeting was never questioned** at the Hearing, despite the fact that the panel and Acting Clerk were made up of **four of the complainants** and Cllr Robinson was denied representation, requested documents and allowed only one days notice to attend the panel meeting.

g) One of the documents requested by Cllr Robinson, as a part employer of the Clerk, was the Clerk's **job application form**. The Clerk had complained about extra burden of work due to excessive but lawful FOI requests. Cllr Robinson's request was made in order to determine if all the Clerk's commitments in other areas had been **stated in her application**. Cllr Robinson considers this to be a reasonable request as an elected Councillor and employer of the Clerk, since the previous Clerk had [REDACTED] in her application, and subsequently convicted of fraud.

h) Also, the Clerk had made 14 allegations against Cllr Robinson at the Employment Grievance panel meeting and it seemed quite appropriate to ensure that both the panel of Councillors and Cllr Robinson, all employers of the Clerk, were looking at the allegations, **in the knowledge of the full background of the Clerk, the complainant**.

i) The request for a copy of the application form was considered inappropriate at the Hearing and it was stated that the application was confidential to the Chair only. However, Cllr Papworth, the Chair subsequently stated that **all the applicants' paperwork had been destroyed, Agenda P 115**

j) Cllr Robinson considers that this action is a breach of the **Council's Standing Orders 26**, which states...'*The Council shall keep written records relating to employees secure...*'

k) There is evidence to suggest that the Clerk **was engaged in additional employment at the time of her application**. The destruction of the Clerk's paperwork prohibits confirmation on her application.

7. CONCLUSION OF THE PANEL

a) Cllr Robinson believes holding a Public Hearing for such a minor alleged breach of code of conduct to be totally unnecessary for reasons mentioned above. He recognises that the Panel had a job to do, but he has concerns regarding the procedure and also the issues raised that were unrelated to the 8/4/13.

b) He considers that the conclusion reached was inappropriate, but recognises that the views of the Ward Councillor and the Submission Statement of the Investigating Officer probably played a major part in the decision **and hence Cllr Robinson has responded separately to the latter, Appendix AP 7**

c) However, apart from the comments above, Cllr Robinson had **confidence in the fairness of the Panel and that of its Chair**. He is particularly appreciative of the fact that the greater majority of the allegations made by the complainants were ruled out and for this reason, **Cllr Robinson feels vindicated of the unsubstantiated accusations** regarding his behaviour on the 8/4/13 and beyond.

d) The false allegations, together with a request to review the Standing Orders of the Parish Council are now in the public domain and could bring the Parish Council into disrepute.

e) The denial of these allegations in **PH Section 6 compared with the Findings of Fact in Section 9**, goes a long way in confirming these opinions.

8. ESTABLISHED FACTS

a) **Findings of Fact, PH Section 9.1.6** The Clerk did not have the relevant paperwork as shown in the Minutes of the meeting, **Agenda P 86**

b) Cllr Robinson considers that harassing the Clerk using the definition used by the Panel, **is not a fact, but an opinion, PH Section 9.1.11**. It is Cllr Robinson's understanding that a **fact** must be established, eg, swearing , before an **opinion** can be formed that harassment has occurred.

- c) Cllr Robinson is well aware that the confidential information given to the Council was not for the public domain. However, the failure of the Chair of the meeting on the 8/4/13, to mention the confidentiality of the matter to the meeting, put the Clerk in an awkward position.
- d) The information referred to above remains confidential to this day and although Cllr Robinson appreciates that certain Council matters need to remain confidential, the confidential issues regarding planning decisions involving the whole community, are questionable.
- e) It was also noted that the comment regarding the authority of the **developers having influence on planning decisions**, was not received well at the Hearing, nor at a recent Neighbourhood Planning meeting in Northill Parish.
- f) Cllr Robinson maintains that the majority of the Parish of Northill, and probably including most of the Councillors, many newly elected, are unaware of the power that the developers wield and he considers that such lack of transparency was a major contributory factor to the disorder at the meeting in question on the 8/4/13

9. EVENTS SINCE 29/30 SEPTEMBER 2014

- a) Cllr Robinson considers that the fact that the Hearing dismissed the vast majority of the allegations, including those alleging he had inappropriately supported [REDACTED] influenced Cllr Mandley's decision **not to resubmit her separate complaint** against Cllr Robinson.
- b) This complaint, despite being withdrawn, has made some very serious allegations against both Cllr Robinson [REDACTED]
- c) No public apology has been offered to Cllr Robinson [REDACTED] by Cllr Mandley regarding these allegations.
- d) Despite a full vindication of [REDACTED] of any wrongdoing by a First Tier Tribunal <http://www.informationtribunal.gov.uk/DBFiles/Decision/i1242/EA-2012-0149-170314.pdf> the Parish Council continues to act towards both Cllr Robinson [REDACTED] in a manner that **can only be described as a Vendetta**.
- e) No public apology has been made by any of the complainants to Cllr Robinson for publicly making false allegations against him. **Findings of Fact, PH Section 9**, omitted the majority of the allegations.
e) [REDACTED]
[REDACTED]
[REDACTED]
- f) Despite the Investigating Officer finding no inappropriate activities by Caldecote Voices, Cllr Papworth continues to publicly malign this Village Resident's Association.
- g) This attitude of Cllr Papworth continues into Parish Council Neighbourhood Planning meetings where sadly, there appears to be no let up in Cllr Papworth challenging the integrity of Cllr Robinson or [REDACTED] who Cllr Robinson justifiably supports.
- h) At the Full Council meeting following the Hearing, several complainants failed to acknowledge Cllr Robinson's greeting. The video recording of the meeting demonstrates the way he was treated differently by the Chair compared with another Councillor, when raising a question. However the draft minutes of the meeting gives a different version, presumably to comply with fair play.
- i) Cllr Robinson has noted that the Monitoring Office has requested that the 8 pages of the details and findings of the report of the Hearing is confidential during the time of the Appeal and that Central Beds is the official authority for any detailed publication of the findings.
- j) However, despite advice to the contrary, Cllr Papworth, the Chair, made a public **statement regarding the findings of the Hearing at a Full Parish Council meeting on the 13/10/14**.
- k) Draft minutes containing a record of the statement were produced by the Clerk soon after the meeting and if approved at the next Council meeting on the 24/11/14, will appear on the Parish Council web site and notice boards.
- l) Although it is understood that the press may report on Council meetings, Cllr Robinson is seeking assurance that **his Public Apology will only be publicised by Central Beds and not by the Council**.

