

Notice of Meeting



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Governance and Ethics Committee

Wednesday, 31st January, 2018 at 10.30 am in Council Chamber Council Offices Market Street Newbury

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Date of despatch of Agenda: Tuesday, 23 January 2018

For further information about this Agenda, or to inspect any background documents referred to in Part I reports, please contact Andy Day/Moira Fraser/Stephen Chard on (01635) 519459/519045/519462

e-mail: andy.day@westberks.gov.uk / moira.fraser@westberks.gov.uk /

stephen.chard@westberks.gov.uk

e-mail: moira.fraser@westberks.gov.uk / stephen.chard@westberks.gov.uk

Further information and Minutes are also available on the Council's website at www.westberks.gov.uk



Agenda - Governance and Ethics Committee to be held on Wednesday, 31 January 2018
(continued)

To: Councillors Steve Ardagh-Walter, Jeff Beck (Vice-Chairman), Paul Bryant, Keith Chopping (Chairman), James Cole, Barry Dickens, Lee Dillon, Geoff Mayes, Anthony Pick and Quentin Webb

Substitutes: Councillors Sheila Ellison

Agenda

Part I

Page No.

- 1 **Apologies**
To receive apologies for inability to attend the meeting (if any).
- 2 **Declarations of Interest**
To remind Members of the need to record the existence and nature of any personal, disclosable pecuniary or other registrable interests in items on the agenda, in accordance with the Members' [Code of Conduct](#).

Standards Matters

- 3 **NPC1/17** 1 - 168
Purpose: To make a determination as to whether a breach of the Code of Conduct has occurred after considering the Investigator's report about a complaint received from Councillor Tony Renouf (Complainant) in respect of Councillor James Spackman (Subject Member) from Woolhampton Parish Council submitted on 09 February 2017.
Should the Committee determine that a breach of the Code of Conduct has occurred they will need to determine an appropriate sanction.

Andy Day
Head of Strategic Support

West Berkshire Council is committed to equality of opportunity. We will treat everyone with respect, regardless of race, disability, gender, age, religion or sexual orientation.

If you require this information in a different format or translation, please contact Moira Fraser on telephone (01635) 519045.



West Berkshire
C O U N C I L

Agenda Item 3

Complaint Ref:	NPC1/17
Report to be considered by:	Governance and Ethics Committee
Date of Meeting:	31 January 2018
Purpose of Report:	<ol style="list-style-type: none">1. To make a determination as to whether a breach of the Code of Conduct has occurred after considering the Investigator's report about a complaint received from Councillor Tony Renouf (<i>Complainant</i>) in respect of Councillor James Spackman (<i>Subject Member</i>) from Woolhampton Parish Council submitted on 09 February 2017.2. Should the Committee determine that a breach of the Code of Conduct has occurred they will need to determine an appropriate sanction.
Paragraphs of the Code of Conduct that the complaint might relate to: General Obligations: <ul style="list-style-type: none">• failing to treat others with respect Failure to Adhere to the Following Nolan Principles: <ol style="list-style-type: none">1. Integrity2. Accountability3. Honesty4. Leadership	

Monitoring Officer's Details	
Name:	Sarah Clarke
Job Title:	Head of Legal Services
Tel. No.:	01635 519596
E-mail Address:	Sarah.Clarke@wesberks.gov.uk

Appendices:

- Appendix 1 – Members' Code of Conduct Woolhampton Parish Council
- Appendix 2 – Complaint Form and Associated Correspondence
- Appendix 3 – Initial Assessment Decision Notice
- Appendix 4 – Investigator's Report
- Appendix 5 – Submission from Complainant
- Appendix 6 – Submission from Subject Member
- Appendix 7 – Submission from Clerk
- Appendix 8 – Advisory Panel Decision Notice
- Appendix 9 – Sanctions Which Can be Applied

Monitoring Officer's Report

1. Introduction

- 1.1 A complaint was received from Councillor Tony Renouf on 09 February 2017 concerning an alleged breach of Woolhampton Parish Council's Code of Conduct by Councillor James Spackman. The complaint was considered by the Deputy Monitoring Officer (Andy Day) in consultation with the Independent Person (Mike Wall) on 07 March 2017 where it was decided to refer the allegation for further investigation.
- 1.2 Mr Simon Bull was appointed to investigate the matter on behalf of West Berkshire Council.
- 1.3 The Investigator concluded that there is evidence of a breach, under the revised localism arrangements.
- 1.4 The Advisory Panel met on the 13 December 2017 to consider if it concurred, based on the facts set out in the report, with the Investigator's conclusion. The Advisory Panel then had to make a recommendation to the Governance and Ethics Committee to make a final determination on the matter.
- 1.5 The Advisory Panel concurred with the findings of the Investigator as set out in his report, subject to the amendment of the recommendation to add complaint number five as a breach of the Code.
- 1.6 The Advisory Panel recommended that if the Special Governance and Ethics Committee concurred with the finding that a breach of the Code of Conduct had the following sanctions should be applied:
 1. A formal letter be sent to the subject member from the Chairman of the Governance and Ethics Committee indicating the failure to comply with the Code.
 5. A local resolution acceptable to the complainant and subject member and sanctioned by the Governance and Ethics Committee including a letter of apology to Councillor Burke and entering into mediation.

If mediation proved unsuccessful then the following sanction would be applied:

4. A formal press release sanctioned by the Chairman of the Governance and Ethics Committee summarising the breach.

Councillor James Spackman should also be required to make an unreserved formal apology to Councillor Eve Burke before any consideration was given to allowing him to participate on the Parish Council.

2. Conclusion

- 2.1 The Governance and Ethics Committee is required to decide if it concurs with the conclusion that there was a failure to comply with the Code of Conduct and if so what, if any, sanction should be imposed.

CODE OF CONDUCT FOR MEMBERS OF WOOLHAMPTON PARISH COUNCIL

1. INTRODUCTION

- 1.1. This Code of Conduct was adopted by Woolhampton Parish Council at its meeting on 17th July 2012 pursuant to the Localism Act 2011 and its duty to promote and maintain high standards of conduct by members and co-opted members of the Council. It will come into effect on 18th July 2012.

2. APPLICATION

- 2.1. This Code of Conduct applies to you as a member of this Council when you are acting or purporting to act in your role as a member and you have a responsibility to comply with the provisions of this Code.

- 2.2. This Code of Conduct is consistent with and based upon the following principles:

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

The above terms are expanded at the end of this Code under the heading 'The Principles'.

- 2.3. Should a complaint be made against you in your role as a Councillor it will be dealt with in accordance with the Localism Act 2011 and its supporting regulations.

3. GENERAL OBLIGATIONS

When acting or purporting to act in your role as a member of the Council, you must have regard to the following obligations. If you are not acting in your role as Councillor then no breach of the Code is likely to occur:

RESPECT

- 3.1. Treat members, officers, members of the public and service providers with courtesy and respect and do not engage in bullying or intimidating behaviour or behaviour which could be regarded as bullying or intimidation.

BRIBERY ACT 2010

- 3.2. Ensure that you are aware of and comply with the requirements which the Bribery Act 2010 places on you in your role as a Member and on the Council.

DISCLOSURE OF INFORMATION

- 3.3.1. Do not disclose information given to you in confidence by anyone or information acquired by you which you believe or are aware is of a confidential nature.
- 3.3.2. You may disclose such information where:-
- (i) you have the consent of a person authorised to give it
 - (ii) you are required to do so by law
 - (iii) the disclosure is made to a third party for the purpose of obtaining professional legal advice
 - (iv) the disclosure is reasonable and in the public interest
 - (v) is made in good faith and in compliance with the reasonable requirements of the Council or "its professional advisers".

ACCESS TO INFORMATION

- 3.4. Do not prevent another person from accessing information if that person is entitled to do so by law.

DECISION MAKING

- 3.5. When involved in the decision making of the Council:
- 3.5.1. Have regard to any advice provided to you by the Council's Clerk pursuant to their statutory duties.
- 3.5.2. Give reasons for the decisions in accordance with any legal requirements or reasonable requirements of the Council.

RESOURCES

- 3.6. When using or authorising the use by others of the resources of the Council:-
- 3.6.1. Do act in accordance with the Council's reasonable requirements including the requirements of all relevant policies. Copies of these policies have been provided to you, are available on the Council's Intranet and you are deemed to have read and understood them.
- 3.6.2. The Policies referred to in paragraph 3.6.1 may be updated from time to time and you will be notified of any changes. You must comply with the updated policies as soon as you have been provided with a copy of the same.
- 3.6.3. Make sure that such resources are used for and in accordance with your duties as a Councillor and are not used improperly.

USE OF INFORMATION

- 3.7. Do not improperly use knowledge gained solely as a result of your role as a member for the advancement of your disclosable pecuniary interests.

PUBLICITY

- 3.8. Have regard to the applicable Local Authority Code of Publicity under the Local Government Act 1986.

4. DISCLOSABLE PECUNIARY INTERESTS AND INTERESTS OTHER THAN DISCLOSABLE PECUNIARY INTERESTS

4.1. Disclosable Pecuniary Interests

4.1.1. By virtue of the Localism Act 2011 and The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 you must disclose and register disclosable pecuniary interests as defined in the foregoing legislation by notifying the Clerk within 28 days

- (a) the adoption of this Code or
- (b) becoming a member of the Council or
- (c) becoming aware of such an interest

4.1.2. Failure to disclose such interests may result in prosecution by which could result in a fine not exceeding £5,000.00 (Level 5 on the Standard scale).

4.1.3. A Disclosable Pecuniary Interest [DPI] 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). The descriptions of disclosable pecuniary interests are set out in Appendix 1 to this Code of Conduct.

4.2. Other Interests

4.2.1. You must, within 28 days of:

- (a) this Code being adopted by or applied ; or
- (b) your election or appointment to office (where that is later),

notify the Clerk in writing of the details of your other personal interests, where they fall within the following descriptions, for inclusion in the register of interests.

4.2.2. You have a personal interest in any business of your authority where either:

- (a) it relates to or is likely to affect

- (i) any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by your authority;
- (ii) any body
 - (aa) exercising functions of a public nature;
 - (bb) directed to charitable purposes; or
 - (cc) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union), of which you are a member or in a position of general control or management;
- (iii) any easement, servitude, interest or right in or over land which does not carry with it a right for you (alone or jointly with another) to occupy the land or to receive income.

4.3. Disclosure of interests

4.3.1. Subject to sub-paragraphs 4.3.2 to 4.3.5, where you have a personal interest described in paragraph 4.2 above or in paragraph 4.3.2 below in any business of your authority, and where you are aware or ought reasonably to be aware of the existence of the personal interest, and you attend a meeting of your authority at which the business is considered, you must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.

4.3.2. You have a personal interest in any business of your authority

- (i) where a decision in relation to that business might reasonably be regarded as affecting your well-being or financial position or the well-being or financial position of a *relevant person* to a greater extent than the majority of other

council tax payers, ratepayers or inhabitants of the electoral division or ward, as the case may be, affected by the decision, or

- (ii) it relates to or is likely to affect any of the interests you have registered as a disclosable pecuniary interest.

In sub-paragraph 4.3.2, a *relevant person* is:

- (a) a member of your family or any person with whom you have a close association; or
 - (b) any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors;
 - (c) any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000.00; or
 - (d) any body of a type described in paragraph 4.2.2(a)(i) or (ii).
- (3) Where you have a personal interest in any business of your authority which relates to or is likely to affect a person described in paragraph 4.2.2(a)(i) or 4.2.2(a)(ii)(aa), you need only disclose to the meeting the existence and nature of that interest when you address the meeting on that business.
- (4) Where you have a personal interest but, by virtue of paragraph 5, sensitive information relating to it is not registered in your authority's register of members' interests, you must indicate to the meeting that you have a personal interest, but need not disclose the sensitive information to the meeting.
- (5) Where you have a personal interest in any business of your authority and you have made an executive decision in relation to that business, you must ensure that any written statement of that decision records the existence and nature of that interest.

4.4. Register of interests

4.4.1. Any interests notified to the Clerk 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.

4.5. Non participation in case of pecuniary interest

(1) Where you have a personal interest in any business of your authority you also have a pecuniary interest in that business where the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest and where that business;

(a) affects your financial position or the financial position of a person or body described in paragraphs 4.2.2 ;or

(b) relates to the determining of any approval, consent, licence, permission or registration in relation to you or any person or body described in paragraph.

(2) Subject to paragraph (3) and (4), where you have a pecuniary interest in any business of your authority;

(a) you may not participate in any discussion of the matter at the meeting.

(b) you may not participate in any vote taken on the matter at the meeting.

(c) if the interest is not registered, you must disclose the interest to the meeting.

(d) if the interest is not registered and is not the subject of a pending notification, you must notify the Clerk of the interest within 28 days.

Note: In addition the Rules of Procedure of the Council and its Committees require you to leave the room where the meeting is held while any discussion or voting takes place.

- (3) Where you have a pecuniary interest in any business of your authority, you may attend a meeting but only for the purpose of making representations, answering questions or giving 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 and you leave the room where the meeting is held immediately after making representations, answering questions or giving evidence.
- (4) Subject to you disclosing the interest at the meeting, you may attend a meeting and vote on a matter where you have a pecuniary interest that relates to the functions of your authority in respect of:
- (i) housing, where you are a tenant of your authority provided that those functions do not relate particularly to your tenancy or lease;
 - (ii) school meals or school transport and travelling expenses, where you are a parent or guardian of a child in full time education, or are a parent governor of a school, unless it relates particularly to the school which the child attends;
 - (iii) statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of, such pay;
 - (iv) an allowance, payment or indemnity given to members;
 - (v) any ceremonial honour given to members; and
 - (vi) setting a precept under the Local Government Finance Act 1992.
- (5) Where, as an member, you may discharge a function alone, and you become aware of a pecuniary interest in a matter being dealt with, or to be dealt with by you, you must notify the Clerk of the interest and must not take any steps or further steps in the matter, or seek improperly to influence a decision about the matter.

5. SENSITIVE INTERESTS

- 5.1. Where a member is concerned that the disclosure of the details of an interest (either a DPI or any other interest which the member is required to disclose) at a meeting or on the Register of Members' Interests, and such disclosure would lead to the member or a person associated with him/her being subject to violence or intimidation, the member may request the Clerk agree that such interest is a sensitive interest.
- 5.2. If the Clerk agrees that the interest is a sensitive interest the member must still disclose the existence of the interest at a relevant meeting but the member is not required to provide the details of the sensitive interest during the meeting. The Clerk shall also exclude the details of the sensitive interest from the published version of the Register of Members' Interests.

6. DISCLOSURE AND PARTICIPATION

- 6.1. Should you have a disclosable pecuniary interest you **MUST NOT** take part in the decision making process of the Council and in order to ensure transparency you must withdraw from such process as regards that DPI.
- 6.2. The Localism Act 2011 makes participation in such matters if you have a DPI a criminal offence.

7. GIFTS AND HOSPITALITY

- 7.1. You must disclose and record any gift or hospitality you receive in your capacity as a member of the Council in excess of £25.00. Such disclosure should be made in writing or by email to the Clerk in accordance with the Council's Protocol on Gifts and Hospitality.

8. DISPENSATIONS

- 8.1. Members who have a disclosable pecuniary [or other interest] may apply for a dispensation on specific grounds which are set out in the Dispensation Procedure set out in Appendix 2 to this Code of Conduct.

9. INTERPRETATION

"Co-opted member", means a person who is not a member of the Council but who:-

- (a) is a member of any committee or sub-committee of the Council; or
- (b) is a member of, and represents the Council on, any joint committee or joint sub-committee of the Council;

and who is entitled to vote on any question which is to be decided at any meeting of the committee or sub-committee.

"Disclosable Pecuniary Interests (DPI)" means those interests prescribed by the Secretary of State as such under the Localism Act 2011 and set out in Appendix 1 to this Code of Conduct.

"Other Interests" means interests other than DPI's which a member is required (by law) to disclose.

"Meeting" means any meeting of:-

- (a) the Council;
- (b) any of the Council's or sub-committees, joint committees, joint sub-committees, or area committees;

whether or not the press and public are excluded from the meeting in question by virtue of a resolution of members.

"Member" includes a co-opted member.

“Bullying and intimidating behaviour” means offensive, intimidating, malicious, insulting or humiliating behaviour which attempts to undermine, hurt or humiliate an individual or group. It can have a damaging effect on a victim’s confidence, capability and health.

Bullying conduct can involve behaving in an abusive or threatening way, or making allegations about people in public, in the company of their colleagues, through the press or in blogs, (but within the scope of the Code of Conduct).

It may happen once or be part of a pattern of behaviour, although minor isolated incidents are unlikely to be considered bullying. It is also unlikely that a member will be found guilty of bullying when both parties have contributed to a breakdown in relations.

THE PRINCIPLES
(referred to in paragraph 2.2 above)

- **Selflessness**
Members should serve only the public interest and should never improperly confer an advantage or disadvantage on any person.
- **Honesty and Integrity**
Members should not place themselves in situations where their honesty and integrity may be questioned, should not behave improperly and should on all occasions avoid the appearance of such behaviour.
- **Objectivity**
Members should make decisions on merit, including when making appointments, awarding contracts, or recommending individuals for rewards or benefits.
- **Accountability**
Members should be accountable to the public for their actions and the manner in which they carry out their responsibilities, and should co-operate fully and honestly with any scrutiny appropriate to their particular office.
- **Openness**
Members should be as open as possible about their actions and those of their authority, and should be prepared to give reasons for those actions.
- **Leadership**
Members should promote and support these principles by leadership, and by example, and should act in a way that secures or preserves public confidence.

Appendix 1

(In the extracts from the Regulations below, 'M' means you, when acting as a member of the Council, and 'relevant person' means you and your partner, as above)

<i>Subject</i>	<i>Prescribed description</i>
<i>Employment, office, trade, profession or vacation</i>	<i>Any employment, office, trade, profession or vocation carried on for profit or gain.</i>
<i>Sponsorship</i>	<i>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.</i>
<i>Contracts</i>	<i>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.</i>
<i>Land</i>	<i>Any beneficial interest in land which is within the area of the relevant authority.</i>
<i>Licences</i>	<i>Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.</i>
<i>Corporate tenancies</i>	<i>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.</i>

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" excludes 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 a member of a relevant authority;

"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) or section 31(7), as the case may be, 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.

Dispensations under the Localism Act 2011

1. Introduction

- 1.1. The provisions on dispensations are significantly changed under the Localism Act. Previously there was a reference in the legislation and over a number of years Government produced regulations dealing with the process.
- 1.2. It should be noted that Parish Councils under the legislation are given the ability to deal with their own dispensations but it is not clear at this time whether or not they will be required to consult either the Monitoring Officer at West Berkshire Council or the Independent Person. Further it is not clear if any regulations relating to Parish Councils will be issued.
- 1.3. At present a Member who has a prejudicial interest may apply to the West Berkshire Standards Committee for a dispensation on two grounds. These are:-
 - (i) that at least half of the Members of the decision making body have a prejudicial interest thus preventing the transaction of business. This provision has been used on a number of occasions in respect of Parish Councils.
 - (ii) that so many Members of one political party have prejudicial interests in the matter that it would upset the result of the vote on a political matter by impacting on the proportionality rules affecting the particular body.
- 1.4. Members will be aware of the current process and the documentation which is used in order that in effect a "digital" meeting of the West Berkshire Council Standards Committee comments and proves otherwise that application for a dispensation.

2. The New Dispensation Regime

- 2.1. Under Section 33 of the Localism Act 2001 in future a dispensation will be able to be granted in the following circumstances.

The Council may on:-

- (a) a written request
- (b) made to the Proper Officer of the Council
- (c) by a Member or Co-Opted Member of the authority.

grant a dispensation enabling a Member or Co-opted Member to participate in a meeting notwithstanding that they have a Disclosable Pecuniary Interest under Section 31 of the Act.

- 2.2. The criteria which now apply are increased and cover the following circumstances:-
 - (i) that so many Members of the decision making body have Disclosable Pecuniary Interests in a matter that it would "impede" the transaction of the business of that body. [In practice this means the decision making body would be inquorate as a result.]

- (ii) that without the dispensation the representation of different political groups on the body transacting the business would be such as to alter the outcome of the vote on that particular matter.
 - (iii) that the authority considers that the dispensation is in the interests of persons living in the authority's area.
 - (iv) that the Council considers that it is "otherwise appropriate" to grant a dispensation. This is a particularly wide provision as to some extent is (iii) above.
- 2.3 In each case when a dispensation is granted it must specify how long it lasts for to a maximum of four years (this reflects the previous legislation) and the Council must consider the application "after having had regard to all relevant circumstances".
- 2.4 Overall the provisions of the new legislation do expand the instances when a dispensation may be granted which for Parish Councils may be of assistance although it could equally bring comment from the public who may perceive that certain individuals have an interest but are still taking part in the decision making process.
3. Delegation
- 3.1. A major change from the previous legislation under the Local Government Act 2000 is that the Localism Act gives discretion for this power to be delegated to Standards Committee, a Sub-Committee or to the Monitoring Officer. Previously, the Standards Committee itself had to deal with any applications for dispensation.
- 3.2. It is considered that grounds (i) and (iv) are objective and it is recommended that dispensations on these grounds are delegated to the Monitoring Officer with an appeal to a Standards Committee. This would enable dispensations to be granted effectively "at the door of the meeting".
- 3.3. Grounds (ii), (iii) and (v) are rather more complex and subjective and it is considered appropriate that the discretion to grant dispensations on these grounds remains with Standards Committee after consultation with the independent person.
4. Considerations in granting a dispensation
- 4.1. As mentioned above it is not clear whether not the Department of Communities and Local Government will issue further guidance and/or regulations dealing with dispensations but it is considered that Members should be given some pointers as to what they may wish to consider when considering a dispensation and when matters are delegated to the Monitoring Officer to ensure consistency. Having reviewed the previous guidance it is considered that the following applies:-
- (i) the Standards Committee should weigh up the effect of Members' prejudicial Interest(s) against the outcome of the vote if they are not participating in the vote.
 - (ii) the Standards Committee should consider whether the nature of the interest in question is such that public confidence in the authority would be damaged if that Member were allowed to vote.

- (iii) the Standards Committee should look at whether the interest in question is one that is common to both the Member and to a significant proportion of the population.
- (iv) account should also be taken of the expertise and knowledge of the Member and whether this justifies their participation in the item in question. For example, if members of Police and/or Fire authorities would be able to bring their expertise by addressing the meeting.
- (v) Standards Committee Members should have regard to whether the business in question relates to a voluntary or public body which is to be considered by an Overview and Scrutiny Committee, and additionally whether the interest is a financial one.
- (vi) if a dispensation not being granted would mean the meeting was not quorate, this might be a reason to grant the dispensation.

5. Process for granting and recording a dispensation

- (i) a Member must apply in writing to the Clerk for a dispensation as soon as possible, setting out why it is required. The Clerk will then contact the Monitoring Officer at West Berkshire Council who will then arrange for the Standards Committee to consider the request. Only written requests are acceptable, and cannot be made by someone else on behalf of the Member. Group and joint requests are not permitted. Each Member should apply individually.
- (ii) a meeting of the Standards Committee must be then convened to consider the application. In the case of urgent items if it is possible to convene a virtual meeting of the Committee, an urgent dispensation may still be granted.
- (iii) the Standards Committee should then consider the legal implications for the dispensation set out at 4(i) to (v) as well as at 2.1(a) above. This consideration may also take account of any other relevant circumstances or local criteria.
- (iv) members of the Standards Committee should determine whether the applicant should be permitted to make oral representations to the meeting of the Standards Committee or whether written applications only will be allowed.
- (v) the Standards Committee should then determine the nature of any dispensation they are minded to grant:
 - (a) whether the applicant can speak and not vote; or
 - (b) whether the applicant can participate fully and vote.
 Additionally the Committee can also decide the length of the dispensation (not more than four years).
- (vi) it should be noted that the regulations do not allow for the Standards Committee to grant a general dispensation to cover any situation where a prejudicial interest may arise.
- (vii) if the Committee grants a dispensation it should do so in writing and before the meeting in question is held.
- (viii) the Standards Committee may decide to refuse an application for a dispensation. This is within their discretion under the regulations.
- (ix) a written record of the decision taken must be kept and placed with the Register of Interests maintained under Section 81(1) of the Local Government Act 2000.

5.2. Any advice on the process of granting dispensations and any questions relating to this arrangement should be directed to the Monitoring Officer.

Complaint about an elected Councillor's Conduct Form

Your details

1. Please provide us with your name and contact details

Title:	Mr
First Name:	Tony
Last Name:	Renouf

2. Please tell us which complainant type best describes you:

- | | |
|---|--|
| <input type="checkbox"/> Member of the public | <input type="checkbox"/> Local Authority monitoring officer |
| <input checked="" type="checkbox"/> An elected or co-opted member of an authority | <input type="checkbox"/> Other council officer or authority employee |
| <input type="checkbox"/> Member of Parliament | <input type="checkbox"/> Other (please describe) |

If 'other' please state:

--

3. Please provide us with the name(s) of the Councillor(s) you believe have breached the Code of Conduct and the name of their authority:

Title	First name	Last name	Council or authority name
Mr	James	Spackman	Woolhampon Parish Council

4. Please explain in detail what the Councillor has done that you believe breaches the Code of Conduct. You also need to state which areas of the Code of Conduct you believe the Councillor has breached. It is important that you attach any supporting information to this form. Use a separate sheet if there is insufficient space.

Cllr James Spackman was co-opted onto the Parish Council in September 2014 following his clearly expressed interest coupled with regular attendance at previous Parish Council meetings over an 18 month period. He was subsequently elected in May 2015.

Since his election, he has been involved in a number of incidents all of which, without exception, have proved to be based on what I and other Parish Councillors believe to be lies or misinformation and as such has breached the Code of Conduct and brought the Parish Council into disrepute. Examples cited are as follows:

1. June 2015. (email copies marked 1 + PC Minutes of Part2 August meeting)



In an email and verbal exchange between Cllr Spackman and Cllr Wright (Vice Chairman) on an unrelated issue, Cllr Spackman alleged that in a conversation with Cllr Lovell, which took place at the Douai Fun Day, Cllr Lovell had made a slanderous statement about criminal behaviour in The Angel Inn, Woolhampton. Cllr Spackman subsequently discussed this with the then landlord of The Angel Inn maintaining that he had actually had the conversation with Cllr Lovell during the Parish Council meeting in June.

In July, the landlord of The Angel attended the meeting to ask for Council's response to the alleged remarks made by Cllr Lovell in the Parish Council meeting which he considered could be slanderous. It was agreed that the Council would investigate the allegation which clearly had potentially serious implications for its reputation.

2. August 2015 – April 2016 (Minutes + email marked 2)

A Part 2 meeting was held in August to consider (1) the allegation that a slanderous statement had been made in the Parish Council meeting and (2) a Special Resolution to remove Cllr Spackman as the Council's representative on the AWE Liaison Committee.

The allegation was dismissed by all the members present and the Clerk. Cllr Spackman withdrew as the Council's representative before a vote was taken.

A request by Cllr Spackman that the minutes of the Part 2 meeting should include additional statements which had not been made at the meeting was rejected unanimously by members who then formally adopted the original minute. Asked for a response Cllr Spackman stated (January 2016) that he would respond following the outcome of a complaint to the Monitoring Officer he had made.

At a later meeting in April 2016 Cllr Spackman denied that he said he had made a complaint but stated that the minute was incorrect and claimed that he had said that he was considering making a complaint.

3. December 2015/January 2016 (email copies + extracts from Woolhampton PC and Midgham PC Minutes + Planning letter marked 3)

The issue of the inadequacy of the Woolhampton Sewage Treatment Works is long running. As the problem is likely to be exacerbated by any new development both in the village and neighbouring parishes the Parish Council wrote to Gary Lugg, Head of Planning, copied to Midgham PC and Brimpton PC drawing his, and their, attention to the Council's concerns.

Cllr Spackman alleged that at a meeting of Midgham Parish Council he attended the Chairman Cllr Lombardo referred to the letter sent to the Head of Planning as '*silly*'. In response to my enquiry asking him to elaborate Cllr Lombardo denied having said that.

Subsequently asked for an explanation Cllr Spackman did not respond.

4. January 2016(emails +Minutes marked 4)

The issue of the lack of a footpath up Woolhampton Hill, for which an s106 allocation had been made from the Douai School development, was taken up with WBDC. At a meeting with Highways it was admitted by them that the survey of the viability of the footpath could not be undertaken until 2017 at the earliest due to lack of resources. Reluctantly it was agreed at the November meeting that the item should be removed as a 'Standard Agenda Item' until we were informed that a survey was to be started.

Despite being absent from the November meeting Cllr Spackman issued misleading information on his Facebook stating that '*the Parish Council had abandoned its efforts for a*



footpath on Woolhampton Hill'. This was not corrected despite a request for him to do so.

5. March 2016 (Report marked 5)

Following his attendance at the District Parish Conference Cllr Spackman wrote to Martin Dunscombe, WBDC Communications Manager to complain about his treatment at the Conference. Cllr Spackman claimed that his name had been removed from the attendance list for me to attend in his place. I considered this so serious that I contacted Mr Dunscombe for an explanation. It became clear that Cllr Spackman's allegations were a complete fabrication. My report to the Parish Council was based on the email exchange.

6. June 2016 (emails + Minutes marked 6)

In his emails to Mr Dunscombe Cllr Spackman stated that there were '*serious worries about the Chairperson of our parish*' and that he (Mr Dunscombe) could '*rest assured that these and other concerns about Cllr Renouf's conduct will be discussed in greater length*'

On 15th June 2016 Cllr Spackman in an email to me copied to all members and the Clerk stated '*That you actively disrupted the meeting in these ways from your position of Chair to prevent any other outstanding examples of your misconduct from being raised is symptomatic of, and intimately connected to your failure over the course of many years to reach any sort of satisfactory resolution on behalf of residents relating to sewage problems in Station Road etc.*'

I considered that the comments made to Mr Dunscombe and the allegation to members were serious enough for me to offer my resignation in the event that members believed that I was guilty of misconduct.

The Vice-chairman Cllr Elliot Wright proposed that the matter should be resolved by Votes of Confidence both in the Chairman and Cllr Spackman. In the discussions, Cllr Spackman declined to offer evidence to support his claims despite a number of requests and as a consequence all other members present voted unanimously in favour of the Chairman.

On the basis of both the report on the email exchange between Mr Dunscombe and Cllr Spackman and in the absence of supporting evidence a Vote of No Confidence in Cllr Spackman was unanimously passed.

It was agreed that Cllr Spackman should not represent the Parish Council in any forum, represent the Council at meetings of neighbouring Parish Councils or lead on a possible Neighbourhood Plan for Woolhampton.

7. October 2016 (emails + minutes marked 7)

In October 2016 Cllr Spackman emailed me, copied to all members and the Clerk, asking me to confirm the resignation of Cllr Eve Burke who had been co-opted in April 2016. His assumption was allegedly based on there being no published information on her on the website which, he advised, was mandatory.

The website is managed by the Clerk, Mr Steve Brady, to whom the question should have been addressed. It should be noted that the Clerk, at the September meeting, had provided an update to the Council on the website in which he had acknowledged that the site was not up to date. However, following the receipt of further training which he had requested from the website designer, the website would be updated and comply with the requirements of the Transparency Code.

