

# 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 8<sup>th</sup> April 2013.
- 1.2. The complainants are listed in the table below together with the relevant Appendix number.

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

- 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 21<sup>st</sup> 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 8<sup>th</sup> 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 8<sup>th</sup> 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 21<sup>st</sup> 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 8<sup>th</sup> 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 8<sup>th</sup> 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 31<sup>st</sup> 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 8<sup>th</sup> 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 8<sup>th</sup> 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 8<sup>th</sup> 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 8<sup>th</sup> 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

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