m) [REDACTED]
[REDACTED]
[REDACTED]

n) [REDACTED]
[REDACTED]

o) There have been attempts by Northhill Parish Council to allegedly prevent lawful filming of the Full Parish Council meeting on the 13/10/14.

p) At a meeting of the Northhill Parish Council Finance and General purposes Committee on the 23/10/14, a parishioner has reported that the meeting was allegedly unlawfully closed to the public due to public filming. This closure was resolved by the above committee, following a request by the Clerk that she considered **the filming of the meeting was causing her harassment.**

10. SUMMARY

a) Cllr Robinson considers that making a repeated apology, albeit in public, would appear to be a straightforward way forward in complying with the request of the Standards Board and partly with the wishes of the Parish Council.

b) However, carrying out such a request could only further **mask the true events of the disorderly evening and falsely hold Cllr Robinson totally responsible for the disorder**, together with his alleged bad behaviour, allegedly bringing the Council into disrepute and allegedly harassing the Clerk.

c) Cllr Robinson considers that **none of these accusations are true** and that to publicly apologise for such matters is not being truthful to himself nor to such people with an honest and reasonable judgement that witnessed the events on the evening in question. He feels that a public apology would be taken as an admission of unsubstantiated guilt.

d) If an Appeal were to be made, it would be for the reason of **bringing public awareness to the behaviour of Northhill Parish Council**

e) The Parish Council will give no guarantee that an apology will be an end to the matter as it will not confirm that fresh complaints will not be made by the Clerk or Councillors against Cllr Robinson.

f) The conclusion was understandably formed by the Panel that was not able to witness the proceedings. Cllr Robinson is of the opinion that had more Defence Witnesses been agreed to balance the 5 complaint witnesses, **then a different conclusion might have been reached.**

g) The majority of the allegations were not substantiated in the **Findings of Fact Section 9**. However, all the statements of the 5 letters of support and the 3 Defence Witness Statements were established in the **Findings of Fact Section 9**

h) Cllr Robinson considers that the unproven allegations of the complainants were therefore **unreliable in reaching a just conclusion**. The frequency of the unsubstantiated and outrageous comments could be seen as an effort to **protect the Clerk at all costs and the removal of Cllr Robinson from office**, a desire clearly stated in the official complaint forms.

i) Cllr Robinson and the majority of the public attending the meeting on the 8/4/13, have no doubt in their minds, that no breach of any Councillor Code of Conduct was breached by Cllr Robinson.

j) Cllr Robinson considers that the **continuing claims of alleged harassment and grievance issues** made by the Clerk, is in danger of creating a Council stifling free speech and healthy debate.

However, once again to demonstrate cooperation, good will and to carry out the requests of the Sub Committee, Cllr Robinson agrees to publicly apologise to the Clerk and Councillors of Northhill Parish Council. A written apology is sent as a separate attachment.

If the apology is approved, then the appeal will be withdrawn. If the apology is not agreed by Cllr Robinson and the Monitoring Officer, Cllr Robinson wishes the appeal to remain in force.

STANDING ORDERS USED AT THE TIME OF THE COMPLAINTS

PLEASE NOTE. THIS NEEDS TO BE READ IN CONJUNCTION WITH 2a ON PAGE 1 OF THIS DOCUMENT

a) At the time of the complaints by the Clerk and the 6 Councillors, i.e. soon after the 8/4/13, the existing **Standing Orders** had not been revised.

b) For that reason the Clerk and the Councillors should have followed the Standing Orders at that time which was No. **30 Allegations of breaches of the code of conduct, Appendix AP 2**

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APPENDIX AP. ①

Standards Sub-Committee

- The requirement for CBC to appoint a Standards Committee will no longer apply. Amongst other things, this means that the existing parish representatives who serve on that committee will no longer be in place
- The Council has considered arrangements for handling complaints relating to Members' conduct and serious allegations will be dealt with by way of hearings conducted by a Standards Sub-Committee. Consideration of minor, trivial or vexatious complaints will be left to the Monitoring Officer, in consultation with an independent person, and the early involvement of a Standards Sub-Committee will only occur in relation to the more serious complaints, such as those dealing with potential criminal conduct. The decision to involve a Sub-Committee at an early stage will be a matter for the Monitoring Officer in consultation with an independent person.
- A panel of Members from amongst the Council's General Purposes Committee's membership will be appointed and sub-committees will be appointed as and when required from this panel by the Monitoring Officer.
- Co-opted members will have no right to vote and that there is no automatic requirement for a town or parish council representative to take part when a Sub-Committee considers a complaint about a town or parish councillor.
- In respect of appointing an independent person the Monitoring Officers of Central Bedfordshire, Bedford, Luton and Milton Keynes Councils will appoint a joint panel of at least eight independent persons who would be available to undertake this role for any of the authorities. This appointments process is not yet complete.
- Technically, no sanctions are available to impose on a Member who is found to have breached the Code of Conduct, though four possible measures could be used, these being to:
 - Censure the Member
 - Publish the Sub-Committee's findings in respect of the Member's conduct
 - Report the Sub-Committee's findings to the town/parish council for information
 - Instruct the Monitoring Officer to (or recommend that the parish council) arrange training for the Member

Offences

- A councillor commits an offence if, without reasonable excuse, they fail to register a pecuniary interest, fail to disclose it at a meeting, take part in a discussion or get involved with the decision relating to it
- A person guilty of an offence is liable on summary conviction to a fine not exceeding level 5 (currently £5,000) on the standard scale and the court may disqualify the councillor from being or becoming a councillor for a period not exceeding five years