The devious manner in which the question was put was clearly aimed at and failed to treat with respect the Clerk who has worked for the Parish Council for 20 years and is an exemplary Officer. Cllr Burke was also caused some distress which should be perceived as



bullying.

8. January 2017 (emails marked 8)

In September 2016, a communication purporting to be from the Woolhampton Neighbourhood Watch Group was forwarded to Members by Cllr Spackman. The Group stated that *'Woolhampton continues to experience higher levels and more serious crimes compared to neighbouring parishes'*.

Because of its seriousness, Cllr Spackman was asked for the name of the originator. He refused to give the contact at the time of the email and subsequently at the January 2017 meeting when he was pressed by members for the information. He claimed that he was unable to share the information due to *'data protection'*.

Mrs Angela Money, Neighbourhood Watch Area Co-ordinator has since confirmed that the Woolhampton Neighbourhood Watch Group does not exist (telephone conversation Sunday 5th February).

The incidents listed above show a pattern of behaviour which illustrates failure to treat fellow councillors with any respect coupled with a desire to undermine the reputation of the Chair.

This complaint is made with the unanimous support of all the Members who feel that a line needs to be drawn.

In my personal opinion, Cllr Spackman's behaviour shows him to be unfit to hold public office.



632.5 PLANNING

(a) Planning Applications

APPLICATION NO: 15/01334/HOUSE
APPLICANT Beenham Lodge
LOCATION Cods Hill, Beenham
PROPOSAL Demolition of entry/stepped access to upper level and replacement with new porch way for entry to ground floor of residence. New driveway crossover retaining existing at bottom of site for agricultural purpose.

DECISION Support.

(b) WBC Planning – Case Officer Reports:

None

632.6 DISTRICT COUNCILLOR MR DOMINIC BOECK

District Councillor Mr Dominic Boeck was welcomed to the Council by the Chairman Councillor Mr T. Renouf. District Councillor Mr Dominic Boeck then presented his report which is attached to these minutes. District Councillor Mr Dominic Boeck invited questions and was asked for an update with respect to any future budget cuts for mental health services for under 16yrs. It was reported that this area was outside of his Executive portfolio and that he would investigate. An update on superfast broadband was also provided.

632.7 STATEMENTS AND QUESTIONS FROM THE PUBLIC

- (a) The council were asked to comment upon alleged remarks made by a Parish Councillor at the last Parish Council meeting which could be considered slanderous in relation to the Angel Inn. The Chairman Councillor Mr T. Renouf advised that this was the first time that the council had been made aware of this concern. Not all members were present / available and consequently it could not respond tonight. The council would want to investigate and report back. It was agreed that a meeting to progress this matter would be arranged.
- (b) The council were informed of an overgrown hedge / tree on Woolhampton Hill near the former Falmouth Arms.

632.8 CORRESPONDENCE RECEIVED

The Chairman Councillor Mr T. Renouf noted the list of correspondence received by the Clerk since the last meeting held on the 16th June 2015.

632.9 STATION ROAD SEWERAGE ISSUES

The Clerk had circulated with the agenda paper the latest correspondence from Thames Water. Following a discussion the Chairman Mr T. Renouf advised that he had been in contact with WBC Planners to advise them that Thames Water have confirmed that the sewerage treatment works serving the village is not sufficient / lacked capacity and currently improvements to correct this were not a priority for them. He advised WBC Planners that this was a concern, particularly given, the potential for an additional 25 new houses being built in the village in the future.

Steve Brady, C/O 9 The Hampdens, Glendale Avenue, Wash Common, Newbury, Berkshire,
RG14 6TN. Tel: 07795631353
woolhamptonparishCouncil@hotmail.com

Meetings

James Spackman <[REDACTED]>
To: Elliott Wright <[REDACTED]>
Cc: Tony Renouf <[REDACTED]>

30 June 2015 at 17:31

I've copied to you the email I sent to Tony on Friday 26 June stating the agreed outcome of our meeting on Thursday 25 June.

Please can you explain why you did not confirm this in email as promised? Was this an oversight?

If you have any additions or amendments to this record, please can you send them in reply.

Specifically, I refer that:

You felt a claim of 'collusion' between Cllr Lovell and the member of the public would be overstating any case, as any relationship between the two is commonplace, you are not aware whether the member of the public has any political affiliation, you did not hear the subject of their conversation when they left the Hall to confer immediately prior to the start of the meeting, and did not see any hand gestures or other communication between the two during the meeting.

You described the member of the public as the 'second-most easy-going' parishioner, and commented I must have done "something to upset him" for him to behave so unusually. I noted the political nature of the comment, and described when I canvassed him during the recent local election campaign.

I accepted this does not comprise sufficient evidence of 'collusion', however questions remain about how the matter continues to be handled.

You described the fact that Tony is not on 'speaking terms' with several of his neighbours because of Thames Water issues. We agreed this isn't helped by his often authoritarian manner.

We discussed the relevant matter of the new Transparency Code for local councils. I noted a potential offer from a young local documentary filmmaker to record a 'year in the life' of the village, and asked you to gauge support for this.

I noted Tony asked me to tell the Landlord at the Angel that WBC consider the bus-shelter issue closed, and I met with the Landlord on Thursday 18th June at about 2pm. The meeting lasted approx. 5-6 minutes.

I informed the Landlord that the matter was closed, whereupon questioning I reported the discussion held at the WPC meeting on Tuesday 16th June and suggested he take legal advice on any further action.

I explained to the Landlord the 'potentially libellous' comment made by Cllr Lovell in the WPC meeting may stem from a general suspicion of on-going criminal activity of this sort on the premises, and suggested he should implement an anti-drugs policy.

We discussed several conversations between parish councillors on the subject, and you stated

you had witnessed a criminal transaction at the location which you had not reported to the Police.

The Landlord visited you on Saturday 20th June, and you had a conversation with him. You felt the reaction you experienced from him was unacceptable, which is why you'd asked to meet with me to ask about my conversation with him.

You asked how my meeting with the Landlord ended.

You described Cllr Hale's contributions to the parish and stated the 'only reason' he wished to remain on WPC is to represent the village on AWE LLC. I expressed willingness to accommodate, but stressed my unhappiness with the lack of report or any detailed response to questions at the meeting.

We both agreed that it had been a satisfactory meeting and you would write an email to Tony to this effect, copied to me, confirming a record of our conversation.

Have I missed anything?

Please can you tell me when you met with Tony to discuss the above conversation?

Please can you provide a record of the content of the conversation you had together?

Thanks in advance,

James

Meetings

Elliot [redacted]

30 June 2015 at 19:35

To: James Spackman <[redacted]>

Cc: Tony Renouf <[redacted]>

James, thanks for the mail; please note my email address of [redacted] as the one to contact me on.

James I have to say I'm not a big fan of long winded emails and having read yours suggest you, I and Tony should sit down when he returns from Holiday to resolve this if it will be of benefit.

I will say however I fail to see where you are going with this and honestly think you are showing a complete lack of judgement, maturity, and credibility

call me on [redacted] to discuss or pop by the shop.

Elliot Wright

Begin forwarded message:

From: Rosamund Wright [redacted]
Date: 30 June 2015 6:31:25 pm BST
To: [redacted]
Subject: Fwd: Meetings

Sent from my iPhone

Begin forwarded message:

From: James Spackman [redacted]
Date: 30 June 2015 17:31:31 BST
To: Elliott Wright [redacted]
Cc: Tony Renouf <[redacted]>
Subject: Meetings

[Quoted text hidden]

Meetings

Tony Renouf < >

2 July 2015 at 16:19

To: James Spackman 

Cc: "elliott.wright23" < >

James

In order for me to be able to respond when I return next week I would be grateful if you could forward the email you say you sent me on June 26th and a copy of the email in which I asked you to talk to the manager of the Angel about the bus shelter.

Tony

[Quoted text hidden]

Meetings

James Spackman <[REDACTED]>
To: Elliot [REDACTED]
Cc: Tony Renouf [REDACTED]

3 July 2015 at 14:00

Elliot,
Thanks for replying.

I don't understand. Why did you tell Tony any of that? It is the complete opposite of what we agreed and that's why you promised to confirm by email.

Please can you explain?

James Spackman

> On 1 Jul 2015, at 06:03, Elliot [REDACTED] wrote:

>

> James I told Tony that:

> 1) You thought [REDACTED]: Jack had planned together to attack you before the meeting.

> 2. That you thought [REDACTED] worked' for Jack.

> 3. You had been asked by Tony to talk to the Angel regarding the Bus Shelter and you took it upon himself to confer with them a conversation he had with Jack about them at the Douai fun day; in which you told them it was a den of iniquity etc.

>

> Points 1&2 I had hoped I'd clarified and put you right on. I didn't discuss anything else with Tony.

>

>

>

> Elliot Wright

>

>

>

>> On 30 Jun 2015, at 9:35 pm, James Spackman <[REDACTED]> wrote:

>>

>> Elliot,

>> I provided a written account of our meeting from the notes I made because Tony has threatened me on the basis of wholly inaccurate information received from the meeting with you at which you reported our conversation.

>>

>> I would like to know whether you reported an accurate account of our conversation, or whether he is depending on unsubstantiated reports to further some personal agenda.

>>

>> Do I take it you agree with the written account I provided?

>>

>> James Spackman

Meetings

Elliot [REDACTED]

3 July 2015 at 15:54

To: James Spackman [REDACTED]

Cc: Tony Renouf [REDACTED] <>

James As I said I'm not prepared to have an email debate about this but sit down with you and discuss or phone

what I said to Tony is what you said to me...unless in my old age I've become completely deaf and stupid which in your various emails you're basically accusing me of.

Elliot Wright

[Quoted text hidden]

Meetings

Tony Renouf [redacted]

5 July 2015 at 16:59

To: James Spackman [redacted]

Cc: Elliot [redacted]

James

I am now back and am disappointed, although not surprised, that you haven't sent me the two emails I have asked for on 2nd July.

Just to remind you, I asked for a copy of the email you told Elliot you had sent me on 26th June and the email from me asking you to talk to the Angel on behalf of the PC.

Tony

[Quoted text hidden]

Meetings

James Spackman [REDACTED]

11 July 2015 at 08:18

To: Tony Renouf [REDACTED]

Tony,

Please excuse the delay in replying. I don't think it is helpful to make any unnecessary assumptions.

Here is a copy of the email I sent you, to which you responded, and which caused you to visit Elliot whereupon he inaccurately reported the conversation I had had with him.

| On 25/06/2015, James Spackman [REDACTED] wrote:

| Dear Tony,

| Please accept my apology for not responding immediately.

| I've had chats with Steve and Elliot, and I accept I may have been knocked
| off balance by the nature and strength of the comment for the member of the
| public, and that this had an effect on my judgement for the rest of the
| meeting and subsequently.

| I'm glad that we now have an open channel of communication and look forward
| to working productively on using the website and village survey to
| productively engage the community.

| As a new parish councillor you will be aware of my inexperience and I hope I
| may count on your guidance to ensure future disruption of this sort can be
| avoided.

| Best wishes

| James Spackman

The second email is more mysterious.

The best way for you to check what you've sent is to look in the outbox on your email server. If you feel I've not received something you wish to refer to, I'd appreciate it if you could resend it.

However I've not indicated you did send such an email, you've indicated you did not, and it would have been both inappropriate and out of character for you to initiate communication like this, so it is a vexing question why you would make such a strange request.

Has somebody else mentioned this phantom email in another conversation you are having?

In the meantime, can I ask you to address the serious concerns I have raised with you?

If you feel unable for whatever reason, please could you confirm that the next step would be for you to contact the Monitoring Officer at West Berkshire Council?

If you would like me to provide a fresh list for reference I will endeavour to oblige.

Thanks in advance

James Spackman

[Quoted text hidden]

Meetings

Tony Renouf <[REDACTED]>

11 July 2015 at 10:26

To: James Spackman <[REDACTED]>

Cc: "elliot.wright23" <[REDACTED]>

James

Your email to Elliot on 30 June (copied to me) says "I've copied to you the email I sent Tony on Friday 26 June stating the agreed outcome of our meeting on Thursday 25 June." Clearly the email you have resent is not the one you are referring to.

On the second email there is no mystery. For you to claim, in the same email to Elliot, that I had asked you to speak with the landlord of the Angel, could only have been as a result of an email from me as I haven't spoken to you since the last meeting. Perhaps you misremembered.

I am happy to contact the Monitoring Officer - what do you want me to say to him?

Tony

[Quoted text hidden]

Meetings

Tony Renouf <[REDACTED]>

11 July 2015 at 13:06

To: James Spackman <[REDACTED]>

Cc: "elliot.wright23" <[REDACTED]>

James

I did not tell you at the end of the meeting to tell the Angel that WBC considers the matter closed since I was not sure that was still true as you had raised the possibility that they were negotiating on a non-reflecting roof. I was able to inform you that WBC's officer had confirmed that their position had not changed in my email to you of 17 June - it was not a request for you to talk to the Angel and couldn't possibly be construed as such.

I take it that you wish to make a complaint to the Monitoring Officer. It is your responsibility as the complainant to contact him after which he, or the investigator, will no doubt wish to speak to me.

[Quoted text hidden]

Meetings

James Spackman [REDACTED]
To: Tony Renouf [REDACTED]

12 July 2015 at 16:34

Tony,

If you feel I provided to the Angel an inaccurate report of the content of the email as you explained it, please will you forward a copy of that email so that any inaccuracies may be cleared up.

I'm glad you now say you didn't make any improper request to inform the landlord, however I'd like to express a fresh concern about your contradictory reasoning on this. You certainly did offer improper permission iterating your correspondence that I "may inform the Angel that WBC considers the matter closed" and you haven't explained how the facts at that point are changed by any subsequent action by the landlord.

I'm unsure why you think a complaint is in order or how to do this, as I have yet to receive a copy of the adopted code of conduct or any form of induction. This is despite the next meeting being the 12th since joining and having made several requests over this period and being reassured by yourself that any important information would be provided.

I am grateful for your advice on this as other matters, particularly as it is an area you specialise in, but if you are unwilling to give it please can you make sure you have provided all relevant documents.

Can you also confirm that all councillors have completed induction, and what this involves?

Thanks in advance
James Spackman

[Quoted text hidden]

Meetings

Tony Renouf <[REDACTED]>
To: James Spackman [REDACTED] >
Cc: "elliott.wright23" <[REDACTED]>

13 July 2015 at 18:06

James

I don't think what you say you said to the landlord was inaccurate.
Just that I didn't ask you to say it.

In order for me to attempt to answer the second paragraph, assuming it contains a question, can you please rewrite it in a less convoluted form that I understand.

All questions on procedure need to be addressed to the Proper Officer.

Tony
[Quoted text hidden]

Meetings

Tony Renouf [REDACTED]

14 July 2015 at 10:38

To: James Spackman [REDACTED]

Cc: Elliot [REDACTED]

James

Whilst accepting that this email is addressed to Elliot you have chosen to copy me in.

I can confirm that he told me precisely what he has told you. Any additional information I have is from you and has been revealed as a result of your inability to know when enough is enough. You need to stop asking irrelevant and impertinent questions about a private conversation I had with Elliot.

In my opinion, which I am ready to share with the Council, you are unfit to represent it and that you have jeopardised any future you may have thought you had as a Woolhampton Parish Councillor.

Tony

[Quoted text hidden]

Meetings

James Spackman [REDACTED]
To: Tony Renouf [REDACTED]

15 July 2015 at 09:36

Tony,

I have not questioned the accuracy of Elliot's report of his conversation with you, I have shown you that what he told you was untrue. He has not explained the discrepancy.

As I understand it, although you have not provided relevant documents as advised, and I therefore don't know what provisions it contains for recourse, this is clearly contrary to the seven Nolan principles and constitutes a breach of standards on his part.

I also understand that conversations between representatives about council matters are covered by the code, are therefore not private, and I, as anyone, have a reasonable expectation to receive accurate and timely answers, particularly when I am the subject.

I suggest it would be appropriate for you to consider suspending Elliot as Vice Chair while you consider whether the code of conduct requires you to file a complaint against him.

I have also raised a number of pertinent concerns about your stewardship of the council, to which you have not responded.

Thank you for your opinion, may I urge your next response is in accordance with normal guidance.

In light of the nature of the matter I consider such remarks amount to threats, contributing to the overall perception that the parish council is used as a political forum.

Please will you send me - by the end of the day - a copy of the adopted Code of Conduct so I may discover what obligations I am under?

Thank you in advance
James Spackman
[Quoted text hidden]

(no subject)

Steve Brady <[REDACTED]>
To: "Tony Renouf ([REDACTED])" <[REDACTED]>
Cc: "stephenpaulbrady@[REDACTED]" <stephenpaulbrady@[REDACTED]>

22 July 2015 at 12:56

Hi Tony

I have done a little bit of research.

James has stated that the alleged defamatory statement was not made at a parish council meeting but in a private discussion with JL at Douai. Whilst both JL and JS are Councillors they are also members of the public. From what I have read, (I have not spoken to DH at WBC yet) I think the following things need to be established:

1. Was the alleged remark made
2. Who made it
3. Where was it made
4. In what capacity was it made (Councillor or public)
5. In front of who – can it be verified?
6. Who 'publically' reported it?
7. In what capacity (Councillor or public) – is this a matter for the Parish Council or is it a private matter
8. Who did they report it to
9. Does this person have the right of address to slander

Having ascertained this, the following 'general' rules apply to a Parish Council / Councillors:

Can a local council be liable for making a defamatory statement?

A local council may be liable as a publisher of libel in any of the following cases if:

- it directly authorises the making of a defamatory statement (e.g. in the words of a resolution reproduced in its minutes); - **Did not**
- it authorises a member or instructs an officer to write a letter etc in terms which are defamatory; - **Did not**
- **a member or an officer is given general authority to express the council's views on a matter and does so in defamatory terms; and – Did not the council has not expressed a view**
- a council cannot, in itself, be liable for slander, since acts which constitute slander can only be carried out by living persons. Thus the making of a slanderous remark by a councillor at a council meeting will result only in personal liability on the councillor – **Did not**. However a slanderous statement by a council employee, acting in the course of his employment, will make the employing council liable.

Two Main Defences

Qualified Privilege

The defence of qualified privilege can arise from statute or in common law. Pursuant to schedule 1 of Defamation Act 1996, fair and accurate reports of proceedings at a public meeting of a local authority (which includes local councils) have qualified privilege without explanation or contradiction. This means it is not possible to sue for defamation unless it can be proved that the statement was made with improper motive or malice. In the case of reports of local authority proceedings anyone who considers he has been defamed has a right to have the newspaper publish his explanation or contradiction.

At common law, the defence will apply where a person making a defamatory statement has an interest or a legal, social or moral duty to make it to the person to whom it is made, and the latter has a corresponding interest or duty to receive it. Qualified privilege will normally attach also to statements (both written and oral) made by local councillors or council staff in the course of their official duties, and for the purposes of council business, provided that the statements are made in good faith and without any improper motive. Qualified privilege can only be destroyed if the defendant is proved to have been actuated by spite or ill-will. So long as a person believes in the truth of what he says and is not reckless, malice cannot be inferred from the fact that his belief is unreasonable, prejudiced or unfair. A leading case on the defence of qualified privilege (which arose out of remarks made by an alderman of Bolton corporation at a council meeting) is *Horrocks v Lowe* [1974] 1 AER 662. The facts are of no particular relevance to this Note, but the following words of Lord Diplock in this Court of Appeal case are worth reproducing in full - My Lords, what is said by members of a local council at meetings of the council or of any of its committees is spoken on a privileged occasion. The reason for the privilege is that those who represent the local government electors should be able to speak freely and frankly, boldly and bluntly, on any matter when they believe affects the interests or welfare of the inhabitants. They may be swayed by strong political prejudice, they may be obstinate and pig-headed, stupid and obtuse; they were chosen by the electors to speak their minds on matters of local concern and so long as

they do so honestly they run no risk of liability for defamation of those who are the subjects of their criticism." The words can also be applied to written communications sent by a local council in the course of official business.

Fair comment

This defence differs from qualified privilege in that (a) it is available to anyone, whether or not he has a duty or interest to communicate to another person and (b) it only applies to expressions of opinion, not to statements of fact. The essentials of the defence are that the expression of opinion in question relates to a matter of public interest, is based on facts which are truly stated and is a fair and honestly held comment on those facts.

A comment is fair if it is one a person could honestly make it on the facts in question, however prejudiced or obstinate he may be. Examples of matters of public interest are: decisions of magistrates, speeches and attitudes of politicians, court proceedings and the proceedings of public bodies (including local authorities).

The defence of fair comment is primarily of use to journalists and others who report on public affairs.

Implications for local councils

Local councils, councillors and council staff will be able to take advantage of the appropriate defence(s) if threatened with a defamation action. In particular, those of qualified privilege and fair comment will often be relevant. However, care should always be taken not to make statements which might be defamatory; if in doubt, they should consult with NALC before taking any action. The same care should be exercised before publishing statements made by others, e.g. by reading out letters from parishioners at council meetings or reproducing complaints etc verbatim in the minutes of a meeting. Where potentially defamatory matter needs to be reported or recorded then so far as possible only the gist of it should be included in report or minute, so as to exclude publication of defamatory matter.

A distinction must be drawn between statements etc. made by councillors in their public and private capacities. A defamatory statement made in a private capacity may not attract any of the defences specified above, especially that of qualified privilege.

Insurance

Pursuant to Article 6(3) of the Local Authorities (Indemnities for Members and Officers) Order 2004 (SI.3082), a council is now able to provide indemnity to members and officers in order to allow them to defend a defamation action. An indemnity cannot be provided for the

Court Proceedings

If court action in respect of defamation is threatened, the parties to the claim will need to comply with "Pre-Action Protocol for Defamation" published by the Ministry of Justice. The protocol forms part of the Civil Procedure Rules and can be accessed via the MoJ's website: <http://www.justice.gov.uk/>

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(no subject)

Tony Renouf [REDACTED]
To: Steve Brady [REDACTED]
Cc: "stephenpaulbrady@[REDACTED]" <stephenpaulbrady@[REDACTED]>

22 July 2015 at 13:34

Ye gods!

In his 30th June email to Elliot, copied to me, he says

"I explained to the Landlord the 'potentially libellous' comment made by Cllr Lovell in the WPC meeting may stem from a general suspicion of on-going criminal activity of this sort on the premises, and suggested he should implement an anti-drugs policy".

Whether he heard the remark at Douai, as Elliot says, or in the council meeting which he claimed in his email makes little difference. He clearly told the landlord it was in the meeting. As to whether the remark was actually ever made to him anywhere must be open to doubt. ie is he just making trouble for Jack?

He continued to insist that he only met the landlord at my request, although on the matter of the shelter.

Regards
Tony

On 22/07/2015, Steve Brady [REDACTED] wrote:

>
>
> Hi Tony
>
>
>
> I have done a little bit of research.
>
>
>
> James has stated that the alleged defamatory statement was not made at a
> parish council meeting but in a private discussion with JL at Douai. Whilst
> both JL and JS are Councillors they are also members of the public. From
> what I have read, (I have not spoken to DH at WBC yet) I think the following
> things need to be established:
>
>
>
> 1. Was the alleged remark made
>
> 2. Who made it
>
> 3. Where was it made
>

(no subject)

Steve Brady <[REDACTED]>
To: Tony Renouf <[REDACTED]>

22 July 2015 at 14:21

Hi Tony,

This email is confusing? Who is the 'he' in point 2?

On 1 Jul 2015, at 06:03, Elliot <[REDACTED]> wrote:

James I told Tony that:

- 1) You thought <[REDACTED]> Jack had planned together to attack you before the meeting.
2. That you thought <[REDACTED]> worked' for Jack.
3. You had been asked by Tony to talk to the Angel regarding the Bus Shelter and you took it upon himself to confer with them a conversation he had with Jack about them at the Douai fun day; in which you told them it was a den of iniquity etc.

Points 1&2 I had hoped I'd clarified and put you right on.
I didn't discuss anything else with Tony.

Elliot Wright

[Quoted text hidden]

> https://protect-eu.mimecast.com/redirect/eNpVzLEOwjAMBNB_8VxcqQiGTiB-o
> 0vrWiFA6shxGiHEv-OV8U7v7gN5JhjhdxfxN0oByibN5kFWOyA1dMMTHNxZakOaFaTBI
> ryep_U8rmuRjvjlV06_tSZGflGDYUDVifmJcYRw6qPpyfDfL49RPWsNH34ciTHI7nbq4fsDGvs0pQ
>
>
>

(no subject)

Tony Renouf 

22 July 2015 at 15:16

To: Steve Brady <

Steve

Do you mean point 3? It is confusing agree. having reread it I would say Elliot meant was

". . . you took it upon YOURSELF to confer with them a conversation YOU had"

Just badly written!

[Quoted text hidden]

(no subject)

Tony Renouf [REDACTED]

23 July 2015 at 15:28

To: "Steve.brady" [REDACTED]

Steve

You are right - as always! I finally had a light bulb moment!

Even if Jack did say what James alleges, which I am sure he will deny, then we are confident it didn't happen in the PC meeting. Therefore, as you have said, it is strictly nothing to do with the PC. By raising the matter with the Angel landlord James has just as likely slandered Jack but in any case it is between them. What is clear is that James has brought the Council into disrepute.

Regards

Tony

[Quoted text hidden]

Confidential minutes

632.5 PLANNING

(a) Planning Applications

APPLICATION NO: 15/01334/HOUSE
APPLICANT Beenham Lodge
LOCATION Cods Hill, Becnham
PROPOSAL Demolition of entry/stepped access to upper level and replacement with new porch way for entry to ground floor of residence. New driveway crossover retaining existing at bottom of site for agricultural purpose.

DECISION Support.

(b) WBC Planning – Case Officer Reports:

None

632.6 DISTRICT COUNCILLOR MR DOMINIC BOECK

District Councillor Mr Dominic Boeck was welcomed to the Council by the Chairman Councillor Mr T. Renouf. District Councillor Mr Dominic Boeck then presented his report which is attached to these minutes. District Councillor Mr Dominic Boeck invited questions and was asked for an update with respect to any future budget cuts for mental health services for under 16yrs. It was reported that this area was outside of his Executive portfolio and that he would investigate. An update on superfast broadband was also provided.

632.7 STATEMENTS AND QUESTIONS FROM THE PUBLIC

- (a) The council were asked to comment upon alleged remarks made by a Parish Councillor at the last Parish Council meeting which could be considered slanderous in relation to the Angel Inn. The Chairman Councillor Mr T. Renouf advised that this was the first time that the council had been made aware of this concern. Not all members were present / available and consequently it could not respond tonight. The council would want to investigate and report back. It was agreed that a meeting to progress this matter would be arranged.
- (b) The council were informed of an overgrown hedge / tree on Woolhampton Hill near the former Falmouth Arms.

632.8 CORRESPONDENCE RECEIVED

The Chairman Councillor Mr T. Renouf noted the list of correspondence received by the Clerk since the last meeting held on the 16th June 2015.

632.9 STATION ROAD SEWERAGE ISSUES

The Clerk had circulated with the agenda paper the latest correspondence from Thames Water. Following a discussion the Chairman Mr T. Renouf advised that he had been in contact with WBC Planners to advise them that Thames Water have confirmed that the sewerage treatment works serving the village is not sufficient / lacked capacity and currently improvements to correct this were not a priority for them. He advised WBC Planners that this was a concern, particularly given, the potential for an additional 25 new houses being built in the village in the future.

Steve Brady, C/O 9 The Hampdens, Glendale Avenue, Wash Common, Newbury, Berkshire,
RG14 6TN. Tel: 07795631353
woolhamptonparishCouncil@hotmail.com

Confidential minutes

636.22 COUNCILLORS' COMMENTS

- (1) Councillor Mr G. Hale asked if the Council knew who owned the bank of land adjacent to Kennet Orley Cottage. The Clerk advised that previously WBC highways had stated that this land belonged to Kennet Orley.
- (2) Layby Rising Sun. It was reported that the garage were using this as an overflow car park.

Given that there were no members of the public still in attendance at this time. The Council agreed that it would resolve the issue relating to the approval of a minute in respect of the Part Two Meeting held on 18 August 2015.

636.23 APPROVAL OF PART 2 MINUTE OF THE MEETING HELD ON 18 AUGUST 2015

The Clerk advised the Council that the draft minute circulated with the November agenda (solely to the members of the Council) was designed to provide a high level overview of the Part Two meeting that was held on the 18 August 2015. He confirmed that to date, a minute of this meeting had not been approved by the Council. He reminded members that he had withdrawn his original minute that was circulated with the September agenda papers, as upon reflection he considered that the minute was too detailed. There then followed a discussion. The Clerk confirmed that the draft minute circulated with the November agenda papers was different to that circulated with the October 2015 agenda papers. He advised that his aim was to balance the need for transparency with privacy in his recording of the meeting of 18 August 2015. The members present stated that whilst they acknowledged the Clerks aim, they considered however that the draft minute circulated in September 2015 best recorded the discussion and outcome of the August 2015 meeting. As a result, the minute circulated with the September 2015 agenda papers, was approved as the record of the Part Two meeting held on 18 August 2015.

Meeting Ended: 8.45PM

APRIL 2016

be presented to the Council, if in agreement, the Council may waive the minimum quote requirement. The justification should be recorded in the minutes of the Council.

- (b) Grounds Maintenance Quote. The Chairman Councillor Mr T. Renouf advised the meeting that he had been contacted by AD Clark Ltd in order to renew their Grounds Maintenance contract. Following discussions with the Clerk, he had sought a three fixed price quote. It was noted that in 2015/16, AD Clark Ltd were the only company willing to quote and at the time, their quote was lower than the existing contractor. Following a discussion and in light of the revision to Financial Regulation 4.7.2, the Council agreed to waive the minimum two quote requirement. The Clerk confirmed that the quote submitted was in budget. The quote was then accepted and AD Clark Ltd were appointed as the Council's grounds maintenance contractor for next three years.