APPENDIX A.P. (2)

- e **Where the value of a contract is likely to exceed £138,893 (or other threshold specified by the Office of Government Commerce from time to time) the Council must consider whether the Public Contracts Regulations 2006 (SI No.5, as amended) and the Utilities Contracts Regulations 2006 (SI No. 6, as amended) apply to the contract and, if either of those Regulations apply, the Council must comply with EU procurement rules.**

30 Allegations of breaches of the code of conduct

- a On receipt of a notification that there has been an alleged breach of the code of conduct the Proper Officer shall refer it to a committee known as the Establishment committee. F.O.S.P.
- b Where the notification relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman of the Establishment committee of that fact, who, upon receipt of such notification, shall nominate a person to assume the duties of the Proper Officer set out in the remainder of this standing order, who shall continue to act in respect of that matter as such until the complaint is resolved.
- c Where a notification relates to a complaint made by an employee (not being the Proper Officer) the Proper Officer shall ensure that the employee in question does not deal with any aspect of the complaint.
- d The subject matter of notifications shall be confidential and, insofar as it is possible to do so by law, the Council (including the Proper Officer and the Chairman of the Establishment committee) shall take the steps set out below, together with other steps considered necessary, to maintain confidentiality.
 - i Draft the summonses and agendas in such a way that the identity and subject matter of the complaint are not disclosed.

- ii. Ensure that any background papers containing the information set out in standing order 31(a) above are not made public.
 - iii. Ensure that the public and press are excluded from meetings as appropriate.
 - iv. Ensure that the minutes of meetings preserve confidentiality.
 - v. Consider any liaison that may be required with the person or body with statutory responsibility for the investigation of the matter.
- 30(d)?*
- e Standing order 31(d) above should not be taken to prohibit the Council (whether through the Proper Officer or the Chairman of the Establishment committee or otherwise) from disclosing information to members and officers of the Council or to other persons where such disclosure is necessary to deal with the complaint or is required by law.
- CB Legal Dept.*
- f The Establishment committee shall have the power to:
 - i. seek documentary and other evidence from the person or body with statutory responsibility for investigation of the matter;
 - ii. seek and share information relevant to the complaint;
 - iii. grant the member involved a financial indemnity in respect of legal costs, which shall be in accordance with the law and subject to approval by a meeting of the full Council.
- ?*
- g References in standing order 31 to a notification shall be taken to refer to a communication of any kind which relates to a breach or an alleged breach of the code of conduct by a councillor. *?*

Cllr times will speak at End leave 1.45.

APPENDIX AP 3

Request from Cllr Robinson to the Chair of the Public Hearing Panel 29th September 2014 and Seven Disputes (A - G) in Respect of facts in the Investigation Report

Request from Councillor Robinson AND HARASSMENT

Firstly, I request that this hearing agrees on the definition of Bullying which appears to be the most serious allegation of breaching the Northill Parish Code, 4.16. You will note that Harassment does appear in the Code, but I consider a definition of harament also need to be defined.

Secondly, request that this hearing deals only with the events of the 8th April 2013, including the background and the allegations of breaching the Northill Parish Council Code of Conduct 4.14, 4.15 and 4.16.

This is set out on Page 11 of the Agenda.

Thirdly, I request that any reference to allegations after the 8th April and not related to 4.14, 4.15 and 4.16 of the Northill Parish Council Code, be redacted at this hearing. This refers to the Agenda and the witness statements.

My reasons for making these requests, is that allegations regarding [redacted], further allegations by the Clerk and the Grievance Employment meeting, are or were, all separate investigations. Furthermore, I understand that the Central Beds Legal Department has no legal authority over the latter somewhat Draconian investigation and its resolution.

My defence document submitted on the 8th September 2014, Pages 91-101 in the Agenda, is mainly geared to the issues in paragraph 1 above. I have made references to post 8th April 2013 issues on Pages 99 - 101 in the Agenda, as these issues were brought up in the original complaints, Pages 21-48 in the Agenda.

Having received the complaint witness statements on the 24th September 2014, it is disturbing to find that at least half of the issues are completely unrelated to the allegations in the first paragraph above. Furthermore, there is additional detail and repeated allegations about [redacted]

Both complainants and the Council are aware, but do not appear to recognise, that [redacted] have been completely vindicated by a First Tier Tribunal on the 17th March 2014, of any alleged vexatious communication. The Tribunal... 'noted the parishioners' generally friendly tone and offers to help the Clerk'.... I would further add that the 2 year silencing of [redacted] imposed by Northill Parish Council continues to this day.

My other concern is that at the time of writing, 26th September 2014 8.22 hrs, I had not received the Clerk's witness statement and there was some doubt as to whether I can cross exam her due to an imposed ban by Northill Parish Council, preventing me from communicating with her.

I would ask if the defence witnesses may remain in the public gallery for the whole duration of the hearing. I regard this as being appropriate in order for witnesses to be fully informed of issues raised on the day, before they are called for questioning.

Finally, If there any concerns about my recent behaviour, I would refer you to the Witness statement of our present Chair.. 'since the decision of the Grievance Panel...his behaviour has been exemplary.

My thanks to you Mr/Madam Chairman, for allowing me to bring these concerns to the attention of yourself and the panel, prior to the commencement of the hearing.

Cllr Ian Robinson

HOB

you confirm to me

NOTHING TO DO WITH 8/4/13

I DO NOT UNDERSTAND WHY SO MUCH IS RELATED TO WHEN THEY HAVE BEEN VINDICATED

VERY LITTLE IN W/S REFER TO BOTH MAINLY UNRELATED ISSUES E.G.

BOTH HD/SAT refer to complaint by CLERK BUT Original complaints refer to complaint by THEM.