640.21 COUNCILLORS' COMMENTS

- (1) The Vice Chairman Councillor Mr E. Wright advised the meeting that a small hole has appeared on Woolhampton Hill, north of Victor Place. This has caused the road surface to break up.
- (2) The Vice Chairman Councillor Mr E. Wright advised the meeting that this coming weekend, the annual Devizes to Westminster Canoe Race was being held. Given this, additional traffic could be expected on Station Road and Angel Mead.
- (3) Councillor Mr G. Hale advised that a local resident had tripped on a hole in St. Peters churchyard. Following a discussion it was agreed that the matter would be reported to Mr Charles Davidson and Mr Malcolm Large.
- (4) The Chairman Councillor Mr T. Renouf advised the meeting that in May, the Council is required to hold its Annual Assembly. He therefore proposed that the Assembly be held on same evening as the regular May meeting. Following a discussion this was agreed. The Annual Assembly would commence at 7.30pm and would be followed by the Parish Annual General Meeting which would then be followed by the regular May meeting.
- (5) The Chairman Councillor Mr T. Renouf asked Councillor Mr J. Spackman, given that he was not present at the February meeting, if he had, as recorded in the February minutes (638.16(4)) reported the Council to the Monitoring Officer. Councillor Mr J. Spackman stated that the minute was incorrect and that he had stated in February that he was considering reporting a concern to the Monitoring Officer. The Chairman Councillor Mr T. Renouf disputed this and stated that the minute was correct and had been approved as being correct. He then asked Councillor Mr J. Spackman if he was intending to report a concern to the Monitoring Officer. Councillor Mr J. Spackman stated that he was still taking advice. The Clerk asked Councillor Mr J. Spackman to confirm what his concern related to. Councillor Mr J. Spackman stated that it was in relation to the Part Two minutes of the August 2015 meeting. There followed a discussion following which the Clerk advised that in order to resolve any governance concerns he would include on the next meeting agenda, an item, entitled 'Governance'

Meeting Ended: 8.40PM

**Steve Brady, C/O 9 The Hampdens, Glendale Avenue, Wash Common, Newbury, Berkshire,
RG14 6TN. Tel: 07795631353
woolhamptonparishCouncil@hotmail.com**

JAN 2016

Expenditure Budget 2016/17

Expenditure Item	£
Clerks Gross Salary	3,470.00
Rent Station Road	50.00
PWLB – Loan (Village Hall)	2,267.00
Insurance	1,900.00
Grounds Maintenance – Precept	3,200.00
Administration	665.00
Water – Allotments	75.00
Internal Audit Fee	250.00
External Audit Fee	150.00
WBC Contract re: Playground Inspections / Bin Emptying & Cleaning	500.00
Website Support Package and Back-up	510.00
S137 Payments (CE School: £200 & Chapel Row: £400)	600.00
Village Hall	800.00
Recreation – Douai Project General Donation	1,000.00
Burial Ground – St Peter's Church	400.00
Village Bus Shelter Cleaning	450.00
War Memorial Fund	100.00
Salt/Grit	600.00
General Contingency	1,000.00
Total	17,987.00

638.16 COUNCILLORS' COMMENTS

- (1) Councillor Mr J. Spackman advised that water was running onto the highway near the bus stop opposite Cosy Cottage. He understood that this was because the ditch that runs around Sun Hill had not been cleared out for some time.
- (2) Councillor Mr J. Spackman advised that more trees had fallen near the footpath onwards from the wooden bridge. The Vice Chairman Councillor Mr E. Wright advised that this was on Wasing land and that he would report it to them.
- (3) Councillor Mr M. Large advised that there were currently two allotments un-let. He stated that he had been asked by two people if they could rent these, whilst they had a long connection with the village, they were not Woolhampton residents and currently as the rules are written, they are excluded from renting an allotment. He asked if this rule could be re-visited. All members present agreed that the rule should be amended to allow individuals with a connection to Woolhampton to be allowed to rent one of its allotments. The Clerk advised that whilst all members agreed to the rule change it needed to be subject to an agenda item. He agreed to include this item on the agenda of the next meeting.
- (4) The Chairman Councillor T Renouf asked Councillor Mr J Spackman if he wished to clarify/expand upon his two objections (to the Part 2 minutes) that had been included by the Clerk in the December minutes at 637.3 re: (I) "Item 1 does not include reference to the decision regarding reporting of parish council meeting, or my objections to this" At the meeting tonight those Members who had been present at the Part 2 meeting advised the Clerk that the reporting of parish council meetings was not discussed. (II) Item 2 does not state the three conditions to be placed upon appointees from WPC to outside bodies (that regular reports would be timely, accurate and relevant with specific mention requesting from LLC about expected road closures and traffic disruption resulting from AWE work). At tonight's meeting those Members who had been present at the Part 2 meeting advised the Clerk that no conditions were discussed or placed on the appointee. In responding, Councillor Mr J Spackman advised the meeting that he had today made a complaint to the Monitoring Officer and that he would respond upon obtaining a ruling. He advised that in reporting the matter he sought clarity and that his action should be seen in that light.

Steve Brady, C/O 9 The Hampdens, Glendale Avenue, Wash Common, Newbury, Berkshire, RG14 6TN. Tel: 07795631353
 woolhamptonparishCouncil@hotmail.com

DEC 2015

WOOLHAMPTON PARISH COUNCIL

At a Parish Council meeting on Tuesday 15th December 2015 held at the Village Hall, Woolhampton.

PRESENT

Councillor Mr T. Renouf (Chairman)
Councillor Mr E. Wright (Vice Chairman)
Councillor Mr G. Hale
Councillor Mr J. Spackman
Councillor Mr M. Large

Also Present

'2' Number

Meeting Commenced: - 7.30PM

637.1 APOLOGIES

Councillor Mr J. Lovell

637.2 MATTERS OF INTEREST IN AGENDA ITEMS

Personal Interests

The Chairman Councillor Mr T. Renouf declared a personal interest in respect of Item 637.10.

Prejudicial Interests

None

637.3 APPROVAL OF MINUTES OF MEETING HELD ON 17 NOVEMBER 2015

The minutes of the Parish Council meeting held on Tuesday 17 November 2015 having been previously circulated, were taken as read, confirmed and signed subject to the following: (1) 636.23 – the Clerk advised that the minute should record that the Council had approved the Part Two minutes circulated to Members in October 2015 and not September 2015 as stated. Councillor Mr James Spackman advised that he had objections to these minutes which he would have raised if he were present at the November Parish Council meeting. Following a discussion it was agreed that Councillor Mr James Spackman would forward his objections to the Clerk for recording in the minutes of the December meeting. The following objections have been received by the Clerk: (1) Item 1 does not include reference to the decision regarding reporting of parish council meetings, or my objections to this. (2) Item 2 does not state the three conditions to be placed upon appointees from WPC to outside bodies (that regular reports would be made timely, accurate and relevant – with specific mention requesting from LLC about expected road closures and traffic disruption resulting from AWE work).

637.4 MATTERS ARISING OF MEETING HELD ON 17 NOVEMBER 2015

- (a) Spring, New Road Hill; the Clerk advised that WBC Highways had asked that they be informed when the spring were 'flowing' on the road surface of Woolhampton Hill in order that they could undertake a meaningful investigation.
- (b) Environment improvement signs; the Clerk advised that he has to date not installed the signs on site.
- (c) Salt Bin Orchard Close; the Clerk, Councillor Mr E. Wright and a member of the public present agreed to liaise outside of the meeting to arrange for the new salt bin to be placed on site and for it to filled up with grit by WBC.

Steve Brady, C/O 9 The Hampdens, Glendale Avenue, Wash Common, Newbury, Berkshire,
RG14 6TN. Tel: 07795631353
woolhamptonparishCouncil@hotmail.com

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Tony Renouf <parenouf@googlemail.com>

Woolhampton Sewage Plant

4 messages

Tony Renouf <tony@renouf.me.uk>
To: derek <derek@midghamparish.co.uk>

16 December 2015 at 10:32

Dear Derek

In late October I copied you into a letter to Gary Lugg setting out the Parish Council's requests with regard to the long running sewage leakage problems in Station Road. Cllr James Spackman reported to our meeting last night that you consider the letter to be 'silly'.

I would be grateful if you could explain, and perhaps expand upon, that opinion and how it might influence your Parish Council's response to a future planning application in Midgham that could impact on the welfare of some Woolhampton residents.

Regards
Tony

DEREK LOMBARDO <dereklobardo@btinternet.com>

6 January 2016 at 13:16

Reply-To: dereklobardo@btinternet.com
To: tony@renouf.me.uk
Cc: angela@midghamparish.co.uk

Dear Tony, sorry about the late reply, but my computer put your email into my spam folder. Yes I do recall your letter to Gary Lugg, but I am a little bit annoyed and surprised at James stating that I considered the letter to be "Silly".

I do not recall saying that the letter was "silly" and have also telephoned our Clerk just to confirm. May I therefore ask you to question James Spackman, for the reasoning I considered the letter "Silly" However, the letter was discussed at our meeting and it was agreed that our Clerk would reply to you, please see copy of our minutes of the meeting item 9.

Best regards Derek Lombardo

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

From : tony@renouf.me.uk
Date : 16/12/2015 - 10:32 (GMTST)
To : derek@midghamparish.co.uk
Subject : Woolhampton Sewage Plant
[Quoted text hidden]

 **8 Dec 2015 Minutes _1_.pdf**
40K

Tony Renouf <parenouf@googlemail.com>
To: Elliot <elliott.wright23@gmail.com>
Cc: Steve Brady <steve.brady@sovereign.org.uk>

6 January 2016 at 14:05

637.9 DOMESTIC WASTE (LITTER BIN LOCATED NR. THE ROWBARGE PH)

The Clerk advised that WBC Cleaning Services have again raised concerns relating to 'domestic' rubbish being placed in the Parish Council's litter bin, near the Rowbarge. There then followed a discussion and it was noted that the bin is located near the busy mooring area. It was preferable that any rubbish arising from mooring boats be placed in a litter bin than be fly-tipped. WBC should be asked to install an additional bin in the area or should refer the matter to the Canal Trust who 'control' the boat moorings.

637.10 MILLSTREAM STATION ROAD

The Chairman Councillor Mr T. Renouf advised the Council that following concerns previously raised by a resident in Station Road (February 2015) regarding the lack of flow in the millstream (also raised with WBC) a number of discussions had taken place between WBC, Network Rail and Thames Water, but to date, none of these discussions had resulted in any firm proposals being agreed. He advised that one possible solution has been identified that would require Parish Council support and funding, including legal costs, associated with a small piece of land being transferred to the Council. Given that this matter would be subject to possible future legal discussions he could not discuss any detailed proposals at his stage, but in order to explore these further, he sought an agreement in principle, that the Council supported efforts to improve the flow of the millstream and for him to liaise with relevant parties to explore a possible Parish Council led solution. If agreed, a future report would be presented to the Council for formal consideration. Following a discussion, the Council agreed that it supported efforts to improve the flow of the millstream and agreed that the Chairman Councillor Mr T. Renouf could explore further, all options that could achieve this.

637.11 STATION ROAD SEWERAGE ISSUES

Chairman Councillor Mr T. Renouf advised that Thames Water, despite having previously stated that they did not know the addresses of the alleged six properties in the village that were providing for rain water to inflow into the foul sewerage network, have advised WBC of these. The Chairman Councillor Mr T. Renouf also advised that he continues to liaise with WBC's Head of Planning with regard to his responses to date, over the Council's request, that planning conditions be used to prevent additional pressure being created on the foul sewer system through new development, that is until its capacity has been increased. Councillor Mr J. Spackman noted his disappointment that he had not been copied into the letter sent to WBC's Head of Highways and Planning and to a number of adjoining Parish Councils including Midgham, given his role in neighbouring parish council liaison. He stated that at the last Midgham Parish Council meeting the letter was discussed and was described by their Chairman as being silly and that the planning conditions, as requested by Woolhampton Parish Council, could not be applied by the District Council. Given that he had not seen the letter, he could not defend the Council's position. There then followed a discussion. Councillor Mr J. Spackman was asked to expand on the comments made by the Midgham Parish Council Chairman and in particular why he considered the letter to be silly. The Chairman Councillor Mr T. Renouf agreed to contact the Midgham Parish Council Chairman to discuss the matter.

637.12 UPDATE VILAGE HALL COPSE

The Chairman Councillor Mr T. Renouf advised that works on the Copse had just about been completed. He advised that there would be further work associated with maintaining the area and in particular making sure any unsafe trees were removed as necessary. The Clerk advised that this work could be funded via S106 monies currently held by the Council.

637.13 UPDATE AWE LLC

The Councillor Mr G. Hale provided an update on the last AWE LLC meeting. In particular he advised that it was reported that the on-going highways work around the site, which is giving rise to local traffic issues, is expected to be completed by 31st March 2016.

Steve Brady, C/O 9 The Hampdens, Glendale Avenue, Wash Common, Newbury, Berkshire,
RG14 6TN. Tel: 07795631353
woolhamptonparishCouncil@hotmail.com

WOOLHAMPTON PARISH COUNCIL

Mr G Lugg – Head of Planning & Countryside
West Berkshire Council
Council Offices
Market Street
Newbury
Berkshire
RG14 5LD

Chairman Councillor Mr T. Renouf
Woolhampton Parish Council
Millside
Station Road
Woolhampton
Berkshire
RG7 5SQ

27th October 2015

Dear Gary

For at least a decade some properties in Station Road have experienced sewage flooding into their gardens whilst others have suffered toilet use restriction due to ingress of surface water into the sewer during heavy or prolonged rainfall.

In an email (3 June 2015) following a Sewage Pumping Station Study, Thames Water stated that *“Investigations to date have identified that Woolhampton Sewage Works is unable to handle additional flows. This means that a viable solution (to the Station Road problem) needs to take into account the need to incorporate, not only upgrades to our waste water pipework, but to the Pumping Station and Treatment Works as well”*. The Parish Council regards this statement as recognition by Thames Water that the sewage pumping station covering Woolhampton and parts of Brimpton is therefore currently insufficient.

Unsurprisingly, Thames Water goes on to say *“Regrettably, but equally as one might expect, the overall cost of up-sizing our infrastructure in this way is considered to be much higher than benefit”*. Therefore whilst Thames Water recognises that the sewage pumping station is insufficient they currently do not propose to do anything about its shortfall in capacity regardless of the impact that on occasions this has on residents in Woolhampton including health and safety concerns.

Over the last few years Thames Water has undertaken regular sewer cleaning, repairs to manholes at ingress locations and is continuing to monitor sewage flows. It has also identified six properties, about which they have informed West Berkshire Council, that have illegal connections of the roof water to the sewer. According to the Consumer Council for Water (email 21 August 2015) *“One roof misconnection can produce in a typical annual event the equivalent to peak waste water flows from 100 houses, creating significant performance problems in the foul sewer”*. We have yet to identify the addresses of these six properties or how, given the role of building control, this situation has been allowed to develop.

As you are aware, Thames Water's response to application 15/02412 (land adjacent to Victoria Park) has been to request a 'Grampian Style' condition *“because the development may lead to sewage flooding”*. The Parish Council considers this to be an indication that Thames Water recognises that a problem exists that needs to be resolved rather than ignored.

There are two other current applications in Woolhampton, 15/02453 (The Rising Sun) at which site there is no main sewer connection and 15/02482 (Brooklawn) to which Thames Water has not objected.

The Consumer Council for Water also states that *"The lack of enforcement by the Planning Office is causing a problem downstream, and I would suggest that the Council needs to take action to fulfil its duty of care to the households that suffer as a result of these illegal connections"*.

The purpose of this letter is to request that all current and future developments in Woolhampton and in those parts of Brimpton and Midgham parishes that drain into the Woolhampton Treatment Works should only be granted subject to a strict condition being applied whereby an on-site biodigester treatment is used. This policy to remain in place until the misconnections are rectified and proven to have materially reduced the incidence of sewage flooding and toilet use restriction in Station Road.

Moving forwards, the acknowledged deficit in capacity of the current Woolhampton Treatment Works clearly has longer term implications for any future housing arising from the draft WBDC Development Plan Document which is being presented to Full Council on 5th November 2015. Given this, Woolhampton Parish Council wishes to enlist your support and help to ensure that Thames Water fulfils its statutory duties to provide Woolhampton with a sewage system that meets demand /capacity.

Yours sincerely

Tony Renouf
Chairman Woolhampton Parish Council

CC: Councillor Mr C Brims - Chairman Brimpton Parish Council
Councillor Mr D Lombardo - Chairman Midgham Parish Council
Councillor Mr D Bueck - Aldermaston Ward Member, WBDC

MIDGHAM PARISH COUNCIL

21 Swan Drive, Aldermaston. RG7 4UZ email – angela@midghamparish.co.uk

Minutes of the Meeting of Midgham Parish Council held on 8 December 2015

Present were Mr D Lombardo (Chairman) (DL) Mr Anthony Fenn (AF)
Mr John Upham (JU) Mrs A Spoor (Clerk)
Mrs H Hutchins (HH) Plus 3 members of the public

1. **Apologies for absence** - Mr D Boeck (DB) due to prior commitments and Mrs J Caiger-Smith feeling unwell.
2. **Declarations of interest** - None
3. **Minutes of the previous meeting** held on Tuesday 27 October 2015 were duly agreed and signed.
4. **Matters arising** - Salt bins – Consultation re proposals that 'grit bins will no longer be provided and refilled by the council. It will be a matter for town and parish councils to decide whether they would like to fund additional bins, or the refilling of existing bins from November 2016'. Matter discussed at length. Clerk to respond to consultation expressing disgust at the proposal. Bins are located in the following sites: Birds Lane garden, Corner of New Road Hill and School Hill, On school hill on brow of hill just before T junction before M Inwood's, Church Hill by Nursery Copse. It was felt that: grit bins are critical to Midgham due to steep road access to village, essential not luxury. Huge issue re Church Hill water drainage problems. James Spackman (JS is a P/Councillor for Woolhampton) mentioned there was talk of neighbouring parishes working together if/when proposals happen. **ACTION: Clerk to respond and cc to Dist Cllr DB**

Defibrillators: DL spoke to Kevin Jury following last months decision not to change the phone box. The real issue is that more Responders are needed.

Hatched area on the A4 by the Berkshire Alms no longer allowed refuge for road from Midgham Marsh – this has been altered to allow mid road refuge..

Coach and Horses: HH reported that it had been on the market for 6yrs.

5. **District Councillors report** – not present. Clerk read report from Aldermaston meeting referencing Salt bins and Local school transport issues. JS advised that DB had taken on responsibility for Property and Broadband
6. **Appointment of Trustee for Thatcham Parochial Charities** – It was resolved that Mrs Prue Fenn be appointed as a trustee of the charities as the Midgham Parish Council representative.
7. **Speeding on Brimpton Road** – Following the meeting with Mark Edwards from WBC highways it was advised that the vegetation across the road from the cottages would be cut back. This has not been done. HH advised that the drains have been sucked out. **ACTION: Clerk to chase ME** JS advised that AWE had agreed to pay compensation to the community for the disruption caused by the numerous road closures, possibly a SID device. It was felt that this may help the speeding issues on Brimpton Rd. **ACTION: Clerk to make contact with Brenda Harding re liaison with AWE**
8. **Parish Council website** **ACTION: Clerk to make contact with Steve Russell**
9. **Woolhampton Treatment Works** – Clerk circulated a copy letter from Mr T Renouf, Chairman of Woolhampton re treatment works requesting that all current and future developments in the parishes that drain into these works only be granted subject to a strict condition being applied whereby an on-site biodigester treatment is used. The issue was discussed and agreed that all such applications would obviously take into consideration such matters. **ACTION : Clerk to reply to Tony Renouf**
10. **Historic footpaths** – no contact. JU will continue to monitor

11. **Church Magazine** – HH put in an article advising vacancy – no responses

12. **Public time:** Robert Pike from Birds Lane asked for an update on the drainage issues/leak from Nursery Cope on Church Hill and wanted to know why nothing had happened. **ACTION:** Clerk to again raise this with WBC and add to the consultation re Salt bins as this has a direct impact on the need for a salt bin in this vicinity. HH to raise issue with John Bowden and discuss the possibility of digging a ditch to redirect the water to the drain.
Di Hibberd asked how many workers WBC has as the verges don't seem to have been cut as frequently.

13. **Clerks' report:** Financial statement: C/A £1868.23 cr D/A £8046.93

Clerk advised that £29.99 was paid for domain name for next 3 yrs.

No Invoices due this meeting

Clerk advised that she would be circulating details of the budget in preparation to set the Precept for 2016/17 and requested that Councillors consider this prior to the next meeting.

Clerk also requested that Councillors consider Plans for 2016 in preparation for the January meeting – initial thoughts – Tree survey/Communications

14. **Planning** Clerk advised the following:

Planning Applications – None

Planning Appeal: Church View Farm 15/01390/HOUSE – Appeal determined by written representation.
SUBSEQUENTLY WITHDRAWN

Planning Decisions

Application for prior approval – 15/02582/PACOU Kennet Holme Farm, Bath Road – *No comments can be made, decision made based on criteria set out in Town & Country Planning Order (General Permitted Development).* **AWAITING DECISION**

Application for prior approval – 15/02406/PAD56 Brimpton Road Bridge, Midgham – for permitted development under Part 18, Class A of Schedule 2 to the Town & Country Planning (General Permitted Development). Proposed development: Works to increase height of bridge parapets to 1.8 metres **GRANTS FOR APPROVAL**

15/01997/FULMAJ – Former Hewden Site and Old Gullivers Site to South West – Retrospective : Siting of 12 mobile homes for road maintenance workers. **AWAITING DECISION**

15/02593/FUL – Midgham Croft Cottage - Section 73. Removal of Condition 3 – Code for Sustainable Homes of approved reference 13/02955/FUL. Demolition of house and outbuildings. New four bedroom house, reconstruction of garage and store to form studio. . **AWAITING DECISION**

15. **Correspondence**

- Rodger Bradley – Midgham School 1950s **ACTION:** DK to speak to Frances. Clerk to put article in the magazine having first checked with Mr Bradley
- Heritage in West Berkshire Report – DL taken to read

16. **Play area:** monthly check all OK

Date of next meeting – 26 January 2016 (JU will be on holiday)



Tony Renouf <parenouf@googlemail.com>

letter

4 messages

James Spackman <jamesspackman@hotmail.com>

7 January 2016 at 17:57

To: Tony Renouf <tony@renouf.me.uk>

Dear Tony,

I hope you had a Happy New Year.

Please will you forward me a copy of the planning letter as you agreed.

Thanks in advance.

James

Tony Renouf <tony@renouf.me.uk>

8 January 2016 at 10:13

To: James Spackman <jamesspackman@hotmail.com>

James

As requested.

On another matter, I understand that you have reported that the PC has abandoned its Woolhampton Hill footpath project. Since that is not the case can I ask that you correct your statement.

Tony

[Quoted text hidden]

**planning letter.doc**

107K

James Spackman <jamesspackman@hotmail.com>

8 January 2016 at 13:40

To: Tony Renouf <tony@renouf.me.uk>

Thank you, Tony.

At the December meeting you confirmed that the Parish Council had abandoned the 'Safer Woolhampton Hill' project and that it would be removed from future agendas. We discussed this matter at some length and you made several bad tempered comments.

Please could you explain which statement you would like to correct.

James

Date: Fri, 8 Jan 2016 10:13:52 +0000

Subject: Re: letter

From: tony@renouf.me.ukTo: jamesspackman@hotmail.com

[Quoted text hidden]

Tony Renouf <tony@renouf.me.uk>

8 January 2016 at 15:23

To: James Spackman <jamesspackman@hotmail.com>

The decision to remove the item until such time as WBC was in a position to undertake the scheme appraisal (probably in 2017) was made at the November meeting in your absence. There is no question of our proposal being 'abandoned' and to suggest otherwise could be construed as deliberate misinformation.

Currently, however, I am assuming that you misunderstood the explanation I gave you and are now able to correct your statement to the public.

Tony

[Quoted text hidden]

Given this response he was contacting West Berkshire Council to seek information from them relating to the surface water drainage network in Woolhampton. Following a discussion the response of Ofwat was noted and the Chairman Mr T. Renouf was thanked for his efforts.

636.14 UPDATE VILAGE HALL COPSE

None

636.15 UPDATE 'A SAFER' WOOLHAMPTON HILL

The Chairman Councillor Mr T. Renouf advised that both he and the Clerk had met with WBC's Head of Highways and Transport to obtain an update on their work to date on the project and on the likely start date for the survey. It was with regret that he had to report that the outcome of the meeting was not good. The Head of Highways and Transport explained that the majority of the S106 highways money, received for Woolhampton, had been spent and that from their knowledge of what was coming through the pipeline, it would not be sufficient to fund the footpath. Further, it was stated that there were no other WBC highways monies available to fund it. Given this, WBC could not justify incurring costs on a survey for an unfunded project. The Chairman advised that he and the Clerk explored options such as part surveying or building the footpath in stages, both suggestions were considered not viable. The Head of Highways and Transport apologised and stated that this information should have been fed back to the Council much sooner and that he regretted this. Given this disappointing response, it was agreed that this item should be taken off the agenda.

636.16 UPDATE DOUAI PARK

Councillor Mr J. Lovell advised that contracts had been signed for the building of a new pavilion it was hoped that work on site would commence before the end of November 2015. Councillor Mr J. Lovell advised that fund raising continued. On behalf of the Council the Chairman Mr T. Renouf congratulated all the Trustees and in particular Mr J. Lovell on their hard work and success in moving the project to the next stage.

636.17 VILLAGE HALL SITE ISSUES

None.

635.18 RISK MANAGEMENT

None

636.19 HEALTH AND SAFETY ISSUES

None

636.20 FINANCE

(a) The Clerk provided explanations and confirmed that there was adequate budget provision for the following payments, which, were then approved: -

<u>Payee</u>	<u>Brief Description</u>	<u>£</u>
Mr S. P Brady	Salary / Travel /Printing	236.59
Inland Revenue	PAYE	115.67
Gardenmo	Works to Village Copse	445.00
Crescent Signs	Environment Signs Station Road	144.00

636.21 INTRNAL CONTROL MATTERS

None

JAN 2016

- (5) The Chairman Councillor Mr T. Renouf advised that he had received a complaint about a statement, on a Facebook page managed by Councillor Mr J. Spackman. The statement related to the Parish Council's reported position with regard to the footpath for Woolhampton Hill. The statement reported that *"the Parish Council had abandoned its efforts for a footpath on Woolhampton Hill"*. The Chairman Councillor Mr T. Renouf advised that that this was not true. Councillor Mr J. Spackman asked what was inaccurate about the statement to which the Chairman Councillor Mr T. Renouf responded that it did not accurately and fully report on what had been recorded in the minutes of the Council. Councillor Mr J. Spackman asked if he were being asked to correct it, all Members present stated yes.

Meeting Ended: 9.05PM

**Steve Brady, C/O 9 The Hampdens, Glendale Avenue, Wash Common, Newbury, Berkshire,
RG14 6TN. Tel: 07795631353
woolhamptonparishCouncil@hotmail.com**

District Parish Conference 22 March 2016

Report on

Email conversation between Cllr J Spackman and M Dunscombe (WBC)

and

between Cllr T Renouf and M Dunscombe

Following receipt of the emailed conversation between Cllr Spackman and Martin Dunscombe (numbered 1-3) which was copied but not addressed to me, together with one from Cllr Spackman to me (number 4) I felt that the allegations being made were so outrageous as to warrant an investigation. I contacted Martin Dunscombe to ask for an explanation and his response is attached (number 5).

Steve rang me in the morning of the Conference (22nd) to say that he had registered both names, albeit late. Although the name badges would have been printed, the registrar confirmed they had blanks for late bookings.

He asked me to confirm that he had said that the venue was St. Bartholomew's school – he was sure that he had but wanted to check.

At that point I told Steve that I had decided not to go but that I had sent in a written question to Peter Argyle, the conference Chairman, on 21st March which he had accepted.

(JS) Upon registration I was asked to wait for some uncomfortable minutes to find out if I might enter the conference.

(MD) When Mr Spackman arrived it was explained to him why the badges had not been prepared in advance but we made one for him there and then.

(JS) I was taken aback to be mistaken for Cllr Renouf given our very different age and appearance together with his reputation as a widely recognised public servant of long standing in the district, so I must say the lack of a name badge immediately rang alarm bells.

(MD) Mr Spackman was not mistaken for you; indeed none of those on the registration desk can recollect having met either of you in order for the confusion to have arisen

(JS) I was saved by another registrar who was able to ask my name only because she'd had a conversation about this earlier that day. She informed me that my name had been removed from the attendance list for Cllr Renouf who was expected to attend in my place specifically to ask an urgent question.

(MD) The registration team did not say that a name had been removed from the attendance list, nor had there been a request to do so.

(JS) The question was read out as submitted 'from Woolhampton Parish Council' with no mention of Cllr Renouf's name or position which contradicts the Chairperson acting in a personal or individual capacity. You will recall that I initially approached you to ask who submitted the question since no mention had been made of any name. I appreciate this may have been an oversight but considering the two incidents in tandem with the relative 'urgency' of the question itself revives some serious worries about the Chairperson of our parish.

(TR Comment) The question needed to be answered given that the Parish Council had agreed that it was prepared to cut some verges if safety became an issue.

Steve had said that it looked a good conference but he could not attend. Had he been able to he would have asked WBC about co-ordinating service delivery where two contractors could be used.

I had said at the Parish Council meeting that I would go, subject diary commitments.

(JS) I have copied this email to our village clerk who will be able to confirm that Cllr Renouf offered no notification of his intention to attend the conference at or before our council meeting and did not consult members on the question or that I was informed of his wish for me not to attend your excellent event. Please rest assured that these and other concerns about Cllr Renouf's conduct will be discussed in greater length.

(TR Comment) Other than Peter Argyle, I contacted no one prior to the Conference.

Conclusions

Cllr Spackman's emails to Martin Dunscombe are a fabrication from beginning to end. Given the seriousness of the allegations he makes it beggars belief that he clearly hadn't considered that I would ask the Communications Officer for an explanation.

This is the latest of a series of statements made by the Cllr Spackman over the past year all of which have breached the most important Nolan Principle – HONESTY.

His behaviour, which includes bringing the Parish Council into disrepute, warrants a complaint to the Monitoring Officer.

However, based on my experience as a member of the West Berkshire Council's Governance and Ethics Committee, I know that a councillor found to be in breach of the Code of Conduct cannot be removed unless it involves fraud or bribery.

In any investigation an enormous amount of public money can be spent to achieve little more than an official admonishment lost amongst notices of road closures in the Newbury Weekly News.

This is the latest in a series of incidents over the last 10 months but for that reason and that alone that I don't propose making a complaint as his ill-advised rant is principally aimed at me and I am not easily intimidated.

However, in my opinion his pattern of behaviour should not have to be tolerated. My advice to Cllr Spackman is that if wishes to be involved in Local Government he should move on to a different authority.

Tony Renouf

Chairman

District Parish Conference

Martin Dunscombe <Martin.Dunscombe@westberks.gov.uk>
To: James Spackman <jamesspackman@hotmail.com>
Cc: "tony@renouf.me.uk" <tony@renouf.me.uk>

31 March 2016 at 10:19

Hi James,

Thank you for your email yesterday evening following last week's District Parish Conference. I'll answer your questions as best as I can.

You asked about the question read out in relation to grass cutting in your parish. The question was not submitted collectively on behalf of the Woolhampton Parish Council but by Chairman Tony Renouf in an individual capacity and because he was unable to attend in person. All the questions and answers from the event will be published online in due course but a copy of the original question relating to Woolhampton, and the response from Councillor Hilary Cole, are copied below for your information.

You also asked about attendance at the event and suggested a request had been made for you to be removed from the guest list. I am not aware of any such request and indeed only became aware of your attendance when someone took a message for me on the day of the event. This is why we didn't have a name badge waiting for you. The conference is open to elected members, officers or clerks from town and parish councils with invitations sent in the first instance to the parish clerks. If you feel there has been some confusion somewhere along the line you will need to address this with your colleagues.

You will note that I have copied Mr Renouf into this email so that he is aware of this discussion around his question and in case you wish, as a parish council, to discuss the Conference further.

The next event is scheduled for October but we are always looking for feedback to help us shape future events – and make sure they meet the needs of local councils. If you have any feedback about the event please have take part in our survey before Wednesday. <https://www.surveymonkey.co.uk/r/DPCmarch16>.

The question and answer from the meeting is:

Question: Tony Renouf (Woolhampton Parish Council) submitted a written question in advance of the meeting and which was answered at the conference. He said: Woolhampton Parish Council is concerned about the reduction of verge grass cutting where excessive growth could present a danger due to sight lines being obscured. The Council is prepared to undertake cutting using their grounds contractors in those circumstances but clearly there will be a need to co-ordinate with Highways to avoid duplication of effort. How will this be done? Also, if this is what is needed, what would be the insurance arrangements?

Councillor Hilary Cole responded that grass cutting in rural areas is done twice a year and in urban areas ten times a year. Sightline problems should always be reported through the Council's website and it will be dealt with urgently. If a parish does have a contractor they should contact the Head of Highways to discuss what's required in terms of permission – we would expect risk assessment, insurance and safe working practices to be in place.

Regards,

Martin

Martin Dunscombe

Communications Manager

Strategic Support West Berkshire Council Market Street Newbury RG14 5LD

(01635) 519125 | Ext 2125 | martin.dunscombe@westberks.gov.uk

www.westberks.gov.uk

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District Parish Conference

James Spackman <jamesspackman@hotmail.com>

7 April 2016 at 23:05

To: Martin Dunscombe <martin.dunscombe@westberks.gov.uk>

Cc: Tony Renouf <tony@renouf.me.uk>, Steve Brady <woolhamptonparishcouncil@hotmail.com>

Dear Martin,

thanks very much for your reply. It does however leave me somewhat confused.

Firstly, upon registration I was asked to wait for some uncomfortable minutes to find out if I may enter the conference. I was taken aback to be mistaken for Cllr Renouf, given our very different age and appearance, together with his reputation as a widely-recognised public servant of long-standing in the district, so I must say the lack of a name badge immediately rang alarm bells.

I was saved by another registrar who was able to ask my name only because she'd had a conversation about this earlier that day. She informed me that my name had been removed from the attendance list for Cllr Renouf, who "was expected to attend in my place", specifically due to his wish to ask an 'urgent' question (which you've confirmed was submitted in written form as he did not attend, despite his late request). She explained this was "unusual" because there is "no restriction on the number of attendees from each parish council", indeed that WBC encourages attendance in order to facilitate improvements in public business, in line with government policy on localism - which was a major theme of the evening.

Secondly, the question was read out as submitted "from Woolhampton Parish Council" with no mention of Cllr Renouf's name or position, which contradicts the Chairperson acting in a personal or individual capacity. You will recall I initially approached you after the close of the conference in order to ask who submitted the question since no mention had been made of any name. I appreciate this may have been an oversight in the moment, but considering the two incidents in tandem with the relative 'urgency' of the question itself revives some serious worries about the Chairperson of our parish.

Please note that I have also copied this email also to our village clerk, who will be able to confirm that Cllr Renouf offered no notification of his intention to attend the Conference at or before our council meeting held seven days previously, that he did not consult council members on the question (although it was a topic of some discussion), or that I was informed of his wish for me not to attend your excellent event. Mr Brady will therefore be able to clarify the intervening chain of events, so please rest assured that these and other concerns about Cllr Renouf's conduct will be discussed in greater length.

Thank you again for your very helpful reply and for organising such a successful event - it was both valuable and enjoyable - I look forward to attending many more in the future!

Best regards

James Spackman

Woolhampton Parish Council

Subject: District Parish Conference

From: Martin.Dunscombe@westberks.gov.uk

To: jamesspackman@hotmail.com

CC: tony@renouf.me.uk

Date: Thu, 31 Mar 2016 09:19:06 +0000

[Quoted text hidden]

District Parish Conference

James Spackman <jamesspackman@hotmail.com>

10 April 2016 at 08:52

To: Tony Renouf <tony@renouf.me.uk>

Cc: Steve Brady <woolhamptonparishcouncil@hotmail.com>, "martin.dunscombe@westberks.gov.uk" <martin.dunscombe@westberks.gov.uk>

Dear Cllr Renouf,

I have spoken to our Clerk, who has reassured me of his chain of events. This leads to the only conclusion that there was a mix-up in the information I was told because of the late notification given to WBC on the day of the conference, to which Mr Dunscombe has already attested.

This confusion could easily have been averted had you chosen to keep me updated of your intentions, either before or since that point in time, so I am disappointed to have read your email to the council explaining your wish to formally confront the breakdown of relations under your chairmanship.

It was unfortunate for this reason that you chose not to attend the Parish Conference which presented the case for effective communications across communities, due to the unprecedented changes to UK local government law and finance. So, rather leading the debate on how we approach this in our parish, you will be unable to provide a report or the perspective of your experience to benefit other members of our council. I feel it obvious that leadership on governance issues should be directed from the chair, and argue this is therefore a failure of duty on your part.

I had asked for a consequent agenda item on 'Communications and Community Engagement' to be included for our next meeting, in the hope that you would be able to clarify your approach is in line with government policy and WBC's stated support for this, starting with provision of the relevant governance documents and consideration of the diverse means available (particularly considering your proposals for cooption to fill the casual vacancy on WPC). However your email clearly demonstrates again your repeated preference for personalising matters of serious public concern and in doing so diverting from the issues they raise or decisions about appropriate action.

It will be a pleasure to assist in any way possible any investigation which can unpick the causes and account for the lack of progress in our village in recent years, and I eagerly look forward to answering any questions put to me.

With regards

Cllr J Spackman

Woolhampton Parish Council

From: jamesspackman@hotmail.com

To: martin.dunscombe@westberks.gov.uk

CC: tony@renouf.me.uk; woolhamptonparishcouncil@hotmail.com

Subject: RE: District Parish Conference

Date: Thu, 7 Apr 2016 23:05:11 +0100

[Quoted text hidden]

Conference

Martin Dunscombe <Martin.Dunscombe@westberks.gov.uk>
To: Tony Renouf <tony@renouf.me.uk>

11 April 2016 at 09:09

Hi Tony,

I have now had a chance to speak to colleagues who were working on our registration desk at the event – and the person who took a phone message for me earlier in the day. They have seen the chain of events alleged and this is what happened that day:

We were contacted by the parish clerk (by phone) on the day of the conference to say that both you and Mr Spackman might attend and to expect one or both of you at the event. The message was passed to me, and I wrote both names on the attendance sheet, which had already been printed. Name badges for delegates had already been prepared and it was too late to print additional badges. We had a supply of blank badges to fill out on the night for those who either confirmed their attendance late or not at all.

When Mr Spackman arrived it was explained to him why the badges had not been prepared in advance but we made one for him there and then. Mr Spackman was not mistaken for you; indeed none of those on the registration desk can recollect ever having met either of you in order for the confusion to have arisen. The registration team did not say that a name had been removed from the attendance list, nor had there been any request to do so. I'm told that an explanation was provided along the lines that the Clerk had advised us that they were unsure if either you or Mr Spackman would attend but wanted to provisionally book places for both of them.

This summary of events is taken from the recollections of colleagues who were working on the registration desk – and who have been involved in previous conferences and know the process well. I don't think there is anything more that I can add. I provide this commentary to you, as Chair of the parish council, for accuracy and so you have an overview of events on the night. I will leave this matter in your hands.

Regards,

Martin

From: parenouf@googlemail.com [mailto:parenouf@googlemail.com] **On Behalf Of** Tony Renouf
Sent: 08 April 2016 11:39
To: Martin Dunscombe
Subject: Conference

Conference

Tony Renouf <tony@renouf.me.uk>

8 April 2016 at 11:38

To: Martin Dunscombe <Martin.Dunscombe@westberks.gov.uk>

Dear Martin

In his email to you (7 April) Cllr Spackman alleges, amongst other things, that he was told that his name had been removed. I would be very grateful if you were able to confirm if any part of the conversation he quotes actually took place.

I can understand any reluctance on your part to be involved in a Woolhampton Parish Council internal matter but I am sure you will appreciate that it is important that any resolution is based on fact.

Regards

Tony

Chairman's conduct

Tony Renouf <tony@renouf.me.uk>

9 June 2016 at 10:56

To: James Spackman <jamesspackman@hotmail.com>

Cc: "elliott.wright23" <elliott.wright23@gmail.com>, Jack Lovell <jack.lovell@monksmead.co.uk>, malcolmlarge <malcolmlarge@btinternet.com>, eve burke <eveandpaul@hotmail.com>, fineartdogs <chalek9@freegratis.net>

Bcc: Steve Brady <woolhamptonparishcouncil@hotmail.com>

James

At our April meeting I dealt with a substantial part of the fallacious issues you raised in your email to Martin Dunscombe following the District Parish Conference. What was not dealt with, or defined, were the "serious worries about the Chairperson of our parish".

Also you said that he could "rest assured that concerns about Cllr Renouf's conduct will be discussed in (sic) greater length".

In light of my re-election as Chairman your worries and concerns clearly need to be dealt with as a matter of some urgency.

Tony

Chairman's conduct

James Spackman <jamesspackman@hotmail.com>

15 June 2016 at 09:52

To: Tony Renouf <tony@renouf.me.uk>

Cc: elliot wright <elliot.wright23@gmail.com>, Jack Lovell <jack.lovell@monksmead.co.uk>, malcolmlarge <malcolmlarge@btinternet.com>, eve burke <eveandpaul@hotmail.com>, fineartdogs <chalek9@freegratis.net>, Steve Brady <woolhamptonparishcouncil@hotmail.com>

Mr Renouf,

at the April meeting you read out a list of your reasons for not following the guidance provided by Mr Dunscombe to deal with the issue you raised. Please will you provide this list in reply?

You will also recall that as Chair you closed the meeting in acrimonious circumstances without allowing further concerns to be heard about your management of Parish Council business.

Clearly it would be inappropriate and a waste of members' time for you to schedule a separate agenda item on 'Governance' in future, and I look forward with anticipation to other suggestions you may have which would give resolution.

James Spackman

From: tony@renouf.me.uk

Date: Thu, 9 Jun 2016 10:56:56 +0100

Subject: Chairman's conduct

To: jamesspackman@hotmail.com

CC: elliot.wright23@gmail.com; jack.lovell@monksmead.co.uk; malcolmlarge@btinternet.com; eveandpaul@hotmail.com; chalek9@freegratis.net

[Quoted text hidden]

Chairman's conduct

Tony Renouf <tony@renouf.me.uk>

15 June 2016 at 15:08

To: James Spackman <jamesspackman@hotmail.com>, "elliot.wright23" <elliot.wright23@gmail.com>, eve burke <eveandpaul@hotmail.com>, malcolmlarge <malcolmlarge@btinternet.com>, Jack Lovell <jack.lovell@monksmead.co.uk>, fineartdogs <chalek9@freegratis.net>, Steve Brady <woolhamptonparishcouncil@hotmail.com>

James

If you re-read the hard copy of the report I read out you will see that it included Mr Dunscombe's response to the accusations you had made to him together with my personal conclusions about your honesty based on that response and earlier episodes. I had sought to ascertain the truthfulness or otherwise of the serious points you had made to him. His response was unequivocal - there was no truth in the accusations and therefore no guidance by him as to how the Council should deal with a non-existent issue.

As accurately recorded in the unanimously approved minutes, I closed the April meeting because it was the wish of a majority of the members.

Your concerns about my management of Council business cannot be ignored and need to be considered. If accepted by members as valid they may prove to be serious enough to warrant my resignation since clearly I would no longer deserve the support or confidence of the Council.

You must, therefore, either be prepared to discuss this matter openly at a Parish Council meeting or withdraw your innuendo based accusations with an apology both to me and the Council.

However, there is, of course, a third alternative open to you.

Tony

[Quoted text hidden]

Chairman's conduct

James Spackman <jamesspackman@hotmail.com>

15 June 2016 at 18:10

To: Tony Renouf <tony@renouf.me.uk>, elliot wright <elliot.wright23@gmail.com>, eve burke <eveandpaul@hotmail.com>, malcolmlarge <malcolmlarge@btinternet.com>, Jack Lovell <jack.lovell@monksmead.co.uk>, fineartdogs <chalek9@freegratis.net>, Steve Brady <woolhamptonparishcouncil@hotmail.com>

Mr Renouf,

in his email of 18th April, which you rely upon so heavily, Mr Dunscombe states: "I now consider this matter closed and suggest that, if there is any further disagreement, any dissatisfied party makes a Code of Conduct complaint."

Please will you provide the list of reasons you read out at the parish council meeting on 19th April, explaining why you reopened this matter and did not make a Code of Conduct complaint, in direct contradiction to his guidance?

Any conclusions you drew were therefore inappropriate, and the personal insults received from yourself and other councillors at the meeting were wholly unacceptable (as they would have been in any event).

Given that you had already admitted the confusion at the District Parish Conference was caused by your continuing malcommunication, for you to now claim this is a non-existent issue is worse than a bad joke, as it continues to hinder progress on the serious issues facing the community.

That you actively disrupted the meeting in these ways from your position of Chair to prevent any other outstanding examples of your misconduct from being raised is symptomatic of, and intimately connected to your failure over the course of many years to reach any sort of satisfactory resolution on behalf of residents relating to sewage problems in Station Road etc.

If other councillors wish to consider a motion of no confidence in any officer appointed by the parish council, I will of course contribute to such a discussion.

James Spackman

From: tony@renouf.me.uk

Date: Wed, 15 Jun 2016 15:08:00 +0100

Subject: Re: Chairman's conduct

To: jamesspackman@hotmail.com; elliot.wright23@gmail.com; eveandpaul@hotmail.com; malcolmlarge@btinternet.com; jack.lovell@monksmead.co.uk; chalek9@freegratis.net; woolhamptonparishcouncil@hotmail.com

[Quoted text hidden]

Chairman's conduct

Tony Renouf <tony@renouf.me.uk>

16 June 2016 at 16:04

To: James Spackman <jamesspackman@hotmail.com>, Jack Lovell <jack.lovell@monksmead.co.uk>, "elliot.wright23" <elliot.wright23@gmail.com>, eve burke <eveandpaul@hotmail.com>, malcolmlarge <malcolmlarge@btinternet.com>, fineartdogs <chalek9@freegratis.net>, Steve Brady <woolhamptonparishcouncil@hotmail.com>

James

Context is everything! Mr Dunscombe's email of the 18th April, from which you have selectively quoted just the final sentence, confirmed that I had submitted the question to Peter Argyle in an individual capacity and not as you had quoted him as saying, in a 'personal capacity'. In the same email he states: "I know of no reason why you shouldn't have asked the question. In my opinion, you have acted properly throughout this process".

I think the 'guidance' from him was for your benefit.

Since you have not challenged my report I am satisfied that his impartial investigation confirmed that all of the complaints you had made to him about what happened at the conference were based on lies and can be dismissed as such. However, my conduct which, you state, "will be discussed at greater length" and the serious worries you have were not matters he could comment on. Therefore the whole matter was not 'closed' and is not being 'reopened' by me now.

I stated in my conclusion to the report that the only reason why I did not intend to make a complaint was based on my knowledge of the process being a waste of public money which would achieve nothing. It doesn't alter the fact that I believe that you have, on a number of occasions, brought the Parish Council into disrepute.

As it would appear that you are reluctant to address this issue outside the confines of an email conversation I propose asking the Council to examine your allegations of my disruption of the meetings. That I use the disruption to prevent the Council or the public becoming aware of my misconduct resulting in resident's problems being unresolved is a very serious accusation that I am not prepared to ignore. I will, of course, vacate the Chair for that discussion.

If the Council agrees that I am guilty of the behaviour you allege then I will resign as Chairman.

Tony

[Quoted text hidden]

Chairman's conduct

James Spackman <jamesspackman@hotmail.com>

21 June 2016 at 18:06

To: Tony Renouf <tony@renouf.me.uk>, Jack Lovell <jack.lovell@monksmead.co.uk>, elliot wright <elliot.wright23@gmail.com>, eve burke <eveandpaul@hotmail.com>, malcolmlarge <malcolmlarge@btinternet.com>, fineartdogs <chalek9@freegratis.net>, Steve Brady <woolhamptonparishcouncil@hotmail.com>

Mr Renouf,
thank you for your email reply.

I understand that Mr Dunscombe's email was forwarded to all members of the parish council, so we are each able to read his words in full and there is no question that I selectively quoted him or intended to mislead. I resent your offensive accusations which are completely without foundation, and suggest some common courtesy on your behalf would go a long way to developing a more constructive dialogue.

It is impossible to resolve the issues you raised about the Chairman's conduct without addressing in more detail the list of reasons you provided at the meeting for bypassing proper process in contradiction to the advice you sought and received from Mr Dunscombe. I have requested three times that you provide this information, as is my right. Your continued refusal is therefore an obstruction to the resolution you seek and any discussion of these matters at the meeting in these circumstances would constitute further waste of public time.

I would welcome a chance to help you find resolution to your concerns, or to follow Mr Dunscombe's advice myself, so for the fourth time, please will you provide the information as requested in good time for proper consideration before the next meeting in July?

James Spackman.

From: tony@renouf.me.uk

Date: Thu, 16 Jun 2016 16:04:36 +0100

Subject: Re: Chairman's conduct

To: jamesspackman@hotmail.com; jack.lovell@monksmead.co.uk; elliot.wright23@gmail.com; eveandpaul@hotmail.com; malcolmlarge@btinternet.com; chalek9@freegratis.net; woolhamptonparishcouncil@hotmail.com

[Quoted text hidden]

Chairman's conduct

Tony Renouf <tony@renouf.me.uk>

22 June 2016 at 12:15

To: James Spackman <jamesspackman@hotmail.com>

James

Attached are the two strands of my correspondence with Mr Dunscombe, one of which clearly shows that I neither sought nor received advice. There is no more information that you and members haven't seen.

I am pleased that you are willing to help find a resolution. I would remind you that it is you who are making the allegations of disruption and misconduct which you will need to prove.

I suggest that we have a private meeting, thereby saving public time, involving all members. The meeting could be chaired by Steve or an officer from West Berks Democratic Services, whichever you feel would be fairer to you. Please give some dates that would suit you.

Alternatively, I would be happy for members to hear and discuss your allegations at the next Parish Council meeting.

Tony

[Quoted text hidden]

2 attachments



Conference - parenouf@googlemail.com - Gmail.htm
1553K



Adoption of local services - parenouf@googlemail.com - Gmail.htm
1579K

WPC - July Agenda

7 messages

James Spackman <jamesspackman@hotmail.com>
To: Steve Brady <woolhamptonparishcouncil@hotmail.com>
Cc: Tony Renouf <tony@renouf.me.uk>

28 June 2016 at 06:52

Dear Steve,

Mr Lovell mentioned the previous parish plan. I've looked through past annual reports and can't find anything on this. So it would be helpful for background purposes if Mr Renouf could give a status update and possibly explain the options open to the parish.

Could you include an item 'Village Action Plan - Status Update' immediately prior to the item on the 'Neighbourhood Plan Update'?

It's available here:

<http://decisionmaking.westberks.gov.uk/documents/s26722/Woolhampton%20Parish%20Plan.pdf>

Also, can I confirm what the parish decided about attending the monthly Village Market in a couple of week's time?

Thanks in advance
James Spackman

Tony Renouf <tony@renouf.me.uk>
To: James Spackman <jamesspackman@hotmail.com>
Cc: Steve Brady <woolhamptonparishcouncil@hotmail.com>

29 June 2016 at 10:58

Steve

I am opposed to further consideration of the case for a Neighbourhood Plan until after the PC has resolved the allegations of misconduct.

Regards

Tony

[Quoted text hidden]

James Spackman <jamesspackman@hotmail.com>
To: Tony Renouf <tony@renouf.me.uk>

30 June 2016 at 09:06

Mr Renouf,
your reply is confusing.

Does it mean that you wish to provide a status report on the Village Action Plan, but that you do not wish to provide a report from the CCB meeting?

I find it odd that you have ignored the adopted plans for a number of years, and I find it equally odd that for a second time (following the District Parish Conference) you seek to avoid inclusion of an agenda item for a report on an important event which is highly relevant to the Parish Council and the business we conduct.

Clearly you are less concerned with the community than with yourself, and such comments could easily be construed as a breach of the Code of Conduct with regard to 'selflessness'. Please explain and rectify.

Thank you in advance.

From: tony@renouf.me.uk
Date: Wed, 29 Jun 2016 10:58:39 +0100
Subject: Re: WPC - July Agenda
To: jamespackman@hotmail.com
CC: woolhamptonparishcouncil@hotmail.com
[Quoted text hidden]

Tony Renouf <tony@renouf.me.uk>

30 June 2016 at 10:46

To: James Spackman <jamespackman@hotmail.com>
Cc: Steve Brady <woolhamptonparishcouncil@hotmail.com>, "elliott.wright23" <elliott.wright23@gmail.com>, eve burke <eveandpaul@hotmail.com>, malcolmlarge <malcolmlarge@btinternet.com>, fineartdogs <chalek9@freegratis.net>, Jack Lovell <jack.lovell@monksmead.co.uk>

James

All your bluster does not alter the fact that your unsubstantiated allegation of misconduct by the Chair threatens to seriously undermine the Parish Council's credibility. As Chairman, it is my duty to ensure this does not happen and my responsibility to determine, in conjunction with the Clerk, the meeting's Agenda (Standing Order 3.8).

I believe that this can best be achieved by prioritising the Council's consideration of your specific allegation. A delay of a month until a case for considering a possible Neighbourhood Plan can be discussed will not unreasonably prolong the discussion. There is nothing to prevent you providing a written report of the CCB meeting.

Tony

[Quoted text hidden]

Jack Lovell <jack.lovell@monksmead.co.uk>

30 June 2016 at 13:25

To: Tony Renouf <tony@renouf.me.uk>
Cc: Mr Steve Brady <woolhamptonparishcouncil@hotmail.com>

Thanks Tony.

I will be away tomorrow and must therefore offer my apologies.

I only have two comments on the papers :

I notice that the lease on the Recreation field has a few years to run. Should we give some consideration to having an informal chat. With Wasing ? Or tactically are we better off leaving it till the last minute Or do we just try and hold over ?

Copse project. The costs still seem to keep coming in. Would you find it helpful Discussing how we move towards a break even budget on this asset ?

Regards
Jack

Sent from my iPad
[Quoted text hidden]

Tony Renouf <tony@renouf.me.uk>

2 July 2016 at 10:04

To: Jack Lovell <jack.lovell@monksmead.co.uk>

July Meeting - Chairman's statement

Tony Renouf <tony@renouf.me.uk>

1 July 2016 at 18:11

To: "elliot.wright23" <elliot.wright23@gmail.com>, eve burke <eveandpaul@hotmail.com>, malcolmlarge <malcolmlarge@btinternet.com>, fineartdogs <chalek9@freegratis.net>, Jack Lovell <jack.lovell@monksmead.co.uk>, James Spackman <jamesspackman@hotmail.com>, Steve Brady <woolhamptonparishcouncil@hotmail.com>

Dear All

I am confident that I am not guilty of any misconduct in a public office. However, I can assure you that if, based on evidence provided by Cllr Spackman, the Parish Council concludes that I am guilty and passes a motion of no confidence, I will resign from the Chair.

I will also refer myself to the Monitoring Officer for a full investigation into his allegations.

Regards
Tony.

644.6 MATTERS ARISING OF MEETING HELD ON 21 JUNE 2016

- (a) Spring, New Road Hill; WBC propose to undertake this work during 2016/17, they cannot currently provide a date as to when.
- (b) Sunken boat near Woolhampton Lock; it was reported that the boat has not yet been removed.
- (c) A4 speed camera concerns; The Clerk advised that to date he had not forwarded the two questions posed to the Thames Valley Police and Crime Commissioner. He agreed to forward a copy of the questions submitted to Councillor Mr J. Spackman.
- (d) Woolhampton Hill, road surface small holes, north of Victor Place; the Clerk advised that this has been reported to WBC.
- (e) S106 monies allocation to Douai Park; The Clerk advised that he has met with two Trustees of the Douai Park Recreation Association in order to move this item forward. He confirmed that he is making further enquires with WBC in order to establish if they hold other S106 funds that could be donated/allocated to the Douai Sports Project.
- (f) Over flowing bin (Woolhampton Canal); the Clerk advised that he is in discussion with WBC to determine if they were willing to install a bigger bin or an additional bin or if the collection frequency could be increased.
- (g) Potential monthly 'Friday Youth Club'; the Clerk confirmed that to date WBC Children's Services have not responded to his request for information/assistance with respect to a potential youth club in Woolhampton.
- (h) Scarecrow Hunt; Councillor Mrs E. Burke forwarded promotional literature to the Clerk who agreed to advertise the event on the website.
- (i) WBC Devolution Agenda; WBC Chief Executive is to be invited to a Parish Council meeting (possibly September 2016) to explain his thoughts and possible options for closer co-operation.

644.7 APPROVAL OF MINUTES OF SPECIAL MEETING HELD ON 30 JUNE 2016

The minutes of the Parish Council meeting held on Thursday 30th June 2016 having been previously circulated, were taken as read, confirmed and signed.

644.8 MATTERS ARISING OF MEETING HELD ON 30 JUNE 2016

None

The Vice Chairman Councillor Mr E. Wright in the Chair

644.9 NO CONFIDENCE MOTION REGARDING THE CONDUCT OF THE CHAIRMAN OF THE PARISH COUNCIL, COUNCILLOR MR T. RENOUF, RELATING TO THE DISTRICT / PARISH COUNCIL CONFERENCE HELD ON 22ND MARCH 2016 AND SUBSEQUENT ALLEGATIONS RAISED BY COUNCILLOR MR J. SPACKMAN IN HIS EMAIL TO ALL MEMBERS DATED 15TH JUNE 2016.

The Vice Chairman Councillor Mr E. Wright advised the meeting that following his email invitation to the Chairman Councillor Mr T. Renouf and Councillor Mr J. Spackman that they circulate any further information that they wished all members of the Council to consider in respect of this matter, only the Chairman Councillor Mr T. Renouf, had done so. Councillor Mr J. Spackman advised the meeting that he had not done so given the Clerk's email to members requesting that they should cease from circulating emails that were likely to cause upset and disharmony in the Council. Further, he did not think that a motion of no-confidence was the way forward to resolving his concerns. His concerns related to the Chairman's 'mal-communication' to him, relating to the Chairman not being able to attend the District / Parish Conference and on the question that the Chairman had been submitted to the conference in relation to 'shared services'.

Steve Brady, C/O 9 The Hampdens, Glendale Avenue, Wash Common, Newbury, Berkshire, RG14 6TN. Tel: 07795631353
woolhamptonparishCouncil@hotmail.com

There then followed a discussion following which resolution of support in the Chairman Councillor Mr T. Renouf was proposed by the Vice Chairman Councillor Mr E. Wright. This was seconded by Councillor Mr G. Hale. Both the Chairman Councillor Mr T. Renouf and Councillor Mr J. Spackman did not vote. All other Councillors present, voted in favour of the motion.

644.10 NO CONFIDENCE MOTION IN RESPECT OF COUNCILLOR MR J. SPACKMAN ASSOCIATED WITH MATTERS RAISED BY COUNCILLOR MR J. SPACKMAN FOLLOWING THE DISTRICT / PARISH COUNCIL CONFERENCE HELD ON 22ND MARCH 2016.

Following a discussion the Vice Chairman Councillor Mr E. Wright proposed a motion of no confidence in relation to Councillor Mr J. Spackman. This was seconded by Councillor Mr J. Lovell. Following a vote, (NB. Councillor Mr J. Spackman did not vote) all other Councillors present voted in favour of the motion.

The Chairman Councillor Mr T. Renouf in the Chair

The Chairman Councillor Mr T. Renouf thanked the Council for its support. He proposed given the Council's vote of no confidence in Councillor Mr J. Spackman, that he no longer be the Council's lead for neighbourhood planning and that instead a working group be set up to explore this and any other potential options. Further, Councillor Mr J. Spackman when attending other neighbouring Parish Council meetings, should not act as the Council's 'official' spokesperson on matters relating to Woolhampton Parish Council. Following a discussion and a vote the proposals were agreed. Councillor Mr J. Spackman did not vote. The Clerk agreed that he would work with the Chairman Councillor Mr T. Renouf in producing terms of reference for any such working group.

644.11 DISTRICT COUNCILLOR MR DOMINIC BOECK

District Councillor Mr D. Boeck was unable to attend tonight's meeting and had asked that his apologies be noted.

644.12 STATEMENTS AND QUESTIONS FROM THE PUBLIC

- (a) A member of the public present questioned the motivation / interest of Councillor Mr J. Spackman in village. Councillor Mr J. Spackman stated that he lived in the village and that he had many village interests including the need to reduce speeding through the village. The member of the public continued that whilst she did not regularly attend Parish Council meetings, her late husband had done so. Having lived in Woolhampton for over 30 years, she was very supportive of the Parish Council and in particular its' Chairman for the last 15 or so years (Councillor Renouf) who has during this overseen the building of a new village hall, new allotments and a wonderful playground which was loved by her grandchildren. She stated that her late husband had worked with the Chairman to try to reduce speed through the village. Together they had been successful in having traffic islands placed along the A4 Bath Road at several key points.
- (b) A member of the public present stated that Councillor Mr J. Spackman should be explicit as to his allegations of misconduct by the Chairman. The making of such allegations was a serious matter and having sat through tonight's meeting she still did not know what they referred to.

644.13 CORRESPONDENCE RECEIVED

The Chairman Councillor Mr T. Renouf noted the list of correspondence received by the Clerk since the last meeting held on the 21st June 2016.

Steve Brady, C/O 9 The Hampdens, Glendale Avenue, Wash Common, Newbury, Berkshire, RG14 6TN. Tel: 07795631353
woolhamptonparishCouncil@hotmail.com

PC

Andy Day <Andy.Day@westberks.gov.uk>
To: Tony Renouf <tony@renouf.me.uk>
Cc: Moira Fraser <Moira.Fraser@westberks.gov.uk>

27 June 2016 at 11:19

Hi Tony: A vote of no confidence does not enable a Parish Council to impose sanctions without due reason. The only thing that a Parish Council could do is to remove him from any Committees that they may have appointed him too. This would not include the Full Council meetings though. You would also need to be aware that if you do remove him from any committees he does have a right to attend them as a "member of the public" unless they are, of course, Part 11 meetings.

Best wishes

Andy Day

Head of Strategic Support

Strategic Support, West Berkshire Council, Market Street, Newbury RG14 5LD

(01635) 519459 Ext 2459 andy.day@westberks.gov.uk

www.westberks.gov.uk

From: parenouf@googlemail.com [<mailto:parenouf@googlemail.com>] **On Behalf Of** Tony Renouf
Sent: 27 June 2016 10:31
To: Andy Day
Cc: Woolhampton Parish Council
Subject: PC

[Quoted text hidden]

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Carrot

James Spackman <jamesspackman@hotmail.com>

3 October 2016 at 10:35

To: Tony Renouf <tony@renouf.me.uk>

Cc: ELLIOT WRIGHT <elliott.wright23@gmail.com>, eve burke <eveandpaul@hotmail.com>, Jack Lovell <jack.lovell@monksmead.co.uk>, fineartdogs <chalek9@freegratis.net>, malcolmlarge <malcolmlarge@btinternet.com>, Steve Brady <woolhamptonparishcouncil@hotmail.com>

Mr Renouf,

as you have been made aware that it became mandatory from 1st July 2015 to publish (among the other criteria listed by NALC) accurate and up-to-date information on membership of the Parish Council, please will you confirm when Eve Burke resigned as a councillor?