Received 26/9/14

Prejudice my previous conduct

APPENDIX A (4)

Northhill Parish Council

Clerk to the council: Leanne Bacon, 55 Fairfield, Gamlingay, Beds, SG19 3LG
Tel - 01767 650477
Email - parishclerk@northhillparish.co.uk

NOTICE OF THE ANNUAL PARISH MEETING 2013

TO BE HELD AT CALDECOTE CHURCH ROOMS ON MONDAY 25TH MARCH AT 8PM

Councillors H Papworth and I Robinson will be available from 7.45pm for Councillors surgery.

Such persons only as are registered as local government electors for the parish will be entitled to vote at the meeting, but the meeting will be open to the public during the proceedings unless the Parish Meeting by resolution otherwise directs.

Dated this 18th day of March 2013.
D Milton - Chairman, Northhill Parish Council.

AGENDA

1. Apologies for absence
2. Minutes of Northhill Annual Parish Meeting held on 26th March 2012.
3. Matters Arising from Annual Parish Meeting held on 26th March 2012.
4. Annual Report from Chairman
5. Presentation by Mr R Uff - Principal Conservation Officer from Central Bedfordshire Council on requirements for archeological surveys in planning applications.
6. Affordable Housing - Recommendation from Planning Committee on new affordable housing site in Biggleswade Road. 25/3/13
7. Annual Financial Report - to receive audited accounts 2011-12.
8. Annual Report of Highways and Open Spaces Committee
9. Annual Report of Churchyard and Cemeteries Committee
10. Open Forum for 10 minutes.
11. Any Other Business

SUGGEST TO ME THAT NPC ITAD ALREADY DECIDED TO GO FOR BIGGLESWADE SITE ON 18/3/13.

From: [REDACTED]
Sent date: 22/09/2014 - 22:06
To: d.robinson572@btinternet.com
Subject: 02/05/13 meeting

APPENDIX A(5)

Y/15

Hi Ian,

I can confirm that you asked Cllr Milton re whether the Chronicle letter in 18/4/13, was related or referring to you harassing the Clerk.

Cllr Milton replied no it didn't. The matter related to the Establishment meeting in February (where I allegedly harassed the Clerk).

Cheers,
-Jase

APPENDIX AP (6)

4.3 Members must not use the Council's resources improperly for personal or party political purposes.

Integrity

*Definition - lay open to disrepute
weaken one's principles*

4.4 Members must not do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, the Council. *See 4.2*

4.5 Members must not disclose information given to them in confidence. *: a grey area*

Objectivity

4.6 When making decisions on behalf of the Council, including awarding contracts or making appointments, Members must do so on merit.

4.7 Members must have regard to any relevant advice provided to them by the Clerk to the Council and (where a separate appointment is made) to the Responsible Financial Officer.

Accountability

4.8 Members must act in accordance with their legal obligations, including the following Acts of Parliament that confer special obligations on elected councillors:

- Local Government Act 1972
- Employment Rights Act 1996
- Data Protection Act 1998
- Freedom of Information Act 2000
- Bribery Act 2010
- Equality Act 2010
- Localism Act 2011

*meeting protocol.
never been established*

4.9 Members must act in accordance with the Council's policies and reasonable requirements, including any protocols and codes of practice that may apply.

Openness

*• Voting on 25/3/13 - Bagg. Rd Site
• DM: article on 19/4/13 B. Chron.*

4.10 Members must give reasons for any decisions taken on behalf of the Council in accordance with any statutory requirements and the Council's Standing Orders.

4.11 Members must not prevent another person from gaining access to information to which that person is entitled by law.

E.g. Clerk's Application, contract etc

Honesty

4.12 Members must declare any disclosable (pecuniary and non-pecuniary) interests or conflicts of interest that may arise in respect of their responsibilities as a Member of the Council.

4.13 Members must at all times ensure that their claims for expenses, allowances, and their use of facilities and services provided by the Council are strictly in accordance with the rules laid down on these matters.

04 NOV 2014

Central Beds Public Hearing 29/30 September

Investigating Officer's Submission Statement Representations on Breach of Code of Conduct

Appendix 7 RESPONSE TO THE STATEMENT BY CLLR ROBINSON

The original handwritten Submission is very difficult to read. Hopefully this typed version in black print (Statement) and responses by Cllr Robinson in purple italic print, with numbered paragraphs, is easier to follow. Uncertain wording of the submission is bracketed. References are made to the Agenda (Item 8 of the Public Hearing, the Public Hearing Report and (Appeal) Appendices. There is some duplication of comments in this Appendix with that of the main Appeal Document

Up to the day of the Hearing, Cllr Robinson was just defending his own integrity. He now feels justified in commenting on the Submission Statement and the complainants' advantage of having the services of a professional solicitor free of costs, while denied similar representation with no costs to him. He considers that together with the Complaint Investigation Report, these issues had a major influence on the Public Hearing's Conclusion.

1. Cllr Robinson considers this Submission fails to give a balanced and accurate view of events, in that no reference is made to the Minutes of the meeting of the 8/4/13, the interview with the Clerk, 5 defence letters and the views of Martin Leppert, the Independent Person. Agenda P 97.

2. Extracts from the defence letters and from the Independent Person -

a) Agenda P 59 Defence witness John Davies states... 'The Chair should have stopped the harassment by two other councillors who verbally attacked the speaker (Cllr Robinson)'

b) Agenda P 64 John Davies... 'Then she (the Clerk) leant across the table and pointed her finger at his (Cllr Robinson's) chest... After that, several Councillors verbally abused Mr Robinson and the Chair tried to usher him out'

c) Agenda P 107 Jason Henegan ... 'The Clerk waving her fingers at a Councillor (Robinson) is a sight many have not seen before....'

d) Agenda P 69 Martin Leppert... 'I do not think that Cllr Robinson should shoulder all the blame as it would appear he felt he was being obstructed in getting appropriate action from the Parish Council'.

3. . The Submission continually refers to 'a line had been crossed' regarding Cllr Robinson, yet pays little attention to the rudeness, occasionally extreme, levelled at Cllr Robinson, as shown above

The findings of the Investigation Report are that Cllr Robinson did breach the Northill Parish Council Code of Conduct. The parts of the code breached are set out: 4.14 Members must set an example by their behaviour and shall act in a way that enhances public trust and confidence in the integrity of the Council and its members. 4.15 Members must show respect and courtesy to others. 4.16 Members should value the Council's officers and work alongside them to achieve the Council's objectives. Members must on no account behave in a manner that might constitute bullying.

a) Apart from a public sanction and a request for a public apology, the conclusion from the Public Hearing was the same as the Investigating Officer's recommendation in June 2014, Agenda P 18

c) Cllr Robinson fails to understand why the Investigating Officer did not refer to this extraordinary call for a Hearing in her Submission Statement, since a Public Hearing is usually reserved for complaints of a potential criminal nature. Appendix AP 1

5. In making representations on the Code of Conduct, I have dealt with 4.14 and 4.15 together. When the new Code of Conduct was introduced under the Localism Act of 2011, there was no guidance issued with new regulations. So it is necessary to look at the former Standards Board for (established guidance?) which was applied to the former national model code

6. You must treat councillors with respect.

Cllr Robinson questions why the Submission does not refer to Cllr Dawson shouting at Cllr Robinson to 'Stop Grandstanding' on the 8/4/13, Agenda P 86 and the same Councillor calling Cllr Robinson a 'Pr-t' twice at the APM on the 31/3/14? The fact that the Chair did not rebuke Cllr Dawson on either occasion, nor did any Councillor in attendance, including Cllr Turner, consider it necessary to complain, would suggest that Cllr Robinson is treated somewhat differently. Witness statement re 31/3/14 Agenda P 121

7. Northhill (Parish Council's) Code of Conduct is sufficiently similar to this provision of the former (national?) model code to make the Standards Board (guidance?) of relevance here. That guidance expresses the view that a clear line must be drawn between the requirement to show respect to others and the freedom to disagree with their views and opinions. The evidence you heard yesterday was that line had already been crossed.

Why was it considered that Cllr Dawson had not crossed the line? Cllr Robinson considers that his language at the APM was a serious breach of the Northhill Parish Council Code of Conduct 4.14 Agenda P 51.

You heard the evidence of Leanne Bacon, Sally Mandley (and) Helen Papworth, but in the Investigation Report, the complaints of all 7 complainants are set out in full. Reference to some of the comments:

8. He refused to let one Councillor speak by insisting that he had not finished.

Cllr Robinson was interrupted by Cllr Dawson shouting, and asked the Chair to be allowed to finish.

9. He loudly and repeatedly questioned the Clerk and the Chair, despite having already received perfectly adequate answers.

The Clerk was unable to provide adequate answers Agenda P 86 ...'Clerk explained ...that she did not have a copy of the correspondence to hand'

10. ...he did not stop talking even (though) requested to by the Chair and monopolised the proceedings.

The Chair did not intervene as confirmed in the Public Hearing Report, Findings of Facts 9.1.10...'The Chairman did not stop Cllr Robinson's questions'

11. He quickly became loud and aggressive raising his voice and demanding to be allowed to finish. At times he banged his hand on the table.

None of these false allegations have been confirmed in the Public Hearing Report, Findings of Fact Section 9.

12. Cllr Robinson was unstoppable, raising his voice to overcome the Chair's voice...he did not allow others the courtesy of (allowing others) the courtesy of what they were saying.

Cllr Robinson raised his voice so that all attendees could hear and because of the poor acoustics in the room, the Chair did not intervene and the other Councillors were simply shouting Cllr Robinson down as witnessed above in 2a

13. He was loud and aggressive, impolite to others and disdainful of the requirements of courtesy and impartiality.

Again, these false allegations are not confirmed in the Public Hearing Report, Findings of Fact, Section 9

14. The fact that 6 Councillors and the Clerk left the meeting and wrote to the Monitoring Officer immediately to complain, suggests to me that the line between showing respect to others and disagreeing with a decision and views of others, had clearly been crossed. *Please refer to NATURE OF REPORTING THE COMPLAINT, Appeal Document, Section 2.*

15. A large number of people attended the Parish Council (meeting) on the evening because of their concern over the Affordable Housing application. They all witnessed the behaviour of Cllr Robinson' erratic and inappropriate behaviour and lost the opportunity to see and (?) on the Affordable Housing decision. They were there to see if Northill (Parish Council) would uphold the Planning Committee's decision ...but the meeting had to be abandoned.

a) This description of the meeting conveys a false impression that the members of the public in attendance were disdainful of Cllr Robinson's alleged inappropriate behaviour. This impression is entirely false, since the attendees, most of who were against the Affordable Housing application, were appalled at the manner in which the meeting was conducted.

b) The lack of acknowledgement by the Chair and the Councillors, to the written presentation by Mrs Randle, opposing the application of behalf of about 40 parishioners, conveyed the impression that Northill Parish Council does not wish to listen to its electorate.

16. From evidence we heard yesterday, clearly there was some misunderstanding about the rules of procedure. There was clearly an expectation that members of the public and Cllr Robinson could get the matter referred back for further consideration. *Please refer to EVIDENCE NOT APPARENTLY FULLY CONSIDERED AT THE HEARING, INCLUDING FRESH EVIDENCE in the Appeal Document, Section 6*

17. Chairman as you yourself are very aware, planning decisions give rise to a lot of different views and opinions and people do get emotional about development close to their homes. Debates do get heated. I have sat next to you in meetings where you have had to issue a warning that you would clear the room and adjourn the meeting if the public did not calm down and listen to the debate.

a) The above paragraphs demonstrate and confirm the concerns that the electorate had for the application. However, the electorate has still not had a proper explanation for the reasons of developing the Biggleswade Road site against the wishes of the Parish, the Parish Council and the assurances given by John Goody from Central Beds, Appendix AP 8

b) It would appear that Northill Parish Council have spent over 18 months in trying to punish and or remove Cllr Robinson from office, for asking persistent yet pertinent questions. They are persistent because they still have not been answered.