<http://www.woolhamptonparishcouncil.co.uk/>

I have not been informed that she had and she gave no indication that this was her intention at the last meeting in September, so I must say that it is sad and shocking to have lost her contributions so soon and unexpectedly after the successful Scarecrow Hunt. Do you know what reason(s) she gave?

You also state that "one councillor has serially breached The Nolan Principles" - I can find no published information from WBC Standards Committee to support this assertion, therefore please can you explain which councillor you are referring to?

Are the two linked?

James Spackman

From: parenouf@googlemail.com <parenouf@googlemail.com> on behalf of Tony Renouf <tony@renouf.me.uk>

Sent: 02 October 2016 17:21

To: James Spackman

Cc: ELLIOT WRIGHT; eve burke; Jack Lovell; fineartdogs; malcolmlarge; Steve Brady

Carrot

Tony Renouf <tony@renouf.me.uk>

3 October 2016 at 11:48

To: James Spackman <jamesspackman@hotmail.com>

Cc: ELLIOT WRIGHT <elliott.wright23@gmail.com>, eve burke <eveandpaul@hotmail.com>, Jack Lovell <jack.lovell@monksmead.co.uk>, fineartdogs <chalek9@freegratis.net>, malcolmlarge <malcolmlarge@btinternet.com>, Steve Brady <woolhamptonparishcouncil@hotmail.com>

Dear All

Having just spoken to Eve I am delighted to confirm that news of her resignation is somewhat premature.

The councillor who has serially breached the principle of Honesty and Integrity is James. As you will recall I took the view that making a complaint would achieve nothing but considerable public expense which is why there is no public record other than in our minutes.

Regards
Tony

[Quoted text hidden]

Woolhampton Parish Council

eve burke <eveandpaul@hotmail.com>

3 October 2016 at 23:48

To: Tony Renouf <tony@renouf.me.uk>

Cc: Elliot <elliot.wright23@gmail.com>, Tony Renouf <tony@renouf.me.uk>, Jack Lovell <jack.lovell@monksmead.co.uk>, fineartdogs <chalek9@freegratis.net>, malcolmlarge <malcolmlarge@btinternet.com>, Steve Brady <woolhamptonparishcouncil@hotmail.com>, James Spackman <jamesspackman@hotmail.com>

Dear All

I've changed the subject heading to WPC rather than 'carrot' as it seems more appropriate for our correspondence.

I am saddened that the merry go round of emails has started again. I, for one, thoroughly enjoyed the past month. I could focus on organising a positive community event and I felt that I was participating in a voluntary movement - the PC, that would benefit the local community where I live & raise my children (the main reasons I chose to be involved).

I feel drained reading the fifteen or so emails that cover the same ground & which raise issues that have already been addressed. I see no benefit whatsoever to the Parish Council by having this exchange of emails.

Personally, I find it extremely unnecessary that my name has been dragged into this tiresome email exchange with the declaration of my supposed resignation & the question that this resignation was linked to a breach of 'The Nolan Principles'.

As the newest member of the PC, I struggle to understand how a fellow councillor could write such words without the thought of the upset these words would cause to me, how offensive the suggestion was & how there was no apology when our Chair corrected the facts.

I telephone our Chair today, to say that I hadn't resigned (bizarre!) & that I didn't wish to be drawn into this negative exchange yet here I am sending this email.

The reason being so, after reading the latest email, I feel that the accusations will only escalate & the tension that this is causing, will only cause further damage to our very small already fragmented committee.

I'd like to propose that we no longer send emails unless there of paramount importance and that any issues that we feel need to be addressed, are discussed in full at our next meeting - I won't stipulate where these items need to be on the agenda. As my wonderful Nana used to say, 'There is no need to split hairs!'

I would like to thank Tony, for his words of support today & Elliot too. I have huge confidence in both of you & I'm very much aware of how much work you've both put in organising 'Race Night'. I'm sure that this is going to be a great village event & will easily raise the funds for the village defibrillator. What a fantastic cause for the PC to focus on & how important it is that we are able to host events such as this.

To end on a positive note, I'm looking forward to Friday & I'm hopeful, that I can pick some winners. Have you thought about having a gamble Jack? It could help you with the last bit of your fundraising!

How wonderful it is, that we have all of this voluntary work going on...

Kind regards

Eve

Woolhampton Parish Council

James Spackman <jamesspackman@hotmail.com>

5 October 2016 at 13:07

To: Tony Renouf <tony@renouf.me.uk>

Cc: Steve Brady <woolhamptonparishcouncil@hotmail.com>, elliot wright <elliot.wright23@gmail.com>, Jack Lovell <jack.lovell@monksmead.co.uk>, malcolmlarge <malcolmlarge@btinternet.com>, "eveandpaul@hotmail.com" <eveandpaul@hotmail.com>

Dear All,

a majority of members have now stated their opposition to the governance standards formally consented to by Woolhampton Parish Council on 30th June.

This would normally trigger a motion of 'no confidence' in the Chair, but as it is the Chair and Vice-chair who have led the opposition to their own leadership, and the council recently voted in favour of a motion to support the Chair, clear direction will only be achieved by escalating the matter.

NB Cllr Burke's name is still listed as 'Vacancy'. If this record is not accurate, it is also not up-to-date.

I also do not recall that Cllr Burke asked to attend the training session being held in Grazeley tonight, so please will the Chair confirm which members have completed the Induction Plan we are required to follow upon joining the council?

James Spackman

From: parenouf@googlemail.com <parenouf@googlemail.com> on behalf of Tony Renouf <tony@renouf.me.uk>

Sent: 04 October 2016 13:00

To: James Spackman

Cc: Elliot; eve burke; Jack Lovell; fineartdogs; malcolmlarge; Steve Brady

Subject: Re: Carrot

Dear All

I believe this is a deliberately loaded question and I recommend that it is best ignored.

Spackman

2 messages

Tony Renouf <tony@renouf.me.uk>

5 October 2016 at 14:17

To: "elliott.wright23" <elliott.wright23@gmail.com>, eve burke <eveandpaul@hotmail.com>, Jack Lovell <jack.lovell@monksmead.co.uk>, malcolmlarge <malcolmlarge@btinternet.com>, fineartdogs <chalek9@freegratis.net>

Dear All

Steve is working hard to 'close down' James as we can't rid ourselves of him.

His latest email is deliberately provocative and irrational. I would urge you all not to respond to him directly. Should we wish to make contact between ourselves I recommend that from now he should not be included.

On behalf of the rest of us I would like to apologise to you, Eve, as you have been quite unnecessarily involved in what is really a personal vendetta against me and now Elliot.

Take heart because *those whom the gods wish to destroy they first send mad.*

Regards
Tony

eve burke <eveandpaul@hotmail.com>

5 October 2016 at 19:01

To: Tony Renouf <tony@renouf.me.uk>

Cc: "elliott.wright23" <elliott.wright23@gmail.com>, Jack Lovell <jack.lovell@monksmead.co.uk>, malcolmlarge <malcolmlarge@btinternet.com>, fineartdogs <chalek9@freegratis.net>

Thank you for the email Tony. I agree that JS is being deliberately provocative with his choice of words & I will not be responding to any of his emails.

There is no need for you to apologise although the gesture is thoughtful. I do feel that James has singled out my joining the PC, as a good opportunity for him to criticise the Chair & Vice Chair.

I recall how he reacted when I came along to the first meeting - he made me feel very unwelcome by questioning the correct procedure of my wish to join the PC, whether the post had been advertised etc. He then made a fuss via email over my lack of designated role despite me expressing the wish that I didn't want a designated role! It's now my resignation (!), my details on the website & my training & what conversation I've had about it.

I find all of this extremely uncomfortable & I'm unsure how to respond to him as I don't wish to be drawn into his drama.

I have no objection to any fellow councillor enquiring about any possible training that I may do but I do object to JS using this as a way to attack the PC.

It's a very unfortunate situation!

Kind regards

Eve

- (d) Woolhampton Hill, road surface small holes, north of Victor Place; the Clerk advised that WBC have advised that they will inspect this area of highway.
- (e) S106 monies allocation to Douai Park; The Clerk advised that this was on-going.
- (f) Over flowing bin (Woolhampton Canal); the Clerk advised that he was in discussion with the Canal Trust.
- (g) Potential monthly 'Friday Youth Club'; the Clerk advised that WBC had not responded to his information request.
- (h) Scarecrow Hunt; the Clerk apologised to Councillor Mrs E. Burke as he had been unable to upload the promotional literature to the website. Following a discussion it was noted that the event had been a big success and that more people wanted to take part in 2017, should the event be held. The Chairman Councillor Mr T. Renouf thanked Councillor Mrs E. Burke for her efforts and for putting on a well received and successful event.
- (i) WBC Devolution Agenda; WBC Chief Executive is to attend the November meeting.
- (j) Planning Training – Brimpton PC; Both the Clerk and Councillor Mr J. Spackman had attended the training session. Both confirmed that it was a useful training event. The Clerk agreed to forward the presentation slides used at the training session to all members.
- (k) Website; The Clerk recognised that the website was in need of updating and that he required further training to assist with this. He advised that he had received a quote from the web-designer regarding the re-engineering of the site, training and website support / back up. The quote totalled £635.00 net. Following a discussion the payment was approved and the Clerk was asked to liaise with the web-designer in order to ensure that the website was updated as soon as possible. The Clerk advised the meeting that Councillor Mr J. Spackman had forwarded details of the grant available to help Parish Councils meet the costs of the Transparency Code. There followed a discussion as to areas that the grant covered. The Clerk advised that the next date for grant applications was 19 October 2016, and that he aimed to submit an application by this time on behalf of the Parish Council.

646.5 PLANNING

(a) Planning Applications

APPLICATION NO:	16/02208/FUL
APPLICANT	Mr S. Ingis
LOCATION	Elstree School, Woolhampton
PROPOSAL	Minor external and internal changes to the exiting Art and Music Departments
DECISION	Support
APPLICATION NO:	16/02211/LBC2
APPLICANT	Mr S. Ingis
LOCATION	Elstree School, Woolhampton
PROPOSAL	Minor external and internal changes to the exiting Art and Music Departments
DECISION	Support
APPLICATION NO:	16/02027/FUL
APPLICANT	Mr & Mrs Vaughan-Fowler
LOCATION	Kennet Side, Station Road, Woolhampton
PROPOSAL	Demolition of existing dwelling and 4no outbuilding and construction of replacement dwelling and car port building with home office. Renovation of existing brick built boundary outbuilding to canal path for use as a garden store and extension of northern boundary brick wall.
DECISION	Support

Steve Brady, C/O 9 The Hampdens, Glendale Avenue, Wash Common, Newbury, Berkshire,
 RG14 6TN. Tel: 07795631353
 woolhamptonparishCouncil@hotmail.com



Tony Renouf <parenouf@googlemail.com>

Thames Valley PCC Policing and Crime Survey

James Spackman <jamesspackman@hotmail.com>

28 September 2016 at 13:28

To: Steve Brady <woolhamptonparishcouncil@hotmail.com>

Cc: Tony Renouf <tony@renouf.me.uk>, elliot wright <elliot.wright23@gmail.com>, Jack Lovell <jack.lovell@monksmead.co.uk>, "eveandpaul@hotmail.com" <eveandpaul@hotmail.com>, malcolmlarge <malcolmlarge@btinternet.com>

Dear all,

received from the Woolhampton Neighbourhood Watch group:

Thames Valley PCC, Anthony Stansfeld, is seeking responses to his crime survey, which will inform local policing priorities over the next 4 years. The parish council should provide a formal response and also encourage individuals to contribute their views.

Current priorities for this area are:

<https://www.police.uk/thames-valley/N469/priorities/>

Robbery, burglary, anti-social behaviour, violent and sexual assault, as well as speeding are the most prevalent forms of crime reported in our Neighbourhood Policing area. In July 2016, 91 crimes were reported. Woolhampton continues to experience higher levels and more serious crimes compared to neighbouring parishes.

As Police Liaison was removed from the list of councillor responsibilities this reverts back to the Chair. I propose an agenda item is included at the next meeting so that Mr Renouf can confirm his response on behalf of the Parish.

-

Follows:

Thames Valley Police and Crime Commissioner (PCC), Anthony Stansfeld, is seeking

your views on policing and crime to help inform his next Police and Crime Plan.

The Police and Crime Plan sets out the PCCs priorities and objectives for the Thames Valley. From this plan, the Chief Constable of Thames Valley Police and other partners will develop their own annual service delivery plans.

If you would like to share your views and help inform the next Plan then please visit www.thamesvalley-pcc.gov.uk/survey to complete our short survey.

To ensure that as many people as possible have the opportunity to give their views please also share the link with other individuals and groups.

Police and Crime Commissioner, Anthony Stansfeld said: 'An important part of my role as PCC is to engage with local communities. This survey gives people the opportunity to tell us what is important to them. Your response will help shape the direction of the next Police and Crime Plan and I encourage anyone living or working in the Thames Valley to complete it.'

The survey can be found at www.thamesvalley-pcc.gov.uk/survey and will be open until 30 September 2016.



Tony Renouf <parenouf@googlemail.com>

Thames Valley PCC Policing and Crime Survey

Tony Renouf <tony@renouf.me.uk>

28 September 2016 at 16:03

To: ELLIOT WRIGHT <elliott.wright23@gmail.com>

Cc: James Spackman <jamesspackman@hotmail.com>, Steve Brady <woolhamptonparishcouncil@hotmail.com>, Jack Lovell <jack.lovell@monksmead.co.uk>, "eveandpaul@hotmail.com" <eveandpaul@hotmail.com>, malcolmlarge <malcolmlarge@btinternet.com>

Dear All

It is important when commenting on a report that the numbers should be correctly interpreted. For the sake of accuracy only half of the crimes reported as being in Woolhampton are actually in the Parish and I can see no justification for the comment on the relative severity of those crimes.

If the Council is to liaise with the Woolhampton Neighbourhood Watch Group we need to know who they are, who they represent and how they are constituted.

I can confirm that I have completed the survey in a personal capacity. Clearly I could not do so on behalf of the Parish Council since it has not been discussed. I don't believe that inclusion as an agenda item is necessary.

Regards
Tony

On 28 September 2016 at 14:19, ELLIOT WRIGHT <elliott.wright23@gmail.com> wrote:

James which part of your email below was from the Woolhampton Neighbourhood watch group and who is in the group?

thanks elliot

[Quoted text hidden]



Tony Renouf <parenouf@googlemail.com>

Parish Plan

6 messages

James Spackman <jamesspackman@hotmail.com>

2 January 2017 at 18:52

To: Tony Renouf <tony@renouf.me.uk>

Cc: Elliott Wright <elliott.wright23@gmail.com>

Dear Tony,
Elliott raised the issue of communication with me.

Can I suggest we should explain the relevance of the Parish's new Community Engagement Strategy document to the new Parish Plan?

James

Tony Renouf <tony@renouf.me.uk>

3 January 2017 at 11:25

To: James Spackman <jamesspackman@hotmail.com>, "elliott.wright23" <elliott.wright23@gmail.com>

James

The Parish Plan will precisely fit with the strategy. Before we get ahead of ourselves, however, I will ask Steve for the committee's constitution to be agreed or amended at the next meeting.

Engagement with the Neighbourhood Watch Group is clearly a part of the strategy to be encouraged so hopefully you will be able to help facilitate that.

Tony

[Quoted text hidden]

James Spackman <jamesspackman@hotmail.com>

3 January 2017 at 12:35

To: Tony Renouf <tony@renouf.me.uk>

Thank you Tony, that's great.

There is a difficulty with NHW, as the identity of network members can't be shared due to 'data protection'.

However, I bumped into one of our PCSOs in the village. When I introduced myself he said they might organise a 'Have Your Say' event soon.

He also mentioned that Sarah Preston is keen to promote TVP's 'Home Security Survey' to advise on minimising risks of burglary, which offers reassurance to residents.

It would be useful for the PC to have input into the time and date of this, so an invitation can be organised to be sent to the NHW members and a PC member can go along to meet them.

On another note, I remember Jack said he knew the Olympic medallist, Ben Challenger, who lives locally.

Wouldn't he be a very good guest for the Annual Assembly, especially as the village celebrates the opening of the new pavilion at Douai Park?

Do you think Jack would ask him?

Have you thought about any other more interesting possibilities?

James

[Quoted text hidden]

Tony Renouf <tony@renouf.me.uk>

4 January 2017 at 11:13

To: James Spackman <jamesspackman@hotmail.com>

James

I look forward to hearing from Sarah.

On the question of the Annual Assembly I can see no useful purpose in having a celebrity speaker for the Assembly but clearly it would be very desirable for the opening of the pavilion.

Tony

[Quoted text hidden]

James Spackman <jamesspackman@hotmail.com>

6 January 2017 at 09:46

To: Tony Renouf <tony@renouf.me.uk>

You've said something similar on several occasions, however I find I'm regularly fielding questions from the public about this and there is a clear demand for more communication from the PC.

Therefore it would be helpful if you could explain how you are putting the strategy document into practice to better engage with the community.

Thanks.

[Quoted text hidden]

Tony Renouf <tony@renouf.me.uk>

6 January 2017 at 10:14

To: James Spackman <jamesspackman@hotmail.com>, Steve Brady <woolhamptonparishcouncil@hotmail.com>

James

I look forward to answering your question at the Parish Council meeting. I will, however, expect you to offer evidence of the 'clear demand' of the public rather than your opinion.

Tony

[Quoted text hidden]



Tony Renouf <parenouf@googlemail.com>

Neighbourhood Watch

Nick Humble <nick.humble@bhc2.co>
Reply-To: nick.humble@bhc2.co
To: Tony Renouf <tony@renouf.me.uk>

3 February 2017 at 18:38

Dear Tony,

I will have to do a bit more research to verify the statements about crime in Woolhampton, but at first sight I would say it is nonsense. In November for example, the latest month for which I have data, recorded crime in the immediate area was:

- Woolhampton 2
- Upper Woolhampton 1
- Upper Bucklebury 2
- Brimpton 1
- Aldermaston 3
- Aldermaston Wharf 2
- Paices Hill 3

One of the offences in Woolhampton was for "criminal damage and arson" and one in Aldermaston was for "violence and sexual offences". These are broad categories of course. If you want to look at the data for yourself you can find it here:

<https://www.police.uk/thames-valley/N469/crime/>

There certainly was a survey on behalf of Anthony Stansfield at around the date of James' email. I don't remember forwarding it to my Neighbourhood Watch group, but I may have done so. I think the date for responses is now passed. The only NW group in Woolhampton is mine, which is identified as Cods Hill, but I see from your last email that James is trying to set one up for Woolhampton, which I think is a very good idea.

I won't be able to look at this further until next week as I am on grandparent duty over the weekend and not at home.

Best wishes,

Nick

On Thu, 2 Feb 2017, at 10:31 AM, Tony Renouf wrote:

[Quoted text hidden]

Email had 1 attachment:

- Scan_20170202.pdf
22.2M (application/pdf)

Response to complaint

I moved to Woolhampton in 2007, and due to my friendship with then-Cllr Grover began attending meetings of Woolhampton Parish Council in February 2011.

Between this date and July 2014 I attended 25 of 30 meetings as a member of the public. During this time I was regularly subjected to improper comments stemming from the perceived nature of my relationship with Cllr Grover.

Following the resignation of Cllr Grover and another member (both moved out of the area), Cllr Wright approached me on three separate occasions, raising concerns about the Parish Council's ability to remain quorate, and I was invited to join the Council in August 2014. On each occasion, knowing Cllr Renouf's already existing opinion about me, I replied that I would be prepared to do my 'civic duty' if nobody else could be found to take on the responsibility in my place.

I formally joined the council in **September 2014**, stating that I wished to improve communications within the village as this would encourage greater engagement with the community. I completed and signed the declaration forms, received the WPC Code of Conduct, and asked to receive a copy of the Standing Orders, any other Governance documents and a copy of the Training Plan. I also asked what other form of induction would be available. I was assured that I would receive these in due course.

In **October 2014** Cllr Large expressed his concern (on privacy grounds) that I took photos of the Council to post on social media, and other members unanimously agreed with this view, saying that they did not wish me to do so. I noted that as a holder of public office sitting in a public meeting to which press and public are formally invited 'there is no expectation of privacy'. In **November 2014** following consultation with the Clerk, WPC adopted Standing Order 3.13 to permit this. Councillors rejected my concern regarding the legality of the Standing Order (a council "may not permit what it may not prohibit") and promised to undertake a review after 6 months. As of January 2017 this has not occurred and the Standing Order remains in force, which – if illegal – is contrary to Cllr Renouf's declarations in the Annual Governance Statement in both 2015 and 2016.

Since this incident I have been subjected to an increasing campaign of bullying and intimidation, orchestrated by Cllr Renouf with the direct support of Cllrs Wright and Lovell on malicious and political grounds, with the assistance of various others at different times.

In **January 2015** I noted that WPC had no list of councillor responsibilities and suggested to the council that I would be happy to volunteer to take on the communications role previously fulfilled by Cllr Grover, and that I had set up a Facebook group to help facilitate this. I encouraged them to engage with and help promote this. Cllr Renouf stated that Cllr Grover had never had this responsibility, and that the Parish Council had 'no wish whatsoever' to engage with any form of digital media. I noted that members of the public had previously volunteered to build and manage a website for the parish, but Cllr Renouf said that this was beyond the council's capacity. I replied that volunteers add capacity, but he asserted that the council had made its' views clear and this was 'the end of the story'.

In **March 2015** a member of the public [REDACTED] intervened during the meeting to physically threaten me when I took a photo at the start of the meeting. He stated that this was improper and

that he wished me to delete any photos as he had not given me permission to take any pictures of him. I showed him the pictures on my phone to demonstrate that he was not in any of them, and pointed out that rather than being prohibited, it is officially encouraged by DCLG, as public meetings are public domain. [REDACTED] He had conferred privately with Cllr Lovell before the start of the meeting, and Cllr Lovell then made a number of gestures to him immediately prior to his outburst, which taken together I took as an indication that there was a high likelihood that the aggressive threats were directed by Cllr Lovell.

In April 2015 WPC discussed whether to hold parish elections. Cllr Large was very keen to avoid elections on privacy grounds and stated that the estimated cost of £1,500 was "a burden the public would not want to bear". Cllr Renouf commented that as no expressions of interest had been received for candidates and 'in his experience' attendees only came to meetings because they want to complain. I noted that councillors have a responsibility to promote democracy, not restrict it, and I had seen no effort to advertise the existing vacancy.

Following the WBC elections, Cllr Renouf explained in May 2015 that he had serious concerns about my motives for being on the Parish Council and my ability to represent the community due the fact that I was a candidate for Aldermaston Ward.

At WPC AGM 2015 I repeated my request for any relevant Governance Documents to be circulated to me together with the Training Plan and I again noted the lack of councillor responsibilities meant the council was not receiving reports. I explained that I was a regular attendee at neighbouring parish meetings and would be happy to encourage closer liaison between councils – as closer cooperation was likely to be encouraged considering WBC's budgetary position and comments from WBC leadership that services could be cut to the 'statutory minimum', which would affect residents. I also volunteered to be nominated for the AWE LLC in place of Cllr Hale, due to his regular non-attendance at LLC meetings and the lack of reports to WPC on this subject. Cllr Large expressed his view that my declared political allegiance disqualified me from this role, due to his inaccurate perception of the national party policy as 'anti-nuclear'. I replied that this was wholly irrelevant and his opinion was clearly political.

Following the April 2015 meeting, at which a new bus shelter on the A4 outside The Angel was agreed, the landlord raised his concerns with me about its' proposed location and possible negative effects on the business. Cllr Renouf responded to the landlord to allay his concerns, inviting him to meet to discuss these. At the June 2015 meeting it was decided that no further action was possible since the landlord had not turned up at the arranged time. Cllr Lovell commented at this point to speculate about the reason, asking rhetorically, "and what substance was he on?" I felt this was a potentially defamatory comment relating to a resident about whom a decision was made. I immediately attempted to draw Cllr Renouf's attention to this, but he did not respond.

Consequently, the next day, I visited the landlord of The Angel to inform him that WPC would not be taking any further action, telling him that he should seek legal advice if he wished to continue the matter. I was later informed, however, that the landlord aggressively approached Cllr Wright in the village shop to demand a reversal of the decision. I was then invited by Cllr Wright to meet with him at the end of June 2015 to resolve any differences. During the 90 minute meeting Cllr Wright said he would inform Cllr Renouf of my position and I asked him to copy this to me in email so that I could agree his interpretation.

Cllr Wright did not do this, so I wrote a detailed account of the meeting of my own which I sent to Cllr Renouf. In the subsequent exchange Cllr Wright explained that he'd told Cllr Renouf in person

that I hadn't changed my opinion, and I asked him why he had told "the complete opposite" of my views.

In addition to my detailed account of the conversation, Cllr Wright said that "Woolhampton is well-known as a dumping ground for social misfits" and that my association with certain of "them" harmed my reputation, because he'd proposed my co-option that "I make him look bad", and that he would do all he could to get me removed from the parish council. Cllr Wright also explained that Cllr Lovell is an extremely wealthy man with many business interests, and that I should not get on his wrong side as he would use his wealth and influence to defend himself against any reputational damage which might lead to his loss of directorships from FTSE-listed companies. Furthermore, he stated that I was bound to run into problems due to my political affiliation compared to Cllrs Renouf, Lovell and Large, and that I would be 'safer' if I registered as an Independent.

In July 2015 the landlord of The Angel attended WPC to ask for a response and it was agreed that further investigation would be required. Although no complaint had been raised and no apology had been requested, a P2 meeting was convened in August 2015 according to Standing Order regulations, proposed by Cllr Renouf and supported by Cllrs Wright and Hale - whereupon I asked for and was finally given a copy of the Standing Orders.

The investigation (P2 a) consisted of Cllr Renouf asking members if they had heard anything which they might consider defamatory at the June meeting. All stated they hadn't, but when Cllr Lovell asked me what I thought I'd heard he clearly recognised his words, and I noted that as I am not legally trained I could only offer the opinion that his words were 'potentially defamatory'. I said I felt the P2 meeting was a "massive overreaction" and I felt I had behaved according to all the council's guidelines. I was then informed with shouted comments from Cllrs Renouf and Wright that I couldn't be trusted not to tell the public what happened during WPC meetings. I said I felt the comments and the manner in which they were expressed was outrageous, noting that the public is excluded only from P2 meetings such as this, as councillors have a responsibility to keep the public informed and the public has a right to know what happens during normal sessions which is why we are required to publish minutes. Members then decided against my objections to restrict any WPC member from reporting to the public. This decision was not minuted, but has been cited subsequently.

P2 b) related to my removal as AWE LLC representative, agreed at the AGM, which Cllr Renouf described as sufficient 'punishment'. With 5 grown men shouting and attempting to intimidate me for a period of 20 minutes I finally agreed to withdraw from the role in favour of reinstating Cllr Hale, on the proviso that "regular, accurate and relevant" reports would be provided in future (I gave the specific example of road closures in the parish resulting from works to upgrade electricity supply to AWE which were scheduled for the latter part of the year). This function has since been completed by the Clerk adding AWE LLC minutes to 'correspondence', and Cllr Hale attended 1 of 4 meetings in 2016. This condition was not minuted.

At the following meeting in September 2015 I noted the two unrecorded minutes and asked that the draft record be amended before it was agreed. Cllr Renouf disputed my criticism. In response I stated that I felt this was improper and the conduct of Parish Councillors should be a matter for WBC Standards Board. Cllr Renouf commented that as a member of the Advisory Panel he had a personal relationship with Standards Board members and he would ensure my 'misconduct' would be dealt with 'strongly'. I stated that I felt he was abusing his position and should not pre-empt any decision which was theirs to make. I added that if he felt my behaviour amounted to 'misconduct' then he should lodge a formal complaint himself so a decision could be reached to clarify the matter. He replied that because of his experience on the panel he 'could state with assurance that I didn't have

a leg to stand on', and that as the Standards Board 'has no teeth' and could only require an apology, not remove me as a councillor, this would be a waste of his time and energy.

In **October 2015**, given it had not yet been agreed, I asked for clarification on the unrecorded P2 a) minute, and whether I was able to provide reports from meetings to the public (for example via the Facebook group that I had set up to aid the purpose, or following the example of Aldermaston PC via a council newsletter). I noted that Cllr Renouf had not once published any reports in the parish magazine or elsewhere, despite this being a requirement of the Transparency Code and relating to the potentially-illegal Standing Order 3.13. Cllr Renouf explained that this was unnecessary and that I had been explicitly told "in August" not to report from council meetings. I replied that he should check the Transparency Code, whereupon Cllr Hale commented that "we don't want any government diktats telling us what to do." I confirmed that I would therefore not publish reports from any meetings of WPC, but instead would provide reports from the published minutes (ie one month later). I then requested suggestions for other items through which I could promote engagement between residents and WPC. To date I have received none. I was unable to attend the November 2015 meeting, and the original draft minutes of the P2 meeting in August 2015 were approved in my absence.

Following the P2 meeting in August 2015 several members of the public approached me to describe the events and express their opinion on the subject. I feel this was a clear indication that the confidentiality of the P2 meeting was breached by another of the councillors with the intention to use third-parties to intimidate me physically. This was also contrary to Cllr Renouf and Wright's comments during that meeting about not informing the public of their content.

I began regularly attending meetings of neighbouring parish councils in January 2015 (not least to discover how they are managed and understand what constitutes 'best practise' in the area), and in **September 2015** it was confirmed that it had been agreed at the AGM that I had volunteered to be given 'informal' responsibility for liaison with them because I had in this time built up a relationship with members of those parish councils and 'attended them anyway'. To this end I registered and attended the District Parish Conference in September 2015. Due to the subject of the DPC, I suggested that this be included as an agenda item for the next meeting in October. No agenda item for this was included so I presented a written report for consideration under Matters Arising, however Cllr Lovell expressed his view strongly that reports should be circulated with Minutes as he is often busy so needs forewarning about whether his attendance at meetings would be required, and described my report as 'bullshit'.

On **27th October 2015** Cllr Renouf wrote to Midgham PC on an issue of shared concern relating to lack of sewerage and waste capacity (The Woolhampton Drainage Area includes most of the parishes of Woolhampton, Brimpton and Midgham). At Brimpton PC the letter was noted in correspondence received, with the council also deciding that it would take no action (no reasons were given). At Midgham PC in November 2015, Cllr Lombardo argued that this letter should be ignored for three reasons: that it may amount to 'predetermination' of future planning applications, that it was an insult to Midgham parish councillors who are fully capable of reaching competent decisions taking all considerations into account when they received them, and that to accept Cllr Renouf's recommendation would create a personal conflict of interest harming his private business as a planning agent working in the area. Cllr Lombardo described it as a "silly letter" which should be ignored. I was not provided a copy of this letter, so when I was asked to defend it by Cllr Lombardo. I was unable to do so.

I reported these developments to Woolhampton PC in December 2015, arguing that there are better and more effective ways to resolve capacity and maintenance issues with the local sewage system now that Cllr Renouf's initiative had 'reached a dead-end', highlighting Cllr Lombardo's opinion as a professional in planning. I asked to be forwarded a copy of the letter in line with my listed responsibility. Cllr Renouf sent a copy to me on 8th January 2016.