18. However taking these both these points as mitigating factors, a line had been crossed with regard to public trust and integrity of the Council and there was clearly a lack of respect and courtesy from Cllr Robinson about how he responded to the Chair, Clerk and his fellow Councillors, who were also entitled to express their views, explain the procedure, get the business of the evening completed.

a) Cllr Robinson considers that public trust and integrity of the Council was brought about by the Council itself in the way the Chair allowed the meeting to be disorderly on the 8/4/13

b) Cllr Robinson always addressed the Chair so comments regarding responding to the Clerk are invalid. Any suggested dialogue between the Clerk and Cllr Robinson was in fact a one way monologue, as the defence witness letters and witness statements support.

c) Regarding getting the business of the evening completed. Much has been said regarding the adjournment of the meeting disallowing a debate on the application. It was made clear at the hearing that a decision had been made to approve the application using the alleged authority of the planning committee.

d) Since 6 months is required before rescinding a decision, any further business would not permit debate on the application. If the Chair had explained this to the meeting, it might have prevented the disorder that followed.

19. I would also draw your (personal?) attention to the very measured comments and evidence of Cllr Turner. I know that Cllr Turner has sat through very heated and often highly political debates in CBC Council Chamber and has chaired heated planning committees, but she is of the opinion that a line has been crossed and felt it necessary to write to the Monitoring Officer the next day to bring my attention to the events of Northill Parish Council

a) Cllr Turner might have considered using her vast experience in advising the Clerk and Councillors of the protocol for making a complaint. Her contribution in preventing a rush to a formal complaint to the Monitoring Office instead of following the Standing Orders, would have been a calming influence and brought about a suitable resolution to the matter within the confines of the Parish Council.

Please refer to NATURE OF REPORTING A COMPLAINT, Appeal Document, Section 2

b) Cllr Robinson has spoken with Cllr Turner on several occasions regarding the Affordable Housing issues and there have been amicable disagreements about the procedure for choosing the site and the allocation of units.

c) Cllr Turner should be aware of the meeting on the 17/9/12, where both John Goody from Central Beds and Geoff Evans from GUHG, stated that the Parish would choose the site and the units would be allocated to those residents with a local connection to the Parish of Northill. **Appendix AP 8**

d) However, despite this recorded assurance, the site was not chosen by the Parish and there has been a change in the ruling for allocation of units whereby units can be allocated outside the Parish.

20 She acknowledges the energy and enthusiasm of Cllr Robinson and has taken time herself personally to guide him through procedure and pass on her years of experience on how to get things done and achieve your objectives without upsetting everyone but acknowledges that in a planning arena, the democratic process must be followed.

a) Cllr Robinson does not recall any advice given by Cllr Turner on procedure issues within the Parish Council.

b) The inappropriate comment about 'upsetting everyone' conveys to others, including the panel, that Cllr Robinson is a serial trouble maker. Amongst other matters Councillors, are elected to ask questions on behalf of the electorate.

c) Cllr Robinson has noticed that unpopular questions including FOI requests are often perceived as time wasting, vexatious, harassing or even bullying by the Clerk. He has even been told by the Clerk in refusing his reasonable FOI questions, that he may be suffering from memory loss or should consider his position as a Councillor.

d) Regarding courtesy, Cllr Robinson questions if the Clerk has crossed the line in this unpleasant response and he is disappointed that the Submission Statement or the Hearing does not refer to this distasteful communication even though it is found in the **Agenda P 118**

21. With regard to the complaint about bullying the Clerk. We have heard evidence that the conduct of Cllr Robinson and questioning of the Clerk on the evening, so I do not need to go over that again at this point, but we have heard that this is not a one off.

a) Cllr Robinson has found it necessary to comment on issues unrelated to the 8/4/13 in this document, since they are raised in this submission and very much so at the Hearing.

b) However, it is considered unjust that so much attention is given to these other issue, since Cllr Robinson was totally unprepared to defend these allegations at the hearing

22. There have been other occasions in which Cllr Robinson has undermined the Clerk at meetings (for) example, questioning over the balance of the accounts, expecting information that could only be achieved with a bank reconciliation exercise being carried out, but no notice of this was given.

a) Cllr Robinson, sitting in the public gallery, again directed his questions to the Chair at the APM on the 31/3/14 where a Financial Report was to be given. A parishioner asked for an approximate figure of the total balances and was given an unrealistic figure.

b) Another parishioner asked a financial question, followed by Cllr Robinson. The Clerk was unable to give an answer. Considering the APM was to include a financial report, Cllr Robinson considers that the questions were most acceptable and to suggest the Clerk was being undermined, is another very questionable allegation.

c) If the Clerk cannot give an approximate figure of the balances during a financial report, something is fundamentally wrong. This is another example of where the Clerk was unprepared, but accuses Cllr Robinson of undermining her authority

d) No complaint was made against [REDACTED] or against Cllr Dawson for calling Cllr Robinson a 'Pr-t ' The pattern of treating Cllr Robinson differently from Councillors continues.

23. Leanne bacon is a very professional and able Parish Clerk who takes her responsibilities and duties very seriously, however she has found it necessary because of the behaviour of one Councillor, to raise a number of grievances against Northill Parish Council as her employer and in 11 out of 14 grievances issues her views have been upheld by the Grievance Panel. *Please refer to FRESH EVIDENCE SINCE THE HEARING in the Appeal Document Section 7*

24. Cllr Robinson's conduct has been such that even during these proceedings, Northill Parish Council as employer has been concerned to protect her from (the) behaviour of Cllr Robinson. They clearly know how he would behave towards their Clerk. *Please refer to THE MANNER AND PROCEDURE OF THE MEETING in the Appeal Document Section 5 e, f & g*

25. Chair, something further which I would like you to into account. Parish Council meetings only occur once a month. The Clerk works three days a week and more probably she has had to deal with correspondence and calls from Cllr Robinson, until the Grievance Panel, have stopped all contact and correspondence , that itself speaks volumes.

a) Cllr Robinson considers that part of the duties of the Clerk requires correspondence with Councillors on matters of Council business. Cllr Robinson had found that any question to the Clerk received an unhelpful, negative ,or unpleasant response. E.g Agenda P 118

b) However, questions now directed to the Chair, as resolved by the Grievance Panel, are answered promptly and fully by the Chair. This suggests that the three days probably answering Cllr Robinson's questions are grossly exaggerated.

c) Cllr Robinson has only made one telephone call to the Clerk during his nearly 5 years term of office and the picture painted above of Cllr Robinson telephoning the Clerk is complete fabrication.

d) If this allegation was not made by the Clerk, Cllr Robinson would be appalled if this completely untrue comment was accepted by the Panel.

e) This totally false allegation and many others appearing in this Submission together with all the other accusations made in formal complaints and in witness statements have been presented to the Panel.

f) The submission by the Investigating Officer in Cllr Robinson's opinion, should contain information from the Defence Witnesses.

g) Since the Submission Statement clearly only deals with the Complaint Witnesses, the Panel, having regard for the Investigating Officer as a professional solicitor is required to make a just and reasonable judgement on Cllr Robinson's character and behaviour, when studying the Submission.

h) Although Cllr Robinson appreciates that many of these allegations have been dismissed by the Panel, he feels that the fact the complaints have been made by 8 people in public office from the same Parish Council all witnessing the same event, has publicly tainted his character by a formidable degree.

i) Having determined that Cllr Robinson was allegedly guilty of breaching the code, the Investigating Officer was able to represent all the complainants at the hearing at no costs to the complainants.

j) Although Cllr Robinson was given the services of a professional Independent Person, the person could only act in an advisory capacity and the request to represent Cllr Robinson at the hearing was denied.

k) Cllr Robinson could have employed a professional lawyer, but the costs and time to fully appreciate the nature of the issue, compared with the knowledge gained by the Investigating Officer over 18 months and then acting for the complainants, prohibited this line of action

l) Cllr Robinson therefore considers that the services of a professional solicitor given to the complainants, gave them an unfair advantage.

m) A professional submission for the defence and professional cross examining of the complaint witnesses might have changed the conclusion of the panel.

30. If the allegations of Breach of code of Conduct are upheld, the Monitoring Officer will give guidance on the sanctions available to the sub committee. It is hoped that a suitable resolution can be found to move forward. This is clearly an ambitious and well run Parish Council and it needs to be able to get on with its business with public trust.

32. Cllr Robinson is not quite sure what the complainants aim to gain by an apology in public apart from undeserving humiliation and possibly a backfire from the electorate when the truth of the evening of the 8/4/13 becomes a public reality.

APPENDIX AP(8)

**Notes of an Affordable Housing Public Meeting held on
17th September 2012 at Caldecote Lower School hall -
7.30 -9.10pm.**

In attendance: Northill Parish Council (NPC) - Chairman D Milton, Vice Chairman H Papworth and Clerk L Bacon. Central Bedfordshire Council (CBC) - Principal Housing Development Officer J Goody and S Robinson. Grand Union Housing Group (GUHG) - G Evans and N Hillier. 57 members of the public.

H Papworth introduced attendees and explained the purpose of the meeting – to gain feedback from Northill parishioners on proposed sites for an affordable housing development.

A need for 22 affordable houses was identified by a Housing Needs Survey of the parish.

Northill Parish Council supports the concept of providing affordable housing within the parish to meet this need but has to be satisfied that the location is suitable. CBC will not support the development of a site that is not supported by NPC.

“Exception site policy” was explained – affordable housing can be built outside the normal development envelope.

Local Lettings Policy was explained – giving precedent to local people in allocation of housing on exception sites with cascading order of priority.

Comments/queries/responses:

1. 10 houses required in Upper Caldecote, 4 in Ickwell.
2. Majority of housing will be exempt from “right to buy” scheme.
3. Sites were initially assessed against CBC Core Strategy – some sites were found to have serious issues e.g. flooding. At this stage some landowners had not been identified or approached.
4. NPC has sought and received assurance in writing that CBC will require NPC support before progressing with any particular site. Some members of the public doubted that this would be the case.
5. CBC would continue to search for sites if none of those identified so far were considered suitable, but there are limited options in the locality. Affordable housing need would not be met outside the parish as more local families would take priority.
6. Affordable housing developments devalue surrounding properties – GUHG contested this.
7. Parishioners requiring/currently residing in affordable housing were in attendance and related positive experiences living in affordable housing.
8. Could smaller sites be considered as more acceptable in rural setting – 1 or 2 houses? GUHG – not financially viable, minimum would be 4-5 units.
9. Traffic – concerns expressed about increased road use/parking. GUHG – may not be substantial impact as some potential affordable housing residents may already be living/driving/parking in the parish but currently living with parents/family.
10. Exception site would create “exclusions” rather than “inclusions” and 10 units together can be like a “ghetto”. The parish should see some benefit in return for

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APPENDIX (IV)

**SUBMISSIONS BY SUBJECT MEMBER AT
HEARING**

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Comments on the facts

Harassment and distressed I believe the Clerk was harassed and distressed by the sequence of events at the meeting. Minutes of the planning meeting were unavailable, the Chair was not answering the questions and passed them to the Clerk, the Clerk was unable to supply documentation to substantiate answers, there were uncontrolled interruptions from Councillors, there was pressure on the Clerk regarding the confidentiality expressed by GUHG and the vociferous response from the MOP

2 Harassment and Bullying Seven witness statements do not corroborate with the allegations that I was responsible for harassment and bullying against 7 complainants that do. It is particularly refreshing to know that the Chair sitting next to the Clerk at the meeting, was one of those witnesses that denies the allegations

3 Apology offered to the Clerk because I genuinely felt sorry for the distress she was in. On reflection, I believe my apology was taken as an admission of guilt and any apology offered to the other members was unnecessary, but I considered it the gentlemanly thing to do (Give example)

4. The Clerk's interview with the author of the report describes a reasonably good relationship with me until the night in question having given her a glowing report in her appraisal. At the meeting the Clerk recognised my representation of local residents and their concerns and possibly for this reason attempted to answer my questions that I had addressed to the Chair during a 10 minute interval, although surprisingly this has now been changed in her WS to 20 minutes falling in line with one of the other witnesses. The third witness estimates an hour which is a little unrealistic considering the entire meeting only lasted 51 minutes.