Cllr Renouf subsequently contacted Cllr Lombardo to ask him to confirm his comment of a 'silly letter', which he denied making but asked for greater context about what it related to. At the January 2016 meeting Cllr Renouf asked me to provide an explanation for my 'dishonesty', but said he saw no need to waste his time any further as he felt it was clear Cllr Lombardo had not said what I reported. During February 2016 I met Cllr Lombardo, who explained that he can't be expected to remember what words he used several months earlier without knowing what they referred to, and that anyway the words used are not worth getting so excited about next to the the substance of the matter.

Also in December 2015, when discussing the proposed closure of the village Post Office under Matters Arising, Cllr Wright did not declare his interest properly. He informed the council, subsequent to notification of the imminent closure of the Post Office discussed the previous month (in my absence), that as the village shopkeeper he had been approached by Royal Mail about the possibility of taking on the service. He stated that it would not be financially worthwhile and it was sad that the long-serving Postmistress would lose a substantial sum of money as a result on her retirement. I noted that the Parish Plan included a commitment to "ensure the village shop and Post Office remain open" and that Cllr Wright was ensuring that it closed. Cllr Wright has subsequently leased the former premises of the Post Office which he now uses as storage.

Following up on the unsuccessful meeting with WBC Highways on 29th October, there was further discussion about the Parish Plan. Cllr Renouf explained that the 'Safer Woolhampton Hill' project to develop a footpath depended on support from landowners over whose land it would pass (Cllrs Lovell and Hale), and stated the concept originated in the S106 agreement for the development of Abbey Gardens in 2003, and that this was why it wasn't included in the Parish Plan which was adopted in 2007. I suggested it would be helpful to receive a progress report on the Parish Plan, noting that this was nearly 10 years old. I asked how had members established the 'community interest', pointing out that we should refer to existing plans when setting the annual budget and precept in January, expressing the view that this may contradict Cllr Renouf's declaration in WPCs Annual Governance Statement. I also raised my concern about the cost of the footpath project (estimated then at 60,000, excluding survey) and suggested it would be far easier and cheaper to construct a path to the school along the line indicated by the Rights of Way Improvement Plan (RoWIP) and this would additionally provide better access for maintenance of a culvert that regularly suffered blockages and caused flooding to a number of properties. Cllr Renouf replied that the landowner was not disposed towards this route, and Cllr Lovell explained it would reduce his farming acreage despite following an existing track.

In January 2016 I expressed my concern about the accuracy of the minutes relating to the August 2015 P2 meeting, and stated I would seek clarity on this as it may be a matter for a formal complaint.

Cllr Renouf then informed WPC that he had received an anonymous complaint from a member of the public about a post I published at 3.20pm on 5th January on the Woolhampton Village Facebook group (which I had set up and continue to manage).

Cllr Wright stated that the council told me "in August" that I may not publish any reports, to which I responded that there is no minute to this effect, as the council had just discussed. Cllr Renouf told me that the post was 'dishonest' as it gave a 'false impression', and ordered me to remove it. I asked how he'd received the complaint (written, verbal etc) and commented that the council had decided not to engage with social media and therefore had no power to force me to remove it or the site, not least because NALC's Good Councillor Guide advises councillors have a responsibility to keep the public informed, but also because communication strategy wasn't covered in the List of Councillor Responsibilities and I was acting voluntarily. I stated I was more than happy to be cooperative if he could suggest alternative wording, and asked what reason the complainant gave for remaining anonymous. Cllr Wright interrupted me, stating the identity of the complainant didn't matter, only that they had made a complaint and that I was obviously a 'troublemaker'. Cllr Renouf rejected my offer since he thought I should close the group as "there is no need for it", and all other members agreed.

During the budget discussion I also asked what funding would be available for the Training Plan, as I had not yet received any induction, as promised. Cllr Renouf stated it was up to members to identify their own training needs, and confirmed with other members that they did not feel there was a need to allocate any funding in the budget. I asked what training is available and if this information could be made available. The Clerk answered that training is advertised in the monthly BALC Newsletter, which was noted under Correspondence Received. I asked if I may see these newsletters. Following repeated requests it was agreed in March 2016 that councillors should be provided a copy, although this has only been sporadic since and I've been forced to beg copies from contacts in neighbouring areas.

Following the Jan 2016 meeting I approached Cllr Renouf, who confirmed that the complaint had not come from a member of the public, but from the Vice Chair, Cllr Wright – I feel this was clearly malicious and is contrary to NALC advice ("a member of an authority who cannot represent themselves cannot represent the public"). I also reached agreement with the Clerk that I would amend the FB post to "Woolhampton Parish Council confirmed at the December meeting that it has decided not to proceed with the 'Safer Woolhampton Hill' project at this time and removed from the agenda plans for a footpath to the village school. For more minutes check the parish website [link]". I amended the post at 5.43pm on January 21st, as it remains and can still be viewed together with edit history.

In February 2016 I stated that I had not been able to find any advice about whether my concerns constituted valid grounds for a formal complaint, but noted that CAB was currently promoting mediation services to resolve neighbourly disputes, and that I felt this would perhaps be helpful – especially considering CAB had asked WPC for a donation to support their services. Cllr Renouf said mediation was not necessary, that the only disagreement was with me regarding my 'dishonesty'.

At the Annual Assembly in May 2016, Cllr Renouf devoted a significant portion of his annual report to this 'Facebook complaint', singling me out for specific criticism (albeit not by name, it was clear to all present that I was the target – several members of the public asked me about this following the meeting). I asked Cllr Renouf if he could provide a copy of his report, to which he replied, "No. You can see it when it is published next year."

Following my requests for more information about the outstanding S106 funds available to the parish and a question about whether there was a time limit on allocating these funds for spending, in November 2016 Cllr Renouf announced that he had reached agreement to spend the roughly £13,000 received from the Douai Abbey development in 2003 on a feasibility study for a 'permitted

footpath' along a route which crossed land owned by Cllr Lovell and Cllr Hale. Cllr Lovell noted that the estimated cost for the creation of the path had increased from £60,000 to £120,000. In December 2016 I asked that these figures should be included in the minutes so the council so this could be factored into future budget considerations, but Cllr Renouf denied that any sums had been mentioned, although I noted he had described in his annual report from May 2015 that the funds available from the developer contribution negotiated by WBC as "woefully inadequate" and must therefore have had a good idea then of the costs involved.

In March 2016, a discussion was had on attendance and the agenda for the DPC to be held a week later. Cllr Renouf insisted that it would be 'disrespectful' and undermine the Clerk if he didn't register attendance (although I had already registered, and he registered himself by contacting the then-Leader of West Berkshire Council, Cllr Peter Argyle). The Clerk noted that he was very busy at that time as he was due to fly on a long-standing holiday, and he would try to fit this into his schedule. I described subsequent events to WBC Communications Manager, Martin Dunscombe, and clearly indicated my wish to complain about Cllr Renouf's behaviour. Following his return from holiday, the Clerk then convinced me that this course of action would only cause further aggravation and prevent me from achieving for the community since this requires the cooperation of the council.

A discussion was had about the potential cooption of a new councillor to fill the existing vacancy, and I asked whether new councillors would be provided an induction and what this would include. The Clerk confirmed that this was a requirement, and I asked whether I could also expect to receive a long-awaited induction. Cllr Renouf replied that as I had by then been a member of the council long enough to know 'how things operate' I did not need an induction. I noted recent disputes between myself and other members, stating that "it would be a concern if new councillors received the same level of support as I had."

In April 2016 a discussion was had about the Annual Meeting. I noted NALC advice that this should be held on a separate date to the AGM to avoid any confusion, and asked what efforts WPC could undertake to encourage greater community engagement (such as provision of refreshments, invitation for a guest speaker on a topic of interest etc). Other members unanimously rejected these suggestions were an unnecessary waste of time and expense, and Cllr Hale said, "Good luck with trying to change our minds," while Cllr Renouf said this would amount to 'bribing the public with their own money'.

During the Planning report, Cllr Lovell requested WPC support the removal of a compulsory condition to pass BREEAM fire safety certification for the new pavilion being constructed by Douai Park Recreation Association, which he stated would cost £11,000. I expressed my concern about 'cutting corners' on compulsory fire safety and that WPC was being used this way by him to support a private sports club which offers few benefits to general residents of the village, however I offered 'no objection' with the view that "compulsory certification means just that" and the condition would be unlikely to be removed with or without WPC support.

The agenda item on 'Governance' had, according to Cllr Renouf, been included to provide an opportunity to me to provide details about my concerns about the way the council is run by him, following my correspondence with Martin Dunscombe. All I managed to say was "Thank you, I'd like to start..." before he interrupted me to quote from my email correspondence with Mr Dunscombe in which he stated he considered the matter closed (18th April) unless a complaint was lodged. Cllr Renouf asserted that I had brought WPC into disrepute by contacting a council officer in this way, that Mr Dunscombe had 'completely repudiated' my 'allegations' and that this therefore proved my 'dishonesty'. He identified my use of the word 'malcommunication' and asked what this meant, to

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which I replied that this clearly described the actions outlined in my email. Cllr Renouf read out a list of reasons why he felt no obligation to follow Mr Dunscombe's guidance and has repeatedly refused to provide these in any form.

The meeting was then closed with the support of all other members without providing a proper opportunity for me to speak.

In May 2016 A discussion was held relating to the Annual Governance Statement (AGS), and members agreed with my suggestion to include a paragraph relating to the Transparency Code, confirming the type and method of publication of various required governance documents.

I also noted that the Village Hall Trustees representative (Cllr Wright) may wish to provide a report at the next meeting.

In June 2016 Cllr Wright reported that the VH had held their AGM, reappointing Cllr Renouf as Chair and the accounts had been approved. I noted that the AGM had discussed the need to find more (preferably younger) trustees to replenish the dwindling numbers, especially as Cllr Renouf has stated his desire to retire (he added, "for about the past 10 years") and was also potentially looking for a replacement Secretary and Treasurer. I suggested that this highlighted the need for greater community engagement to identify potential volunteers, and that this was hindered because WPC currently didn't have a Community Engagement and Communication Strategy, as well as several other documents required for completion of the AGS, including timely publication of agendas and minutes.

During this period further email exchanges indicated the issue arising from my contact with Mr Dunscombe had not been concluded despite a wish to resolve them. Cllr Renouf stated that I had failed to refer to the issue at the next meetings, according to the minutes, which he felt indicated it was closed. The Clerk suggested that it would be better for a line to be drawn if issues could be raised in a private meeting, however Cllr Renouf stated he preferred a full agenda item 'Allegations of misconduct in public office by the Chairman' as Mr Dunscombe had not provided any guidance that matters of Code of Conduct breaches should be dealt with by complaining to WBC Standards Board (which Cllr Renouf should know as member of the WBC Advisory Panel, and also know that this doesn't empower him to conduct his own hearings on Standards – to be judge, jury, witness and accuser all in one instance creates an unreliable conflict of interest, and the impartiality of other participants in such a process must be doubted).

On 1st July Cllr Wright proposed via email that he would chair a section of the meeting to consider a motion of no confidence in Cllr Renouf, and this would be followed by a vote of no confidence against myself, which I rejected based on the unfair way that I'd been treated previously and that I had no formal listed responsibilities to remove.

In July 2016 I again raised a number of inconsistencies in the minutes compared to my own notes, expressing the view that this was distorting the record and that because these hadn't been published for over 6 months there was no way for me to be certain about, or challenge what was agreed.

Cllr Wright chaired the two agenda items relating to motions of 'no confidence', and it was clear from the beginning that the outcomes had been arranged in advance. Cllr Renouf then stated that my responsibility as 'lead on neighbourhood planning' would be removed in accordance with this decision, despite the fact that this had not been conferred on me and Cllr Renouf is designated at

the Parish Council's Planning Officer. A sub-committee was then established to evaluate different options for providing a village plan.

In August 2016 during the discussion on approving the minutes, I asked for further details about the status of the Parish Plan and funding, noting that the Post Office was closed, the NHW had recently lost another coordinator, no newsletter is published, and that from a cursory overview about half of the 25 items were incomplete. The Clerk replied that he understood only 1 item on the Parish Plan remained outstanding, which was the completion of a Village Design Statement. Cllr Renouf added that WPC had determined to stop following the plan due to its 'completion' sometime before 2011. I reiterated my concern that WPC could not demonstrate how it meets the 'community interest' and this may mean Cllr Renouf's legal declarations in the AGS were false. I understand that planning documents 'remain in force until they are updated or replaced', and that therefore WPC's budgets since at least 2011 cannot have been agreed with any reference to the 'community interest'.

I again raised the Training Plan, asking what action I would need to undertake to regain WPC's confidence. Cllr Renouf stated that would depend on my future conduct. Cllr Hale stated "we don't want to spend any money on training," and Cllr Large commented that "training is just a big waste of money." Cllr Renouf then directed the Clerk to investigate what other organisations provide training. I noted that BALC is the statutory training provider for Berkshire. In January 2017 I again raised the lack of funding for training, stating that "residents will be reassured to know that councillors what they're doing."

It was noted that WBC Chief Executive Nick Carter had been invited to a future meeting to discuss WBC's 'Devolution Agenda' and I commented this would provide a meaningful impetus to establish the 'community interest' in the parish and help drive community engagement.

I feel it is important for councils to be aware of the wider policy context, including WBCs 'Devolution Agenda'. With this in mind I contacted Mr Carter on 20th September to ask if he was happy for me to invite interested members of neighbouring councils to attend his presentation to WPC in November. He replied that he was and I provided a copy of my wording for him to confirm, which he did.

In September 2016 I again noted inconsistencies between the agreed minutes and the published minutes and asked which copy reflected the 'true' versions, but I did not receive a clear response. The Clerk advised WPC that the website would be updated to bring it up to date.

I also raised the suggestion that neighbouring parishes would also be interested in hearing Mr Carter's presentation, as this would help raise greater awareness of the issues more easily. Cllr Renouf stated that he did not wish for any members of neighbouring parishes or members of the public to be invited to the November meeting.

During September I again raised the issue of a lack of governance documents, and highlighted the NALC Local Council Awards, to which I felt WPC should consider applying as the means of resolving the issues of contention. I felt that WPC couldn't demonstrate that it meets NALC's definition of minimum standards.

In October 2016 I attended the DPC, and sent my apologies to WPC as the two meetings clashed, although my apologies were not noted and Cllr Renouf later stated that I had not given them. A number of additional governance documents were approved in my absence, including a Communication and Community Engagement Strategy, Complaints Policy and Bullying and Harassment Policy, although application for the NALC Foundation Award was rejected.

During October I contacted Cllr Renouf to note the website update, but highlighted that Cllr Burke’s name or contact details had not been added, as the Transparency Code made mandatory from 1st July 2015, and asked whether she had resigned.

In these email exchanges Cllr Renouf called on me to resign, Cllr Lovell felt that the matter could only be resolved by a formal complaint against me to WBC Standards Board, and Cllr Wright expressed his opposition to governance, stating “Here we are again on the merry go round of Non Sense!”

In November 2017 I again broached these outstanding issues of governance. I raised the Parish Plan, and asked for a review to be undertaken so any argument about its’ status could be removed; I asked about the Training Plan, noting that the website showed no member had received any training whatsoever, and asked to register for a session – to which members expressed their opposition to incurring any expenditure on training; I pointed out that the Asset Register required updating, including the addition of recently acquired grit bins and the transfer of ownership of a portion of land (located between Cllr Lovell’s land and Cllr Renouf’s property) which Cllr Renouf had stated he’d negotiated with Great Western Railway, but the transfer had not occurred and that he would not provide any correspondence relating to this; and I raised WPC’s lack of a ‘General Power of Competence’ as a concern which meant the council is not a consultee on Thames Water’s new sewerage strategy for the Woolhampton Drainage Area, and is therefore ignorant of, and unable to influence changes which would affect residents with ongoing sewerage issues in the village, among other things.

In December 2017 during consideration of the minutes, Cllr Renouf stated he did not know what was meant by the ‘General Power of Competence’, although this was referenced in BALC’s advice regarding WBC’s request to parishes for contributions to maintain library provision in the district.

The Parish Plan Review was published and circulated, in which Cllr Renouf comments,

“Doubts have been expressed at a number of Parish Council meetings about the delivery and efficacy of the 2006 Woolhampton Parish Plan’s Action Plan. It is noted that four of the Council’s current members were neither councillors at the time nor active in the Steering Group. Therefore they may not be fully aware of the plan itself and/or the substantial benefits, direct and indirect, that resulted from its adoption by West Berkshire Council.

Given that Members are to be asked to consider the options available for community involvement in the future planning of the parish. It is therefore important that the allegation that the majority of proposed actions are either incomplete or unsatisfactory should finally be put to rest.

Should it be allowed to persist unchallenged then public confidence or participation in any future plan could be undermined.”

The review confirms that a majority of items were not pursued or no action was taken, although Cllr Renouf maintains that 24/25 were formally ‘completed’ – including ‘improve the NHW network – not possible due to lack of volunteers’.

In January 2017 Cllr Renouf quoted from an email I circulated to members in September 2016 in which I pointed them to the Police crime statistics data source, <https://www.police.uk/thames-valley/N469/crime/> identifying crime as an area of ‘community interest’.

Cllr Renouf stated that he had looked at the website and asserted that “crime is not consistently higher than in neighbouring areas,” that “crime is not rising [in Woolhampton],” and that “most of the crime in the [NHP] area is committed outside the parish anyway.” He stated that my email was ‘dishonest’ and that I am “deceitful”. He then asked Cllr Burke if she would like to comment. She

stated that this was evidence of my dishonesty, that "crime is not a problem [in Woolhampton]" and that I was "scaremongering". Cllr Renouf then asked Cllr Wright to contribute, who asked me to provide the names of the members of Woolhampton Neighbourhood Watch. I noted that as I had explained previously to him via email that I was not able to do this because this information is held by the Police and is covered by Data Protection laws. I expressed my opinion that he'd therefore knowingly asked me to break the law, and noted the irony of this given the subject. Cllr Wright then claimed I was "not telling the truth" because there is no NHW in Woolhampton, to which I responded that this was a "fundamental misunderstanding of how NHW is structured."

If the agreed conclusion of WPC members at this meeting that no NHW exists in Woolhampton is correct, this would contradict the claim made by Cllrs Renouf in the Parish Plan review that this item had been 'completed', highlighting that no action has been undertaken to meet the 'community interest', and in my opinion this would contradict Cllr Renouf's declarations in the AGS. If it was not then the claims prove evidence of a campaign of bullying and harassment.

I questioned Cllr Renouf's assertion that crime is not consistently higher than neighbouring areas and he confirmed he had only looked at one month's worth of data. He shouted that it was important that members are able to back up their claims with evidence, demanding that I bring my evidence to the next meeting. I agreed that "I would be more than happy to provide this," but that it would be unfair not to expect the same of all members. Cllr Renouf said that this would be brought to the next meeting in February "to prove my dishonesty".

I informed the Clerk by email on 1st February 2017 that I felt the personal attacks and behaviour of Cllrs Renouf, Wright and Burke at the January meeting constituted bullying and harassment, and enquired as to the correct procedure prescribed by WPC's Complaints Policy.

I then received notification on 7th February that Cllr Renouf had lodged his formal complaint. This is my reply.

In February 2017 Cllr Renouf provided an update on the village NHW network, stating that he had applied to join the Station Rd scheme. He presented a report on crime statistics in the parish provided by Cod's Hill scheme coordinator, Nick Humble, and proposed several actions including liaison with local Police on three crime 'hot-spots' in the village and social housing landlords regarding anti-social behaviour.

I asked if he could provide any figures on these, as I had collected 6 years of data dating back to the point he had stated WPC had 'completed' the Parish Plan item 'to improve the village NHW network', which coincided with the period I began attending meetings of Woolhampton Parish Council. Cllr Renouf was unable to provide any breakdowns by period to back up his claims, and he asked me to pass him the data I'd collected and analysed, which I did.

My analysis shows that while Woolhampton remains a 'low crime area', it is consistently higher than both neighbouring areas and the West Berkshire Most Similar Group (WBMSG), and while 2016 saw an increase in the crime level of 58% (which represents an increase of 56% in the reporting rate), the quarterly crime rate also doubled during the year. I feel this represents a clear area of 'community interest' which members have deliberately sought to ignore, and this demonstrates evidence of long-standing failure of Governance and Ethics within WPC by Cllr Renouf and others.

James Spackman 24/2/2017

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Woolhampton Parish Plan

Background

In November 2000 the then Government published a White Paper entitled 'Our Countryside – The Future'. The Paper initiated the concept of a Parish Plan the threefold purpose of which was: -

- 1.) To identify key facilities and services;
- 2.) To identify problems that needed to be tackled; and
- 3.) To demonstrate how the distinctive character and features of a parish could be maintained and preserved.

Parish Plans were therefore seen as a mechanism (by way of a survey) for identifying community needs and aspirations which could be taken forward via an Action Plan. The Government hoped that this agenda would encourage parishioners to play a greater part in the management of their Parish.

Parish Plans were required to be community led, supported by the local Parish Council, not least in order to obtain grant funding. West Berkshire District Council established a Parish Plan Grant Fund from which Woolhampton Parish would eventually obtain grants.

Parish Plan 2006

A Steering Group was established which, although chaired by a Parish Councillor, had a majority of non-councillor members thus demonstrating that it was community led. A number of Parish Plan events were held, many of which were facilitated by the CCB, culminating in a Village Survey from which the 'Woolhampton Parish Action Plan' was produced.

The Plan contained some aspirational actions which were clearly not within the Parish Council's gift to enact. Furthermore, at the time of their inclusion in the Plan, prior support of those in whose gift they were, was unknown. Also, the resources required in terms of both 'labour' and finance to take them forward had yet to be realised.

Since the Village Survey was undertaken the village has grown, new residents have arrived and sadly many are no longer with us. In common with a number of Parish Plans it did not commit to or provide for a long-term vision but rather was concerned with actions for the 'here and now'.

Delivery of the Action Plan 2006

Doubts have been expressed at a number of Parish Council meetings about the delivery and efficacy of the 2006 Woolhampton Parish Plan's Action Plan. It is noted that four of the Council's current members were neither councillors at the time nor active in the Steering Group. Therefore they may not be fully aware of the plan itself and/or the substantial benefits, direct and indirect, that resulted from its adoption by West Berkshire Council.

Given that Members are to be asked to consider the options available for community involvement in the future planning of the parish. It is therefore important that the allegation that the majority of proposed actions are either incomplete or unsatisfactory should finally be put to rest.

Should it be allowed to persist unchallenged then public confidence or participation in any future plan could be undermined.

Members are advised that all actions that depended on Parish Council involvement or were the sole responsibility of the Parish Council have been completed. The following is a summary of the Action Plan and its status.

Action Plan – The Face of the Village

- 1. *Protect trees within the parish that have been identified as important.*** The horse chestnuts adjacent to the fountain had TPOs applied. No other action outside the planning process.
- 2. *Raise awareness of our historic buildings.*** No action outside the planning process.
- 3. *Take ownership and responsibility for the land adjacent to the Fountain.*** The land is owned by West Berkshire Council which agreed to the Parish Council keeping it clear, together with land around the bus shelter.
- 4. *Restore the Jubilee Fountain.*** Undertaken in 2008 at a cost of £6425 partially funded from the West Berkshire Parish Plan Grant Fund with a grant of £3548.
- 5. *Approach Highways to repair kerbstones and improve pavements.*** Kerb trip hazards were removed from Station Road which was the main concern.
- 6. *Parking.*** Parking on the footpath south of the Bath Road represented a serious danger to pedestrians. The current road scheme through the village eliminated that danger by installing kerbside bollards and additional resident laybys. This was funded by the Douai School development s106.
- 7. *Provide more litterbins, dog fouling bins and benches.*** A litterbin and dog waste bin were installed at the Recreation Ground entrance, a litterbin on the Village Hall site and benches on the children's play area and adjacent to the tennis courts in Upper Woolhampton. These were partially funded by a grant from the Parish Plan Fund (see below).
- 8. *Implement a verge and foliage cutting scheme along the A4.*** Not possible as this must rely on Highways and landowners. However, the verges adjacent to Parish Council land are maintained.
- 9. *Continue and expand the litter clearing programme.*** Totally reliant on volunteers.
- 10. *Recycling.*** All households now serviced.
- 11. *Pedestrian Crossing.*** Funded by Douai School development s106.

Action Plan – Communications

- 12. *Revise the Woolhampton Guide.*** Not pursued due to lack of funding and interest.
- 13. *Improve Neighbourhood Watch Network.*** Not possible due to lack of volunteers.
- 14. *Website.*** Completed.
- 15. *Notice Boards.*** Additional notice boards installed at Sunhill, adjacent to the tennis courts and in the village hall. Partially funded by Parish Plan Fund (see below).
- 16. *Communication.*** Improved communication achieved by website, notices and occasional inserts in the Church Magazine.

17. *Walking*. 2000 illustrative parish walks for visitors printed. Partially funded by Parish Plan Fund (see below).

18. *Woolhampton Newsletter*. Published by the Parish Council until the end of 2009 but discontinued due to lack of contributors.

Action Plan – The Village Community

19. *Village Hall*. Complete the building, landscape and provide play area. The village hall (cost £510,000) was funded by the sale of land and from a £20,000 low interest loan obtained by the Parish Council. The play area cost £20800 and was partially funded by a £9000 WREN grant and £9100 Douai Development s106 contribution.

20. *Leisure*. Meetings were held with an education provider – no outcome. New clubs/activities established.

21. *Mobile Library*. Continued service.

22. *Recreation Area*. Old cricket ground leased from Wasing Estate and reseeded. Goal posts installed.

23. *Village Shop and Post Office*. The continued existence of either was not possible to guarantee.

24. *Parish Plan and Village Design Statement*. Committee disbanded due to lack of interest.

Parish Plan Fund Grants

Item 4 cost £6425 partially offset by separate grants of £3000 and £348

Items 7, 15 and 17 together cost £4740 partially offset by a grant of £4040.

Tony Renouf December 2016

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Woolhampton Crime statistics

<https://www.police.uk/thames-valley/N469/crime/>

West Berkshire Crime Rates (Crimes per Q/1000 pop.)

	WBMSG	Thames Valley	West Berkshire ave.	Woolhampton
September 2013	11.00	13.98	13.56	5.64
December 2013	10.64	13.32	12.36	10.15
March 2014	9.86	12.69	11.90	11.28
June 2014	10.44	12.85	12.73	11.28
September 2014	10.77	12.95	12.86	13.54
December 2014	10.78	12.80	12.79	15.80
March 2015	10.67	12.72	12.07	12.41
June 2015	12.11	13.86	12.32	10.15
September 2015	11.81	14.03	11.99	11.28
December 2015	11.76	13.65	11.83	9.03
March 2016	11.45	13.39	11.64	13.54
June 2016	12.25	14.13	12.20	16.93
September 2016	13.11	15.10	13.82	25.96
December 2016				12.41

Bucklebury/Downlands Reporting Rate (reports/year)

Woolhampton population – 886 or 4.58% of 19,325 (20 parishes)

2011	45/917 or	4.91% of reports in Bucklebury/Downlands
2012	52/939	5.58%
2013	34/836	4.06%
2014	46/795	5.78%
2015	38/845	4.49%
2016	60/856	7.01%

Crime Reports in Woolhampton 2011-16

<u>Type/Year</u>	2016	15	14	13	12	11	-	<u>Total</u>
Anti-social behaviour	7	5	3	3	5	17		40
Other theft	18	8	8	3	12			49
Violence and sexual offences	7	8	7	8	5	5		40
Criminal damage/arson	4	4	6	5	11	1		31
Vehicle crime	1	4	7	5	1	6		24
Burglary	13	4	10	8	14	7		56
Drugs	2	1	2	1	1			7
Other crime	1		1		1	9		12
Public order		1			2			3
Shoplifting	2	1						3
Bicycle theft	1		1					2
Theft from the person	3	1	1					5
Possession of weapons		1						1
Robbery	1			1				2
<u>Total</u>	60	38	46	34	52	45	-	<u>275</u>

2016

Dec 2016	(2/51) 1 burglary, 1 other theft
Nov 2016	(3/73) 1 burglary, 1 criminal damage/arson, 1 theft
Oct 2016	(5/87) 1 ASB, 4 other theft
Sept 2016	(4/94) 2 violence/sexual offences, 1 other theft, 1 bicycle theft
Aug 2016	(10/88) 1 ASB, 2 drugs, 2 shoplifting, 2 violent/sexual offences, 1 criminal damage/arson, 1 other theft, 1 burglary
July 2016	(9/91) 2 ASB, 2 arson/criminal damage, 1 burglary, 2 theft, 1 robbery, 1 violent/sexual offences,
June 2016	(3/58) 1 burglary, 1 other theft, 1 ASB
May 2016	(5/65) 1 burglary, 2 other theft, 1 violent/sexual offences, 1 other crime
April 2016	(7/68) 2 other theft, 1 vehicle crime, 1 violent/sexual offences, 3 burglary,
March 2016	(6/61) 4 other theft, 1 burglary, 1 ASB
Feb 2016	(4/65) 2 burglary, 2 other theft
Jan 2016	(2/55) 1 burglary, 1 ASB

2016 = 60/856 7.01%

Anti-social behaviour	7	Q4	- 10
Other theft	18	Q3	- 23
Violence and sexual offences	7	Q2	- 15
Criminal damage/arson	4	Q1	- 12
Vehicle crime	1		
Burglary	13		
Drugs	2		
Other crime	1		
Public order			
Shoplifting	2		
Bicycle theft	1		
Theft from the person	3		
Possession of weapons			
Robbery			

2015

Dec 2015	(2/59) 1 shoplifting, 1 other theft
Nov 2015	(2/53) 1 violent/sexual offences, 1 other theft
Oct 2015	(4/66) 1 burglary, 1 theft, 1 theft from person, 1 criminal damage/arson
Sept 2015	(2/54)- 1 violent/sexual offences, 1 other theft,
Aug 2015	(4/72) - 1 violent/sexual offences, 1 drugs, 1 possession of weapons, 1 other theft
July 2015	(4/64) - 1 burglary, 2 violent/sexual offences, 1 ASB
June 2015	(0/65)
May 2015	(3/67) 1 vehicle crime, 2 other theft
April 2015	(6/103) 1 burglary, 1 violent/sexual offences, 1 other theft, 2 ASB, 1 criminal damage/arson
March 2015	(1/76) 1 violent/sexual offences
Feb 2015	(8/83) 1 burglary, 2 criminal damage/arson, 2 ASB, 2 vehicle crime, 1 violent/sexual offences
Jan 2015	(2/83) 1 vehicle crime, 1 public order

2015 = 38/845 4.49%

Anti-social behaviour	5	Q4	- 8
Other theft	8	Q3	- 10
Violence and sexual offences	8	Q2	- 9
Criminal damage and arson	4	Q1	- 11
Vehicle crime	4		
Burglary	4		
Drugs	1		
Other crime			
Public order	1		
Shoplifting	1		
Bicycle theft			
Theft from the person	1		
Possession of weapons	1		
Robbery			

2014

Dec 2014	(5/45) 1 theft, 1 drugs, 1 burglary, 2 violent/sexual offences
Nov 2014	(2/65) 1 vehicle crime, 1 violent/sexual offences
Oct 2014	(7/68) 2 burglary, 1 vehicle crime, 2 criminal damage/arson, 1 ASB, 1 other theft
Sept 2014	(3/65) 1 bicycle theft, 1 violent/sexual offences, 1 criminal damage/arson
Aug 2014	(5/63) 2 burglary, 2 vehicle crime, 1 other theft
July 2014	(4/73) 1 ASB, 1 other theft, 2 violent/sexual offences
June 2014	(6/85) 1 criminal damage/arson, 1 vehicle crime, 1 violent/sexual offences, 1 other theft, 1 other crime, 1 ASB
May 2014	(4/58) 2 burglary, 1 drugs, 1 other theft
April 2014	(0/72)
March 2014	(4/66) 2 burglary, 1 criminal damage/arson, 1 other theft
Feb 2014	(2/59) 1 other theft, 1 burglary
Jan 2014	(4/76) 2 vehicle crime, 1 other theft, 1 criminal damage/arson

2014 = 46/795 5.78%

Anti-social behaviour	3	Q4	- 14
Other theft	8	Q3	- 12
Violence and sexual offences	7	Q2	- 10
Criminal damage and arson	6	Q1	- 10
Vehicle crime	7		
Burglary	10		
Drugs	2		
Other crime	1		
Public order			
Shoplifting			
Bicycle theft	1		
Theft from the person	1		
Possession of weapons			
Robbery			

2013

Dec 2013	(4/72) 1 vehicle crime, 1 criminal damage/arson, 1 violence/sexual offences, 1 burglary
Nov	(3/71) 2 vehicle crime, 1 burglary
Oct	(2/68) 1 criminal damage/arson, 1 burglary
Sept	(3/86) 1 ASB, 1 Burglary, 1 Criminal damage/arson
Aug	(2/79) 1 burglary, 1 violence/sexual offences
July	(0/75)
June	(2/65) 2 burglary
May	(4/67) 2 violence/sexual offences, 1 other theft, 1 burglary
April	(6/56) 1 criminal damage/arson, 2 vehicle crime, 1 drugs, 2 violent crime
March	(3/78) 2 other theft, 1 violent crime
Feb	(1/64) 1 criminal damage/arson
Jan	(4/55) 2 ASB, 1 Robbery, 1 violent crime

2013 = 34/836 4.06%

Anti-social behaviour	3	Q4	- 9
Other theft	3	Q3	- 5
Violence and sexual offences	8	Q2	- 12
Criminal damage and arson	5	Q1	- 8
Vehicle crime	5		
Burglary	8		
Drugs	1		
Other crime			
Public order			
Shoplifting			
Bicycle theft			
Theft from the person			
Possession of weapons			
Robbery	1		

2011

Dec 2011	(3/59) 2 violent crime, 1 criminal damage/arson
Nov	(2/62) 1 vehicle crime, 1 other crime
Oct	(0/72)
Sept	(4/80) 2 ASB, 1 violent crime, 1 burglary
Aug	(8/83) 4 ASB, 1 vehicle crime, 1 burglary, 2 other crime
July	(4/112) 2 ASB, 1 burglary, 1 vehicle crime
June	(4/82) 3 ASB, 1 other crime
May	(8/79) 2 ASB, 1 Burglary, 3 Other crime, 2 Vehicle crime
April	(5/83) 3 ASB, 1 Vehicle crime, 1 Violent crime
March	(1/77) 1 ASB
Feb	(2/61) 1 violent crime, 1 burglary
Jan	(4/67) 2 burglary, 2 other crime

2011 = 45/917 = 4.91%

Anti-social behaviour	17	Q4	- 5
Other theft		Q3	- 16
Violence and sexual offences	5	Q2	- 17
Criminal damage and arson	1	Q1	- 7
Vehicle crime	6		
Burglary	7		
Drugs			
Other crime	9		
Public order			
Shoplifting			
Bicycle theft			
Theft from the person			
Possession of weapons			
Robbery			

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Initial Assessment of Complaint - NPC1/17

Complaint

On 07 March 2017, the Deputy Monitoring Officer (Andy Day) and Independent Person (Mike Wall) of this Authority considered a complaint from Councillor Tony Renouf (Chairman of Woolhampton Parish Council) concerning the conduct of Councillor James Spackman, a member of Woolhampton Parish Council. The discussion was led by the Independent Person.