5. Further disputes arise with one complainant imagined a Councillor was at the meeting when he was at home ill, another alleges much banging on the table and a third alleges I repeatedly made statements contrary to Council resolutions. I believe the 'resolution' that the councillor was referring to was a recommendation by the planning committee which certainly was not resolved or even debated at the FCM on the night in question. None of these allegations are recorded in the minutes and I suggest they are all perceptions and not facts. If I had requested a debate at FCM I believe it would have been acceptable on such a big issue.

6. two complainants suggest there are several coowners, yet the owner has confirmed in writing he is the sole owner with plans drawn up by developers and generally approved by CB Planning

7. There are allegations about me not following correct protocol, I would suggest that the Clerk answering for the Chair is just one example of the meeting not following correct protocol whereas my addressing Chair follows protocol to order. I was not alone in challenging the recommendation suggested by one councillor as eventually 40 parishioners objected to the site as against one in support as recorded at CB Planning

8. The Clerk's witness statement suggests that the planning application for the BRS had already been approved at the meeting but it was not passed by central Beds till May 2013

8. Finally, it is alleged I did not make decisions on merit. I consider the decision to represent a number of residents and their concerns on such a big issue was a very meritable decision. No other Councillor appeared to actively demonstrate or represent the wishes of the majority of the electorate regarding the IRS.

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Comments on the Code of Conduct

I would ask the Chair of the Hearing Panel and its members, to kindly accept and consider this version of my comments, which have been made in the light of points raised yesterday. My original reference to harassment has been removed since a definition has not yet been agreed and a few words added in red print at the end.

These comments refer to the NPC code of conduct 4.14, 4.15 & 4.16

4.14 Members must set an example by their behaviour.

I would like to quote the words of a witness who has attended Town & Parish Council meetings for over 50 years JP page 105. This would include most NPC meetings since my term of office.

'Cllr Robinson is very passionate about the representative work that he carries out in the Parish and can be very persistent when enquiring or questioning, but I did not consider he was being offensive in any way.'

In addition no complainants can produce evidence of actions that breaches this part of the code.

4.14 ...and shall act in such a way that enhances public trust in the integrity of the Council...

I consider that my actions in questioning the Chair, though persistent, were actually an attempt to enhance public trust in the integrity of NPC, by providing transparency. The fact that there were confidential matters stated from the developers, which still remain unpublicised, does not enhance public trust.

4.14...and its members. I do not consider my actions compromised my honesty and integrity in any way. Revealing the contents of the letter from the owner of the IRS was an attempt to demonstrate to the Council and to the public that the chosen site of the parish & the Council was and always had been available. The comments about sole ownership, involvement with GUHG, CB planning and the offer to match any price are the words of the owner. This statement makes reasons for NPC wishing to progress with the BRS without representation of the majority of the parish, debate or resolution, to be somewhat irregular and in danger of leading NPC into disrepute. I consider the withholding of confidential information on such an important issue of a planning recommendation is a betrayal of public trust.

4.15 Members must show respect and courtesy to others. Any alleged misdemeanour of gesticulating, and asking a known person's name reflect traits that are seen in every day life. My gesticulating was intended to merely emphasise my comments or questions as Prince Charles constantly does, and may be some of us here do this occasionally. In no way was it considered to be offensive. Regarding the name, it is often difficult for all Councillors to remember official titles & surnames. Councillors outside the meeting & in correspondence refer to each other by Christian names apart from the Clerk to me, and I find it somewhat sad to be treated differently.

4.16 Members should value the Council's officers and work along side them to achieve the Council's objectives. I believe my comments at the appraisal confirm my value of the Clerk in a Clerk's role. However, I have reservations about this when the Clerk takes over the role of the Chair.

4.16 Members must on no account behave in a manner that constitutes bullying. Having agreed the definition of bullying, I consider it an outrageous accusation to be levelled at me. I completely deny the allegation and would request substantiated evidence that I was, or ever have been, behaving like a bully during my term of office.

The allegations lose their quality when it has been corroborated by reliable witness statements that all my questions were addressed to the Chair who certainly did not allege that I was bullying him. It is comforting to know that the Chair, sitting next to the Clerk, confirmed at the meeting on the 2/5/13 that I did not harass or bully the Clerk.

I would ask the panel to consider the difference between a person causing harassment and an event causing harassment. I would suggest the reasons for the agreed disorder seen at the meeting played a significant part in harassing many people including the Clerk as opposed to a specific member causing harassment.

I now understand that our Planning Committee has full powers of resolution and that it is common policy in many other parish councils for the Clerk to answer for the Chair. I also respect the comments made concerning confidentiality on the issue of reasons for choice of building site.

I was not aware of the above points at the meeting on the 8/4/13 and it may explain my concerns and those of my witnesses expressed yesterday. In view of this, I would put to the panel for its consideration, that my detailed, persistent and robust questioning during the meeting was at the time, was appropriate and rational on the information presented to both residents of the parish and myself.

Also, I wish to confirm that I have no personal issue with the development in Biggleswade Road or with the reasons that Central Beds approved the application, recognising this was the only application submitted at the time.

Finally, I would ask you to reconsider the matter raised by me regarding David Milton confirming his comments on harassing and bullying, were not referring to me. (I now understand he was referring to [REDACTED] and his comments at the Clerk's appraisal evening which were witnessed by me). The reference in the minutes of 'no comment' does not confirm that I did harass and bully the Clerk and I would like to be given the opportunity to call witnesses who were present at the meeting on the 2/5/13, who will confirm to the panel that the answer was 'No'. Establishing whether this is a fact or not is a major part of my defence and for that reason I would ask the panel to grant me this opportunity.

Thank you Mr Chairman for giving me the opportunity to make this submission regarding breach of the code.