A general summary of the complaint is set out below:

Councillor Renouf alleges that Councillor Spackman has been involved in a number of incidents where he has 'lied or misinformed people' and in so doing had brought the authority into disrepute and therefore breached the Parish Council's Code of Conduct.

Potential breaches of the Code of Conduct identified

The following potential breaches of the Code of Conduct were discussed:

General Obligations:

- failing to treat others with respect

Failure to Adhere to the Following Nolan Principles:

1. Integrity
2. Accountability
3. Honesty
4. Leadership

Decision

In accordance with the Localism Act 2011, following the initial assessment the Monitoring Officer, in consultation with the Independent Person, is able to decide on one of the following four outcomes:

1. the complaint will be investigated fully by an independent investigator;
2. no further action will be taken on your complaint;
3. some form of informal resolution will be sought;
4. the matter will be referred to the Director of Public Prosecution or the Police where it is suspected that some form of criminal conduct has occurred in relation to interests that have not been disclosed.

The Monitoring Officer in consultation with the Independent Person has concluded that in this case while not making any findings of fact, if the

allegations were substantiated they may constitute a breach of the Code of Conduct and therefore the allegation should be referred for investigation.

The Panel were concerned that if the allegations were substantiated:

- they could suggested a pattern of behaviour which could be deemed to be a failure to treat the subject member's fellow Parish Councillors with respect. The Panel noted that the concerns might not be with the issues raised but the manner in which this was done.
- The incident relating to the landlord of the Angel Inn could show a lack of leadership, honesty and accountability and might have compromised the integrity of the Parish Council and the Public House.
- The subject member stating that he had made a complaint to the Monitoring Officer when he had not could be construed as being dishonest and could be deemed to be a failure to treat the Chairman and the other Parish Councillors with respect
- The incident pertaining to the name badge and the District Parish Conference could demonstrate a lack of honesty and might be viewed as bringing the subject member's authority into disrepute.
- In relation to the presentation of the Neighbourhood Watch crime statistics the presentation or the manner in which the presentation was made could be considered to show a lack of leadership given the possible impact on the community even if the information was accurate.

In considering the complaint the Monitoring Officer in consultation with the Independent Person had regard to the Woolhampton Parish Council Code of Conduct adopted on the 17 July 2012, the information submitted by the complainant and the information submitted by the subject member.

This decision notice is sent to the person or persons making the allegation, the member against whom the allegation was made and the clerk Woolhampton Parish Council.

What happens now?

Investigation

The Monitoring Officer will appoint an external investigator to undertake an investigation on behalf of the Governance and Ethics Committee. The Council will notify the complainant and subject member of the details of the investigator who will contact them in due course to arrange an interview with them. In addition the investigator may wish to interview additional witnesses. All information provided to the Governance and Ethics Committee already will be given to the investigator. You may wish to consider whether there is any additional information you would want them to consider.

Additional Help

If you need additional support in relation to this or future contact with us, please let us know as soon as possible. If you have difficulty reading this notice we can make reasonable adjustments to assist you, in line with the requirements of the Disability Discrimination Act 2000.

We can also help if English is not your first language.

West Berkshire Council is committed to equality of opportunity. We will treat everyone with respect, regardless of race, disability, gender, age, religion or sexual orientation.

If you require this information in a different format, such as audio tape, or in another language, please ask an English speaker to contact Moira Fraser on Telephone 01635 519045, who will be able to help.

Signed **Date**

Deputy Monitoring Officer:.....

Signed **Date**

Independent Person.....

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Standards Investigation at Woolhampton Parish Council – NPC1/17

A report for West Berkshire Council

Simon Bull, Assistant Borough Solicitor, Bracknell Forest Council

November 2017

Investigation Report into a complaint under the Elected Members Code of Conduct brought by Councillor Mr Tony Renouf, Chair of Woolhampton Parish Council against Councillor Mr James Spackman, Member of the Woolhampton Parish Council

1 The Instructions

- 1.1 I was instructed by Mrs Sarah Clarke, the Monitoring Officer for West Berkshire Unitary Authority the principal authority for Woolhampton Parish Council, to investigate the complaint of an alleged breach of the Code of Conduct for Elected Members in respect of Councillor Mr James Spackman. Woolhampton Parish Council have adopted the West Berkshire Code of Conduct for Elected Member. I received the instructions in March 2017 and completed the work initially in November 2017. I revised the report on 12th December following comments from the complainant Councillor Mr Tony Renouf and the Clerk Mr Steve Brady who was shown a copy by the Complainant. As of the 12th December I have received no comments from Cllr Mr Spackman. However, in the interest of fairness I will consider a further revision if I receive any comments from Cllr Mr Spackman ,in due course.

2 The investigator

- 2.1 The investigator and report author is an Assistant Borough Solicitor and Deputy Monitoring Officer for Bracknell Forest Council. They have worked in the local government legal service for over 30 years and been a monitoring officer for about 15 years. Holding their current post for 20 years.
- 2.2 Prior to being commissioned to investigate this complaint, the investigator had no prior dealings with anybody associated with the complaint, other than the Monitoring Officer. They live and work in an urban environment and as the papers in support of the complaint contained reference to several parish areas and AWE, although the Investigator did not speak to any individual, they did drive around the areas referred to in the papers to orientate them self and to contextualise the complaint.

3 Orientation and Contextualisation

- 3.1 The principle areas and organisations referred to are: Aldermaston which is a developed village about 8 to 10 miles West of Reading with a settlement built around a small parade of village stores, a public house, church and war memorial. It is served by a station but it is some distance from the settlement towards the A4 Bath Road. Aldermaston AWE site appears to be in Aldermaston Berkshire on one side and Hampshire on the Tadley side.
- 3.2 Next was Wasing which appeared to be little more than a very small hamlet / settlement with no discernible heart or centre built around the Wasing Estate owned by the Mount Family. Brimpton further West towards Newbury, conjoined up the hill is a slightly more developed village with a public house, church, small school, shop and war memorial built along a main road with a village hall set back from the heart of the village towards Crookham Common.
- 3.3 Back down the hill from Brimpton via Wasing towards the Bath Road is Woolhampton which is much more developed than the other villages and hamlets in the cluster with a railway station at its heart. Woolhampton has more shops, a large public house, a speed camera a modern village hall and is the only one of the villages that encompasses both sides of the Bath Road. The settlement goes back towards Wasing and Brimpton on one side of the Bath Road and up towards Douai Abbey and Bucklebury on the other side. Demographic information recorded on the Wollhampton Parish Council's own website indicates that as of 2106 the population of Wollhampton Village is approximately 780 people , with 660 adults on the electoral register. The village has approximately 387 dwellings, 25 of which are listed. The Wollhampton

Parish Council is made up of 7 Elected Members 6 men and 1 women . The chair of the Wollhampton Parish Council is Cllr Mr Tony Renouf, who is the Complainant in this investigation. The Wollhampton Parish Council are served by a paid professional clerk .The village of Woolhampton is situated in West Berkshire between the more major settlements of Thatcham and Theale. The Principal Council for the Parish is West Berkshire Council an all purpose unitary authority. Representations have been made to the investigator about the size of the Council. It is acknowledged that the village of Woolhampton is quite small, although contextually not small compared to the villages that immediately surround it. Whilst the smallness of the village is acknowledged its size and demographics has little bearing on the essence of the complaints as they are ones of principle relating to the conduct of elected community representatives, that would apply equally to all Councils large or small.

- 3.4 Further West along the Bath Road about a mile is Midgham which has a public house on the Bath Road with a settlement/hamlet sitting back from the Bath Road towards Bucklebury, but little evidence of any other amenities other than a church.
- 3.5 In this report I spell out the Councillors' full names and thereafter refer to them as Councillor and their surname.
- 3.6 The following people were interviewed by the investigator as part of the Investigation:
- 1) Councillor Mr Tony Renouf (Chair of the Parish Council and complainant) interviewed at West Berkshire Council Offices
 - 2) Councillor Mr Jack Lovell interviewed at West Berkshire Offices
 - 3) Councillor Mr Elliott Wright interviewed at West Berkshire Offices
 - 4) Councillor Mrs Eve Burke interviewed by telephone
 - 5) The Clerk to Woolhampton Parish Council Mr Steve Brady was interviewed at West Berkshire Offices and we spoke about specific factors by telephone on a couple of occasions
 - 6) Mr M interviewed by telephone. (Mr M is a local parishioner who has shown an interest in Parish business and has attended parish meeting in the public gallery.)
 - 7) Councillor Mr Malcolm Large interviewed by telephone
 - 8) Councillor Mr Gerald Hale interviewed by telephone.
 - 9) Mr Martin Dunscombe West Berkshire Council Officer interviewed by telephone
 - 10) Councillor Mr James Spackman the subject member of the complaint interviewed at West Berkshire Offices in the presence of Mrs Moira Fraser

Amongst the individuals listed above are the 7 Councillors and the Clerk who make up the Woolhampton Parish Council in its entirety. . All of whom were interviewed as part of this investigation either by telephone or in person. I indicate above which method of interview was used.

4. The Complaints

- 4.1 The eight complaints investigated are set out here in chronological order. I set them out again individually at the stage that I deal with each of them in turn in this report. The dates accompanying the complaints demonstrate that matters complained of straddled a twenty month period between June 2015 to October 2016. As some of the complaints as set out in the pack are quite lengthy, I have summarized what I understand are the component parts of each complaint to assist the reader who may not have all the background details.

4.2 Complaint One - June 2015

- 4.3 In an e mail and verbal conversation between Councillor James Spackman and Councillor Elliot Wright, Councillor Spackman alleged that in conversation with Councillor Jack Lovell at Douai Fun Day Councillor Lovell made a slanderous comment about criminal activity the Angel Inn. Councillor Spackman then discussed this matter with the owner of the Angel Inn and asserted that it was made at the WPC meeting rather than at Douai Fun Day.

Components of Complaint One:

- Was a slanderous statement made? If so :
- Who made it?
- When and where?
- Was it a breach of the code

4.4 Complaint Two - August 2015

- 4.5 August 2015 WPC Special Meeting under Part 2 to consider the context in which the Angel Inn comments were made and a resolution (passed) to remove Councillor Spackman as AWE liaison representative.
- 4.6 Councillor Spackman said he would respond after the complaint he made today (the day of the meeting) to West Berkshire Council's Monitoring Officer was determined. At a meeting in April 2016 Councillor Spackman denied that he had said that he had made a complaint. He alleged that the minute was incorrect. He alleged that he had stated in February that he was considering reporting his concerns to the Monitoring Officer.

Components of Complaint Two:

- The essence of this complaint is: did Councillor Spackman say he had made a complaint or would make a complaint
- Implications of the statement either way

4.7 Complaint Three - December-January 2015/2016

- 4.8 At Woolhampton and Midgham Parish Council's meetings, the minutes raised issues about effluent that drained into the Woolhampton Treatment Plant– The Woolhampton Parish Council wrote to the Head of Planning at West Berkshire Council Gary Lugg copied to the neighbouring parish councils of Brimpton and Midgham. When the matter was discussed at Midgham Parish Council, Councillor Spackman claimed that the Chairman of Midgham Parish Council, Councillor Lombardo described the letter to the Head of Planning as silly. Councillor Lombardo denied the comment. When asked to explain Councillor Spackman did not respond.

Components of Complaint Three:

- Was Councillor Spackman accurately reflecting Midgham Parish Council's view as purported to have been expressed by Councillor Lombardo in relation to the enquiry about sewerage treatment in the Woolhampton area.

4.9 Complaint Four - January 2016

4.10 Lack of footpath on Woolhampton Hill to be funded out of Douai S106 money. WBC could not undertake viability study until 2017 due to resource shortage. West Berkshire Council said viability could not take place until funds would be released for the task which would not be until 2017. At November meeting item removed from being a standard item on Woolhampton Parish Council agenda until 2017. Councillor Spackman made misleading statements on his Face book page stating Woolhampton had abandoned the scheme. Councillor Spackman was not present at the meeting where it was taken off the agenda until 2017. Councillor Spackman was asked and refused to amend his comment implying he footpath was abandoned when it had just been shelved until WBC had the money.

Components of Complaint Four:

- Was the footpath abandoned as Councillor Spackman asserted or was it postponed pending S 106 money being available in 2017
- Should Councillor Spackman have corrected his comment about abandonment?

4.11 Complaint Five - March 2016

4.12 Councillor Spackman following the District Parish Conference at West Berkshire Council wrote to Martin Dunscombe about his name being removed from list of delegates so Councillor Renouf Chair of WPC could attend in his place. Councillor Spackman fabricated comments about being replaced and about what Councillor Renouf submitted in an e-mail.

Components of Complaint Five:

- Whether Councillor Spackman's name was removed from the list of delegates?
- Was it as a consequence of Councillor Renouf's intervention?
- Was Councillor Spackman's behavior surrounding this, in the round, a breach of the code?

4.13 Complaint Six - June 2016

- 4.14 Councillor Spackman contacted Martin Dunscombe stating serious concerns about Councillor Renouf's chairing of WPC and further stated Martin Dunscombe could rest assured the concerns Councillor Spackman had about Councillor Renouf would be discussed in greater length. Then on 15th June Councillor Spackman e-mailed Councillor Renouf and copied all of WPC including the Clerk alleging Councillor Renouf actively disrupted the WPC meeting in these ways from your position of Chair to prevent any other outstanding examples of your misconduct from being raised is symptomatic of ,and intimately connected to your failure over the course of many years to reach any sort of satisfactory resolution on behalf of residents relating to sewage problems in Station Road.
- 4.15 The above led to a vote of confidence at the WPC of Councillor Renouf and a vote of no confidence immediately after of Councillor Spackman and Councillor Spackman's removal from representing WPC on any forum or representing WPC at neighbouring Parish council meetings or representing the WPC as the lead on the Neighbourhood Plan for Woolhampton.
- 4.16 When given an opportunity to respond Councillor Spackman did not offer any evidence to the WPC in support of his claim against Councillor Renouf, when the votes of confidence were taken.

Components of Complaint Six:

- Was it appropriate for Councillor Spackman to raise an issue with Martin Dunscombe in the way he did?
- Was Councillor Spackman's allegation about Councillor Renouf's conduct an accurate statement?
- Was the sewerage statement an appropriate comment?
- Should Councillor Spackman have reasonably responded when asked to do so by the Woolhampton Parish Council meeting?

4.17 Complaint Seven - October 2016

- 4.18 Councillor Spackman in October e-mailed Councillor Renouf, the members and the Clerk to WPC asking to confirm the resignation of Councillor Mrs Eve Burke. Councillor Mrs Eve Burke had been co-opted in April 2016. He asked for confirmation of her resignation as a Councillor as there was no published information about her on the WPC website, which he thought was mandatory. The Clerk, Steve Brady explained at the previous meeting, which Councillor Spackman had attended ,why the web site was not up-to-date. It is asserted that putting the question in the way Councillor Spackman did was seen as a devious attack on the Clerk Steve Brady and caused upset to Councillor Mrs Eve Burke. Councillor Spackman alleged this absence on the web site was a breach of the Transparency Code.

Components of Complaint Seven:

- Appropriateness or otherwise of the e mail asking if Councillor Mrs Burke had resigned because her details were not uploaded onto the WPC web site ?
- Was it an indirect attack on Councillor Renouf or the Clerk?

4.19 Complaint Eight - January 2016

- 4.20 In September 2016 Councillor Spackman circulated to members of the WPC a communication purporting to be from Woolhampton Neighbourhood Watch Group alleging that Woolhampton was experiencing higher levels and more serious crime than neighbouring parishes.
- 4.21 Councillor Spackman was asked for the source of the information and he declined to give it. Councillor Spackman sought to hide behind Data Protection Act principles.
- 4.22 Angela Money confirmed the Woolhampton Neighbourhood watch Group does not exist. This is treating fellow Councillors without respect and an attempt to undermine the Chair Councillor Renouf.
- 4.23 The complaint notice concludes with a narrative statement that Councillor Renouf's complaint is supported by all the other members of the WPC. The collective view of the remainder of Woolhampton Parish Council is that Councillor Spackman is unfit to hold public office.

Components of Complaint Eight:

- Was Councillor Spackman acting appropriately in his representations of the Local neighbourhood watch Group crime statistic?
- Was it appropriate for Councillor Spackman to rely on data protection so as not to answer questions?
- Was it reasonable to state the continued existence or otherwise of the Woolhampton Neighbourhood Watch Group?

5 The investigation

- 5.1 During interview with each of the Councillors I worked through the 8 complaints in the order above so the interviews were conducted in a structured and formalised manner. In respect of the interviews with Mr M and Mr Dunscombe I focussed just on the issues particular to their involvement with the Parish Councillors.
- 5.2 The interviews ranged from about 20 minutes to an hour and a half. The interview with Councillor Spackman was between 4 and 5 hours.

6 The General Impression

- 6.1 My general impression was that the Councillors were all expressing the same view that working with Councillor Spackman was not satisfactory and they were at risk of the Woolhampton Parish Council as a whole imploding unless Councillor Spackman either resigns or radically changes his behaviour and conduct. I did not form the impression that they had colluded to get their accounts consistent. I believe on the balance of probabilities (actually I believe to a higher threshold) that what they told me was accurate balanced and cogent.

- 6.2 In interview Councillor Spackman was open. I had to keep the interview on task and go back over things to stop the answers either being conflated or confused, although he did not seek to dissemble. Within the interview Councillor Spackman made some admissions and concessions and realised from hind sight that he should have done some things differently or not at all, which is to his credit.
- 6.3 I do not think it will be helpful or necessary to recite the interviews in details I will set out the evidence available to me, my findings and the evidence in support and then move on to my recommendations.

7 The Evidence Available

- 7.1 The evidence on which my report is based is largely through the oral accounts in interview of those interviewees set out above and a bundle of papers that I was supplied with by West Berkshire Council, they consisted of a pack of papers running to 127 pages which contained the complaint and supporting documents which was prepared for the Governance and Ethics-Assessment Sub Committee dated 7th March 2017. In addition I obtained a copy of the revised Constitution of Woolhampton Parish Council and confirmation from the Clerk to the Woolhampton Parish Council that they had adopted the Principal Councils Model Code.

7.2 Complaint One - June 2015

- 7.3 In an email and verbal conversation between Councillor James Spackman and Councillor Elliot Wright, Councillor Spackman alleged that in conversation with Councillor Jack Lovell at Douai Fun Day Councillor Lovell made a slanderous comment about the Angel Inn. Councillor Spackman then discussed this matter with the owner of the Angel Inn and asserted that it was made at the WPC meeting rather than at Douai Fun Day.

7.4 My Findings on Complaint One

- 7.5 In interview Councillor Spackman confirmed that Councillor Lovell did not say the Angel Inn was a den of iniquity. What I understand from the interviews I conducted occurred was: Councillor Spackman who lives in close proximity to the public house either went of his own volition or was invited in by the landlord and there was a discussion about various matters that concerned the publican of the Angel Inn. This related to the bus shelter, the sun shine reflecting off the roof of the bus shelter onto the bar of the Angel Inn. During this meeting Councillor Spackman conceded that he had made the unguarded comment that when the publican did not attend the parish council to consider issues relating to the public house Councillor Lovell said: "What substance was he on?". This was alleged to have been said at the WPC meeting.
- 7.6 This alleged comment by Councillor Lovell is not recorded in the minutes and I have no way of knowing whether it was said or not. I think if it was said, it was an unguarded comment but part of the rough and tumble of debate and would not warrant a complaint. I do however conclude that Councillor Spackman showed a lack of community leadership and poor judgement. At best he allowed himself as a member to enter into a situation with the landlord on the landlord's terms in his premises, that he could not manage (Councillor Spackman admitted that he felt out of his depth trapped between the landlord and his duty to the Parish Council) and at worst he made a comment that was crass and mischief making.

7.7 This comment “what was he on” was then subsequently translated into the “den of iniquity” statement by the landlord when he visited Councillor Wrights shop and to the parish council. I believe on this question the complaint is upheld, **I find Councillor Spackman breached the Code.** He brought the parish council into disrepute. He cast doubt on his own honesty and integrity and showed disrespect for his fellow Councillors. Councillor Spackman did however in interview acknowledge it was an error of judgement which did not reach the high standard expected of an elected community leader. I conclude based on the admission in interview that it was not said at the Douai Fun day. Therefore the conversation between Councillor Spackman and Councillor Wright where it was alleged by Councillor Spackman to have been said at the Douai Fun day is as a matter of fact an untrue statement by virtue of Councillor Spackman’s own admission and is therefore of itself a breach of the code of Conduct for members.

I uphold this as a breach of the code.

7.8 **Complaint Two**

7.9 August 2015 WPC Special Meeting under Part 2 to consider the context in which the Angel Inn comments were made and a resolution (passed) to remove Councillor Spackman as AWE liaison representative. Councillor Spackman said he would respond after the complaint he made to West Berkshire Council’s Monitoring Officer was determined. At a meeting in April 2016 Councillor Spackman denied that he had said that he had made a complaint. He alleged that the minute was incorrect. He alleged that he said he was considering making a complaint to the Monitoring Officer.

7.10 **My finding on Complaint Two**

7.11 I have to consider whether as stated in Interview Councillor Spackman said he “would contact the Monitoring Officer , it was an option open to him or that he “had” contacted the Monitoring Officer. “On the balance of probabilities, deduced from the interviews, the evidence points towards him having said the statement “that he would respond after the complaint he made to the West Berkshire Monitoring Officer against the chairman was determined.” I find that this was not a true statement as no referral had been made. **I uphold this complaint as a breach of the Code.** The implication of the misstatement is that it is both untrue and Councillor Spackman is relieved of the responsibility to answer any questions now rather than putting off his response to a future date, at the time unspecified. .Councillor Spackman cast doubt on his honesty and integrity and failed to show respect for his fellow councillors.

7.12 **Complaint Three - December 2015 /January 2016**

7.13. At Woolhampton and Midgham Parish Council’s meetings, the minuets raised issues of Woolhampton Sewerage Treatment – The Woolhampton Parish Council wrote to the Head of Planning at West Berkshire Council Gary Lugg who contacted the neighbouring parish councils. When the matter was discussed at Midgham Parish Council Councillor Spackman alleged the Chairman of Midgham Parish Council, Councillor Lombardo referred to the letter from Woolhampton Parish Council to the Head of Planning instigated by The Woolhampton Parish Council raising concerns about the impact of sewage on future development in the area as silly. Councillor Lombardo denied the comment. When asked to explain Councillor Spackman did not respond.

7.14 My Findings on Complaint Three

7.15 Councillor Lombardo denies using the word silly in response to Councillor Renouf. I did not see any point in asking Councillor Lombardo as I considered he would just reinforce what he said to Councillor Renouf. In interview I did not think that Councillor Spackman was misleading me. Whether the words “silly letter” were or were not used, I believe that Councillor Spackman’s recounting the response to the Woolhampton Parish Council was injudicious. However, **I am not able to find it was a breach of the code of Conduct for members.** I believe that Midgham Parish Council did not respond as Woolhampton Councillors and Councillor Spackman would have liked and dismissed the concern in a way that was negative.

7.16 To some extent if that were the case I can understand Councillor Spackman’s exasperation. I think there may have been some things that got lost in the translation back to the WPC. I cannot go further than that without conducting a very lengthy fact finding exercise that would be disproportionate. I will comment on this again below, when I make my recommendation for the way forward.

7.17 **I do not uphold a breach of the code**, but I do find that Councillor Spackman’s comments were injudicious and he should have conducted himself differently.

7.18 Complaint Four - January 2016

7.19 Lack of footpath on Woolhampton Hill to be funded out of Douai S106 money. WBC could not undertake viability study until 2017 due to resource shortage. West Berkshire Council said viability could not take place until funds would be released for the task which would not be until 2017. At the November meeting the item was removed from being a standard item on Woolhampton Parish Council agenda until the 2017 viability survey undertaken in 2017. Councillor Spackman made misleading statements on his Face Book page stating Woolhampton had abandoned the scheme. Councillor Spackman was not present at the meeting where it was taken off the agenda until 2017. Councillor Spackman was asked and refused to amend his comment implying abandoned when just shelved until WBC had the money.

7.20 My Findings on Complaint Four

7.21 In short the WPC concluded that due to a funding gap until 2017 the footpath was put on hold. Councillor Spackman favoured the term abandoned and I believe he conveyed to the public the emphasis on abandoned rather than put on hold. It is in my assessment a difference of emphasis rather than an untruthful statement. **I am not persuaded this is a breach of the Code**, but I think it is an example of Councillor Spackman not functioning as a collegiate member of the Parish Council and going off on a frolic of his own, with his own personal agenda, which has caused offence to the members of the parish council and understandably damaged his relationship and standing with them. I will refer to this again in the way forward section. **I do not uphold this as a breach of the code** but another example of Councillor Spackman not working cooperatively with his fellow Councillors

7.22 **Complaint Five - March 2016**

7.23 Councillor Spackman following the District Parish Conference at West Berkshire Council wrote to Martin Dunscombe about his name being removed from the list of delegates so Councillor Renouf Chair of WPC could attend in his place. Councillor Spackman fabricated comments about being replaced and about what Councillor Renouf submitted in an e-mail.

7.24 **My Findings on Complaint Five**

7.25 Having spoken to Councillor Renouf, David Dunscombe and Councillor Spackman about the arrangements for attending the District Parish Council Conference at WBC. I believe that Councillor Renouf did not say or do anything that indicated formally to the West Berkshire officers responsible for arranging the conference that indicated Councillor Renouf was attending in place of Councillor Spackman or that Councillor Spackman should be taken off the attendance list.

7.26 I believe that the booking arrangements may not have been made in the usual way and Councillor Spackman did not respond in a balanced and reasonable way to the booking arrangements. He accepted in interview that he may have spoken injudiciously about this matter. **I do not think it was a breach of the code** but I do think it was an inappropriate reaction by Councillor Spackman. Councillor Spackman said he had been told by Councillor Renouf following the 2015 election that he did not want Councillor Spackman to attend any public meetings including the District Conference and this made him suspicious and react as he did. Whether this is true or not is not of great importance as I find Councillor Spackman's response and actions around this were inappropriate rather than a breach of the Code. **I do not uphold this as a breach of the Code** but I do find that Councillor Spackman should have acted differently as an elected member and representative of the Parish Council.

7.27 **Complaint Six - June 2016**

7.28 Councillor Spackman contacted Martin Dunscombe stating serious concerns about Councillor Renouf's chairing of WPC and further stated Martin Dunscombe could rest assured the concerns Councillor Spackman had about Councillor Renouf would be discussed in greater length. Then on 15th June Councillor Spackman e-mailed Councillor Renouf and copied all of WPC alleging Councillor Renouf disrupted the WPC meeting misusing his role as chair to do so. To prevent Councillor Renouf's misconduct from being raised also indicated his inability over prolonged time to resolve the issue of the Woolhampton sewerage problems in Station Road. Due to Councillor Renouf's failings as chair of the WPC.

7.29 The above led to a vote of confidence at WPC of Councillor Renouf and a vote of no confidence immediately after of Councillor Spackman and Councillor Spackman's removal from representing WPC on any forum representing WPC at neighbouring Parish council meetings or representing the WPC as the lead on the Neighbourhood Plan for Woolhampton.

7.30 When given an opportunity to respond Councillor Spackman did not offer any evidence to the WPC in support of his claim against Councillor Renouf, when the votes of confidence were taken.

7.31 **My findings on Complaint Six**

- 7.32 Martin Dunscombe confirmed he did receive email correspondence from Councillor Spackman about Councillor Renouf's chairing of the WPC and stating you can rest assured this will be discussed at greater length. Martin Dunscombe thought this was an inappropriate channel and should have been taken up with the Parish Council rather than referred by Councillor Spackman straight to him.
- 7.33 This led to a vote of confidence in favour of Councillor Renouf and one of no confidence in Councillor Spackman at the subsequent Parish Council meeting. I accept that Councillor Spackman did not provide evidence to the Parish Council in support of his complaint against Councillor Renouf when asked to do so at the Parish Council meeting and it seems to be a misjudgement not to. Councillor Spackman did state that the time between knowing his behaviour was going to be considered by the Parish Council and the meeting itself, was too short to prepare a response and so he said nothing in his defence. I do not accept that assertion.
- 7.34 It is a fact that Councillor Spackman did not in the end actually make or pursue a complaint about Councillor Renouf. In interview Councillor Spackman conceded that the email about a complaint against Councillor Renouf was imprudent. Councillor Spackman does believe that Councillor Renouf has a vendetta against him. Councillor Spackman's answer to this complaint was broad detailed and convoluted. I do not think that Councillor Spackman acted very rationally and in terms of the code, I believe he acted outside of the realms of acceptable behaviour that should be expected of a Parish Councillor and his behavior in the round in respect of this complaint brought himself and the Parish Council into disrepute. **I do uphold this complaint as a breach of the code** Councillor Spackman. did not treat his fellow Councillor with respect and cast a shadow over his own integrity and honesty

7.35 **Complaint Seven - October 2016**

- 7.36 Councillor Spackman in October e-mailed Councillor Renouf, the members and the Clerk to WPC asking to confirm the resignation of Councillor Mrs Eve Burke. Councillor Mrs Eve Burke had been co-opted in April 2016. Councillor Spackman asked for confirmation of her resignation as a Councillor as there was no published information about her on the WPC website, which he thought was mandatory. The Clerk, Steve Brady explained why the web site was not up-to-date and it is asserted that putting the question in the way Councillor Spackman did was seen as a devious attack on the Clerk Steve Brady and caused upset to Councillor Mrs Eve Burke. Councillor Spackman alleged this absence on the web site was a breach of the Transparency Code.

7.37 **My Findings on Complaint Seven**

- 7.38 The Clerk had made it plain that due to competing pressures the website was not up to date. Councillor Spackman accepts that he should not have emailed Members of the Parish Council and did not see things from Councillor Mrs Burke's perspective and claims it was part of Councillor Spackman's general concerns about governance and transparency. I was encouraged by the statement that he had not seen things from Councillor Mrs Burke's perspective. I do conclude that Councillor Spackman's conduct in this area of the complaint was unacceptable.

7.39 I believe it was at best crass and at worse mischievous and Councillor Mrs Burke was caught up in Councillor Spackman's disagreements with Councillor Renouf. I have no hesitation in concluding that Councillor Spackman's behaviour fell far below that expected of a Parish Councillor and his conduct brought him and the Parish Council into disrepute. His conduct cast a shadow over his honesty and integrity and he showed disrespect for his fellow Councillors particularly Councillor Mrs Eve Burke. Whilst I have no power to require him to do so, I would strongly recommend that if Councillor Spackman is to remain on the Parish Council he needs to unreservedly apologise to Councillor Mrs Burke for the way that he used her as a collateral instrument in his running dispute with Councillor Renouf and his misguided view that the governance of the Parish Council was not what it should be. I will comment on this in my recommendations at the end. **This complaint is upheld as a breach of the Code of Conduct for Members.**

7.40 **Complaint 8 - January 2016**

7.41 In September 2016 Councillor Spackman circulated to members of the WPC a communication purporting to be from Woolhampton Neighbourhood Watch Group alleging that Woolhampton was experiencing higher levels and more serious crime than neighbouring parishes.

7.42 Councillor Spackman was asked for the source of the information and he declined to give it. Councillor Spackman sought to hide behind Data Protection Act principles.

7.43 Angela Money confirmed the Woolhampton Neighbourhood watch Group does not exist. This is treating fellow Councillors without respect and an attempt to undermine the Chair Councillor Renouf.

7.44 The complaint notice concludes with a narrative statement that Councillor Renouf's complaint is supported by all the other members of the WPC. The collective view of the remainder of Woolhampton Parish Council is that Councillor Spackman is unfit to hold public office.

7.45 **My Findings on Complaint Eight**

7.46 Councillor Spackman in interview said he had been speaking to people who had been involved in Neighbourhood Community Watch in the past and wanted to be in the future and that he was trying to coordinate those things in a way that I think in his mind there was an emerging Neighbourhood Watch Group. Where this is complex is because Councillor Spackman was not doing this with the knowledge and agreement of the Parish Council as a group.

7.47 I do not think having taken evidence from Councillor Spackman that his actions around this were a breach of the code. They were however an example of him not acting collegiately and actively with his fellow Parish Councillors. He was effectively going off and freelancing and that is no way for a parish Councillor to be behaving.

7.48 I was told that he tried to find out information from various people and was told that he could not be provided with information as that could only be provided to nominated coordinators and he was not a coordinator. He was and I believe as of the date of my interview with him to be still trying to become a coordinator to obtain access to the local neighbourhood watch data as he wishes to reignite and be a part of the Neighbourhood Watch Scheme. I do not accept the statement about the Data Protection Act, but I do not think I need to linger further on the point as I do not believe

anything turns on it, as I conclude that whilst I do not think it breached the code he did not behave in a way that one would expect a Parish Councillor to behave.

- 7.49 I asked myself is that in itself a breach of the Code and on balance I do not think it quite crossed the threshold, but it was a further example of not working collegiately with his fellow councillors and going off on a frolic. On the question of crime statistics that was a theme of this complaint, I accept that the Parish Council's view of the crime statistics are different to Councillor Spackman's, but I think whilst there is a difference of opinion his views on the statistics whether he be right or wrong are rightly held and I am reluctant to criticise him for interpreting them in the way he did. If there is criticism, it is that they are presented as contradicting the Parish Council and that is not a satisfactory state of affairs for a member of the Parish Council to be publicly contradicting the view of the Parish Council. **I do not uphold this as a breach of the code**, but I do find that Councillor Spackman did not behave as one would expect a councillor to behave.

8 Conclusion and Recommendations

- 8.1 Whilst I find Councillor Spackman has significantly breached the Code of Conduct for Members. His behaviour and conduct has fallen below that expected of a Parish Councillor in a number of areas. Where I do not find a breach, I do conclude that he could and should have behaved more constructively. We have to decide how to proceed given the circumstances that prevail and where the Parish Council and Councillor Spackman want to get to, to move forward favourably in the future.
- 8.2 The starting position and this is not a political statement, is to acknowledge that one of the first acts of the Coalition Government in 2010 was to remove all the sanctions and teeth from the Code of Conduct. We have to accept that there is no power to suspend or significantly sanction. It also has to be recognised from the interviews of all the Parish Councillors except for Councillor Spackman that the Parish Council is at risk of imploding. Members are supporting each other to carry on but if Councillor Spackman does not change his approach to his role as a councillor, they are likely to resign in significant numbers in the not too distant future.
- 8.3 It also has to be realised that were the members to resign and form an informal grouping the legal personality of the WPC would continue and they would not as a breakaway group be able to receive the precept. The WPC would continue with Councillor Spackman the remaining member. This was one option mooted as whilst the existing parish councillors are exasperated they are public minded and do wish to continue working for the good of the Woolhampton Community.
- 8.4 On the other side of the coin we have to acknowledge that Councillor Spackman is absolutely addicted to local politics, is dedicated in his own way and is not likely to resign or go away. He donates significant time and energy to local issues and attends most other parish council meetings as an observer largely travelling by foot. Whilst I did not check the accuracy in interview he has certainly gathered a lot of information and facts on crime and community statistics and takes an active interest in minute details relating to parish matters. Councillor Spackman has considerable talents that if he can change his approach would be an asset to any council if he plays by the rules rather than freelances.

9. Mediation

- 9.1 I believe that the only constructive way forward is a mediated settlement between Councillor Spackman and the WPC. Within that process I believe that Councillor Spackman has to be prepared to move some considerable way. I set out a non-exhaustive list of where I think he has to move his position and some factors I would invite him to accept:
- 1) The clerk is a qualified auditor with a background in local government and housing associations he is fully conversant in good governance and I believe that he is fully able to identify and act on any matters where governance needs to be addressed. I do not think that Councillor Spackman should be concerned about good governance and proper process of the WPC. I consider that the governance of the WPC is sound. This is a small precept authority with a light touch auditing and governance and nothing that I saw indicated other than it is run soundly. I also believe that the Clerk has attempted to provide Councillor Spackman with wise counsel and he would be advised to accept it. I think in the future if Councillor Spackman has a question about governance he should ask the Clerk or the Council in a measured way, but I repeat that I believe that the governance of the Woolhampton Parish Council is as it should be.
 - 2) Councillor Spackman needs to accept that he should as a member of the WPC work collectively and collegiately with his fellow Councillors. If Councillor Spackman is ever to be readmitted as a functioning member of the WPC, who has the authority restored to him to be able to represent the views of the WPC at other public meetings and forums, then he will have to work more co-operatively and collegiately with his fellow councillors. If this position cannot be obtained and I believe it can ,but doubt it will happen overnight then Councillor Spackman will remain an elected Councillor at least until the next election but will be a mere cypher who has no meaningful functioning role or influence within the council. I deduced in interview that was not the state of affairs that Councillor Spackman wished to prevail. Whether this change can occur is determined by Councillor Spackman and the Parish Council. Largely though Councillor Spackman will be the author of his own future.

Some collateral issues that arose within the investigation and assumed significance although may not be immediately apparent from the complaint or the bundle.

- 3) Councillor Spackman may require some general guidance and training. I do not think this needs to be expensive external courses. I think that if he is willing to listen and take stock the concerns he has about governance and general parish conduct including , auditing of annual accounts, publicity, photography, the use of appropriate social media and transparency can be provided in short form by the Clerk who appears to be well versed in all these areas. I can't be any more specific as this may be a developing area depending on what issues Councillor Spackman wishes to raise in respect of the functioning of the Council going forward. I would hope that if a mediated settlement can be reached the number of issues he raises and requires training and guidance on may recede.
- 4) In respect of the deferred footpath Scheme I concluded that the potential transfer of ownership of slithers of land, or rights of access over land that may be required and provided by serving members of the WPC to make the road safe to

walk up what is called Woolhampton Hill are all above board and comply with good governance and are not motivated by any personal gain. I believe comments to the contrary are unwarranted and destructive to the WPC, those making them and the community in general.

10. Photography

- 10.1 Members of the Parish Council and the public should not be photographed by a serving elected Member of the Parish Council getting up and pointing their camera at attendees and other members, without their consent, to do so without their consent in the way it is alleged that it occurred in this investigation at the instigation of Councillor Spackman is provocative. I have looked at the Parish website and sufficient contact details are available to satisfy the requirements for transparency and availability of elected members. The basis of the requirements concerning the details on the web site are so Councillors can be recognised and contacted by parishioners, so that parishioners can access the local democratic process. Having complied with the basic requirement, anything in excess of that in my opinion requires consent. I believe that non-consensual attempts to film members of the public, by Councillor Spackman, have led to a reduction in community interest in attending the work of the Woolhampton Parish Council meetings and that is not satisfactory as it reduces community engagement. I accept that there are separate statutory provisions relating to the filming of the conduct of the Parish Council business by the public, but that is not what we were concerned with in this investigation. It was the filming by a serving member for their own aims. That I believe requires consent. Particularly if it is not going to lead to conflict, complaints and disengagement.

11. Social Media and e-mails

- 11.1 Social media, the use of Face Book and electronic data sharing. It appears that Councillor Spackman and the Woolhampton Parish Council may be in different places in their desire to use social media to engage with the community. This was an issue in the Neighbourhood Watch complaint. This may be an area if Councillor Spackman and the WPC reach a mediated settlement that Councillor Spackman could work on in a consensual manner with the WPC as a whole as this is an area that communities are expecting to see developed. As an aside, as a consequence of my investigation I would advise Councillor Spackman to be more circumspect about his e-mailing of Councillors and the community, relating to his work with the Parish Council. He would, be advised to reflect on both the tone and the breadth of circulation. In many cases he should sleep on a matter before firing off what are sometimes e mail salvos which only serve to alienate him and antagonize the recipient members of the Council and community. Whether he takes cognizance of this advice is of course his call. The Clerk informed me that the Council has adopted a Communication and Engagement Strategy. All Members of the Woolhampton Parish Council need to adhere to it.

12. Publication of this Report

- 12.1 I believe that whilst it may be the desire of some members of the WPC to publish this report, I would recommend that if both parties are willing to embrace attempts at a mediated settlement then the publication of this report may be destructive to that process and I would advise against it. If a mediated settlement is not an option then I am silent on publication and will leave it to the Council and recipients to determine.

13. Concluding remarks

- 13.1 I find breaches of the Members Code of Conduct by Councillor Spackman and uphold the majority of the complaints against him as set out above. In this report having

interviewed people and taken evidence, I make a distinction in those areas where I do not find a breach of the Code, but where I believe that as a complaint in common terms they are upheld. This is because Councillor Spackman should have acted and conducted himself differently as a parish councillor. There is in this case a shared territory where actions complained about are both a breach of the Code and unacceptable or just unacceptable but not a breach of the Code. I accept that another person looking at this case in respect of those complaints that I do not find a breach of the code, may come to another conclusion. However, on the evidence as it presented itself to me (largely in interviews) I did not think on balance that it crossed the threshold. In the annexe A immediately below I set out an executive summary of each of the eight complaints, with a statement of whether I find them to be a breach of the code and where I find a breach I indicate what is breached both in terms of the Code and the 7 Nolan Principles.

13.2 I repeat that I would strongly recommend that Councillor Spackman apologises to Councillor Mrs Burke and invite the parties to robustly embrace an attempt at a mediated settlement.

Simon Bull
12th December 2017

Signed: Simon Bull

Annexe A

Executive Summary of the Eight Complaints

Complaint One

The Complaint concerned a slanderous comment about criminal activity at the Angel Inn .

I uphold this complaint . I find that Councillor Spackman brought himself and the WPC into disrepute by making an inaccurate statement, knowing it to be inaccurate . In terms of the 7 Nolan principles I find that he showed a lack of community leadership and casts doubt on his own honesty and integrity .

Complaints Two

Did Councillor Spackman say " he" had or would" make a complaint to the Monitoring Officer ?

I find this was not a true statement as no referral had been made. **I uphold this complaint as a breach of the Code.** I find Councillor Spackman brought himself and the WPC into disrepute . I find in terms of Nolan he showed a lack of community leadership, cast doubt on his own honesty and integrity and showed disrespect for his fellow Councilors.

Complaint Three

This relates to the claim by Councillor Spackman that Councillor Lombardo the Chair of Midgham Parish Council said the letter to The Head of Planning at West Berkshire was a silly letter. **I do not uphold this as a breach of the code** , but I do find that Councillor Spackman 's comments were injudicious ,showed a lack of judgement and he should have conducted himself differently.

Complaint Four

This is the question of whether a footpath up Woolhampton Hill was abandoned or just put on hold until 2017 when S 106 money may be available to undertake the project.

I do not uphold this to be a breach of the Code . I believe it was a difference of emphasis rather than an untruthful statement. I believe that Councillor Spackman was again not working in a collegiate and co-operative way with his fellow Councillors.

Complaint Five

The communication with Martin Dunscombe about the arrangements for attending the District Parish Conference .**I do not uphold this as a breach of the**

code, but I feel Councillor Spackman acted inappropriately and should have acted differently as a Member of the Woolhampton Parish Council.

Complaint Six

Whether Councillor Spackman ” **had or would**” make a complaint to the Monitoring Officer about Councillor Renouf. **I uphold this complaint as a breach of the code.** I find that Councillor Spackman made an innacurate statement . He demonstrated a lack of community leadership in terms of the Nolan principles and brought himself and the WPC into disrepute . He also cast doubt on his own honesty and integrity and failed to show respect for his fellow Councillors.

Complaint Seven

Complaint that Councillor Spackman emailed Councillor Renouf , the other WPC Members and their Clerk asking them to confirm the resignation of Cllr Mrs Eve Burke as there was no published information about her on the WPC web site.

I uphold this as a breach of the code. I have no hesitation in finding that Councillor Spackman’s behavior fell far below that expected of a Parish Councillor and he

brought himself and the Council into disrepute. In terms of the Nolan principles he demonstrated a lack of community leadership, cast doubt on his own integrity and honesty and failed to show respect for his fellow Councillors. He used Councillor Mrs Eve Burke as a collateral instrument in his dispute with Councillor Renouf and his misguided view that the governance of the WPC was not what it should be.

Whilst I have no power to require it, I strongly recommend that Councillor Spackman makes an unreserved apology to Councillor Mrs Burke .

Complaint Eight

Whether the Woolhampton Neighbourhood Watch Group existed, and a dispute about whether there was a rise in the local crime statistics. **I do not uphold this as a breach of the code.** It is though another example of Councillor Spackman not acting collegiately and co-operatively with his fellow councilors or in a manner expected of a Councillor.

Summary of conclusions on the Eight Complaints

I uphold four of the Complaints as a breach of the Code. I do not uphold four as a breach of the Code , but I do find that Councillor Spackman did not act appropriately in terms the four complaints, that I do not uphold , but on balance for the reasons set out in the report I do not believe they crossed the threshold to be classified as a breach of the Code. I accept that

someone else conducting the investigation may have come to a different conclusion on the four not upheld but I interviewed everyone in depth ,I carefully considered the papers and the oral evidence of those I spoke with. On balance I judged them not to be a breach of the Code, but classified them as justified complaints in terms of common parlance outside of the Code.

Recommendation Summary

I strongly recommend that a mediated settlement should be attempted as the sanctions available under the Code are limited and Councillor Spackman is unlikely to stand down as he is, as I indicated in the main part of the report absolutely addicted to local issues and politics. Councillor Spackman is effectively already subject to the sanction available , imposed by the WPC as a whole. He has been told he does not speak for the Council. He has been removed as a representative of the Council when attending the meetings of outside bodies. Were he in a political party he would be defined as having the whip withdrawn. I concluded that WPC was not run along party political lines , but not withstanding that Councillor Spackman is in the same parlous state as a person who had the whip withdrawn. My more detailed findings and recommendations are set out in the main body of the report , so I will not rehearse them again here.

My final comment is that notwithstanding the above Councillor Spackman is not without ability and a commitment to local issues. However, whether he has a long term future as a councilor will, in large part be

determined by whether he is willing and able to change and that will entail embracing a mediated settlement and if it succeeds maintaining a change and not reverting to the behavior that led to these complaints and this investigation.

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Addendum to Report to West Berkshire Council in the Matter of a Standards Investigation at Woolhampton Parish Council-NPC1/17 Dated 12th December 2017.

Complaint three

1 Having read the responses from Cllr Renouf, Cllr Spackman and the Clerk Steve Brady which were presented to the Advisory Panel, I decided to interview Councillor Derek Lombardo , the Chair of Midgham Parish Council and the Clerk to Midgham Parish Council Mrs Angela Spoor.

2 I interviewed Councillor Lombardo and Mrs Spoor on Wednesday the 11th January 2018 at the home of Mrs Spoor. Both were very responsive and cooperative and agreed to see me at short notice.

3 Councillor Lombardo informed me that he was not a planning consultant as indicated to me by Councillor Spackman, but an architect. He informed me that as a routine they always consider drainage when debating planning applications. To that end he told me he may have said: "I think it is a bit silly really", referring to the letter, because we always consider drainage matters. Cllr Lombardo had offered an explanation of his comments to Cllr Renouf by email in January 2016. I believe having interviewed all the parties and read the documents, Councillor Lombardo did not say it was a silly letter but probably said this is silly really as set out immediately above. I think it got reported back inappropriately in saying it was a silly letter, rather than this is a bit silly really. I do not change my conclusion in the report of 12th December 2017, having now interviewed Councillor Lombardo and the Clerk. I believe Councillor Spackman's recounting was injudicious and he should have conducted himself differently and nuanced the response better, but I do not find a breach of the code.

Simon Bull

18th January 2018

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Complaint 3

Item 9 of the Midgham Parish Council minutes of their December meeting states:

Woolhampton Treatment Works - Clerk circulated a copy letter from Mr T Renouf, Chairman of Woolhampton re treatment works requesting that all current and future developments in the parishes that drain into these works only be granted subject to a strict condition being applied whereby an on-site bio digester treatment is used. The issue was discussed and agreed that all such applications would obviously take into consideration such matters.

The investigator's opinion that Midgham PC did not respond as Woolhampton Councillors would have liked and had dismissed the concern in a way that was negative is clearly contradicted by the Minutes.

Cllr Spackman was at the Midgham meeting but chose to mislead the Parish Council by reporting that the letter had been dismissed by the Chairman Cllr Lombardo, who was not interviewed, as being 'silly'.

This is not just an injudicious remark but clearly an attempt to bring the Chairman and the Parish Council into disrepute and as such is a breach of the code.

Complaint 4

The investigator's opinion is that Cllr Spackman's use of the word 'abandoned' on his Facebook page rather than 'put on hold' is merely a difference of emphasis.

However, 'abandon' means *to give up completely* and 'put on hold' means *to postpone*. This is a change of meaning not a change of emphasis!

Cllr Spackman was not at the meeting at which this was decided by WPC but when subsequently advised of his error he refused to amend the page.

This was an attempt to bring the Parish Council into disrepute and not, as suggested, a non-collegiate frolic. It was a deliberate breach of the code.

Complaint 8

Cllr Spackman forwarded to members a message he claimed to have received from the Woolhampton Neighbourhood Watch Group which stated that **'Woolhampton continues to experience higher levels and more serious crimes compared to neighbouring parishes'**.

Because of the alarming nature of the message Cllr Spackman was asked for contact details. He claimed he was prevented from giving the names of any Group contacts by the Data Protection Act.

Subsequently, the West Berkshire Neighbourhood Watch Co-ordinator, Mrs Angela Money confirmed that the Group did not exist.

The investigator concludes that the 'theme' of this complaint is a difference of interpretation of the statistics. That is incorrect – the complaint does not dispute any statistics but hinges solely on Cllr Spackman's attempt to wilfully deceive his fellow councillors and the public.

Whilst it can be considered to be bad behaviour it is also a serious breach of the code.

C1

The 'potentially defamatory' comment was made by Cllr Lovell at a meeting of WPC regarding a discussion of the new bus shelter to be erected outside the Angel Inn. He commented that the landlord had not attended an on-site meeting, asking "and what substance was he on?"

A second comment was made by Cllr Lovell in at the Douai 'Fun Day' about the death of the daughter of the Angel Inn's landlord. This had not been raised as an issue of contention until Cllr Renouf lodged this formal complaint.

When I represented the member of the public on this issue, I was not included in correspondence setting the time, date and location of the meeting and couldn't ensure the member of the public had received it, I was subsequently refused sight of this correspondence, and Cllr Renouf refused to contact the member of the public to explain why the meeting hadn't taken place or the reasons for the decision to take no further action on their concerns. This demonstrated a lack of collegiate behaviour and representativeness.

Mr Bull's finding that I brought WPC into disrepute by informing a member of the public of a decision relating to a matter that they had asked me to represent them on and the reasons this decision was made in a public forum, is beyond comprehension.

C2

The issue of a potential complaint relating to the P2 meeting, at which the first of Cllr Lovell's comments was made, remains outstanding. The minutes did not record the decision reached to restrict reports from the public.

Cllr Renouf claims I stated I made a complaint. He raised this at the subsequent meeting without contacting me privately specifically in order that he could denounce me from the chair. I replied that he may have misheard, that I had contacted the Monitoring Officer but this was unhelpful, that I had spoken with the Clerk who had sought to convince me to drop the matter for the sake of harmonious relationships (the Clerk indicated he had communicated with Cllr Renouf on this), but because I felt public meetings are not private I felt this required further resolution on his part, and that I had found a notice of CAB dispute resolution service to provide mediation which I felt was an appropriate compromise.

It remains my position that the P2 meeting made a decision to restrict reporting from the public session, that this was both deliberate and incorrect, that this was not recorded, and that decisions later relied upon should be recorded. Cllr Wright relied upon the non-existent minute in complaint 4.

Mr Bull's finding on 'the balance of probabilities' that I had said this is perverse, as it contradicts the fact of the three steps I would take in the intervening period.

C3

The issue of the 'silly letter' highlights Cllr Renouf's problematic behaviour. Cllr Renouf sent a letter to Chair of Midgham, Cllr Lombardo, who gave three reasons for rejecting the request and asked me to defend these, but because Cllr Renouf had not sent me a copy (although it was in my agreed area of councillor responsibility) and did not do so until 8 weeks after Cllr Lombardo I was not able. Cllr Lombardo asked me to return and get an explanation. I raised this at the next meeting of WPC, but

Cllr Renouf did not respond, except to the description that it was a 'silly letter'. He wrote a 1-line email to Cllr Lombardo asking if he had used the phrase, to which Cllr Lombardo replied asking in what context it was suggested this was made. Cllr Renouf did not reply. Cllr Renouf still hasn't addressed the 3 issues.

Mr Bull's finding is unjustifiable and incomplete, as he didn't read the letter and didn't question Cllr Lombardo as to the facts of the matter. Cllr Renouf still hasn't offered any answer to the three reasons his request was rejected, and the issues relating to sewage capacity in the village are ongoing as a result.

C4

The 'abandoned' footpath ('Safer Woolhampton Hill') relates back to C2, and reporting of issues of public interest. Cllr Renouf noted at a WPC meeting that he'd received a complaint 'from a member of the public' about a 1-line post on a private group noting plans to progress the project had been abandoned. I was at the meeting in question and it was a direct quote from Cllr Renouf that it had been 'abandoned'. I asked Cllr Renouf to provide details of the 'complaint' and whether this had been lodged with WBC Monitoring Officer. He stated he did not need to provide details. I asked for details on who had contacted him and how they had – whether in person, by phone, in writing etc. He failed to demonstrate any complaint had been made. Cllr Wright cited the non-existent minute from the P2 meeting, adding that he felt events at the public meeting were not a matter for public consumption and should not be reported, and I should close the FB group. I noted that the only person who was a member of the closed group and who had been in attendance at the meeting was Cllr Wright- and therefore was the only person who could have complained to Cllr Renouf. He is and was not a member of the public, there was no reason why Cllr Renouf should lie about his identity. I also note the principle 'if you cannot represent yourself, you cannot represent the public'. This was clearly improper and malicious behaviour.

Mr Bull's finding that I didn't behave collegiately is perverse, when the reverse is a more accurate description. He claims I damaged my relationship with other WPC members over this, but these were deliberately and actively undermined by Cllrs Renouf and Wright, if they ever existed in the first place (as Cllr Renouf has clearly stated in public he was opposed to me from before Aug 2014, and as Cllr Wright clearly stated in a private meeting that he 'would do everything he could to get rid of me'. The events at this private meeting which was designed 'to sort things out' are key, as Cllr Wright physically threatened me over a period of 90, then lied to me that he would confirm in writing to me the basis of our conciliation before lying to Cllr Renouf about what had been agreed. Mr Bull refused to take this background incident into account, although he claimed he was fully aware of it.

C5

The DPC mix-up was an inevitable consequence of Cllr Renouf's unwillingness to act collegiately (as highlighted above). He sought to prevent me from attending, then he sought to negate my interest in attending by pretending to be interested in attending it himself. He then bypassed the organising team at the last moment to express his apologies, which was unnecessary – this action showed he was more interested in boosting his status among dignitaries and in record than actually achieving any practical result. He also submitted a written question within my area of councillor responsibility

without communicating with myself. The question was redundant as it related to an issue which had been discussed previously at WPC. As noted in the email discussion with Mr Dunscombe, Cllr Renouf could have avoided any aggravation had he behaved with simple courtesy and followed basic procedures.

I agree with Mr Bull's finding that I expressed myself badly in email correspondence, but I feel the sentiment I expressed was reasonable considering the behaviour by Cllr Renouf to this point. Cllr Renouf caused the mix-up via his poor communication and has refused to acknowledge this.

C6

The 'votes of confidence' incident was a farce and a set-up. I stated to Mr Dunscombe that my concerns about Cllr Renouf's would be discussed at further length – they are!

The effect was designed to isolate me and avoid answering any questions about the improper, bullying behaviour and poor governance among WPC officers.

Mr Bull's finding that my answers to this matter were 'convoluted' is entirely reasonable, but exposes his inability to reach the heart of the investigation – Cllr Renouf has regularly stated his personal and political opposition to me, demonstrating his abuse of position is standard practise. This formal complaint is also a demonstration of this, as Cllr Renouf has detailed his wishes to exclude me in order that he does not have to account for his abusive behaviour, and that of others – he is 'victim-blaming' in an attempt to cover-up various process manipulations which have resulted in his failure to achieve results.

He referred to an agenda item 'Governance' which was included as a result of these emails, which I was expected to set out any issues I had with the way WPC was managed. I noted that I was allowed 6 words before this became a free-for-all when Cllr Renouf encouraged all other councillors to attack me personally. This follows a clear pattern of Cllr Renouf's abuse of public sessions from the Chair of the meeting.

C7

This incident highlights the widespread governance failure of WPC. Cllr Burke was coopted several months before I noted there was no public record that she had joined the council. She apparently felt bullied by myself that I felt this should be recorded in the proper way, as detailed by the Transparency Code. Further emailed replies from Cllr Renouf (as Chair) demanded that I 'resign' (which I feel is bullying) and from Cllr Wright (as Vice-Chair) that 'nobody cares about governance'.

Mr Bull's finding that Cllr Burke felt upset at being questioned is entirely reasonable, and it highlights both her lack of training and the lack of governance in WPC. That this became a matter of complaint rather than an example of a training need is ample demonstration of this.

C8

The 'crime wave' issue relates to the Parish Plan. When I raised the fact of a local crime spike in email, I included a link to the official Police crime stats website for any individual to be able to check. Cllr Renouf explained that he was unwilling to compare dates from different months because he was

unable to look at statistics from more than one month, but he could definitely confirm I was wrong. Cllr Renouf claimed that no NHW group existed in Woolhampton, and WPC voted to that effect – this directly contradicts the claim made by Cllrs Lovell and Renouf in their Parish Plan report that WPC had ‘completed’ the action item to develop the NHW network.

Cllr Wright accused me of hiding behind Data Protection rules for not providing names of NHW members. I explained that the Police refused to circulate names of NHW members to me in order to comply with Data Protection rules, and that I therefore did not have any names and would be prevented from sharing this information with him if I did have it anyway.

General

It is my view that disputes of fact and law can only be resolved with reference to the relevant sources, and not according to the judgement of one’s peers, as Cllr Renouf would have it. It is this fundamental difference which made conflict inevitable.

WPC has taken a formal position of opposition to all and any training, including where legally required (including the clerk’s CILCA qualification, as mandated within the Transparency Code, which the Clerk has disputed is in force over a period of 3 years in order that he can excuse non-compliance with it, despite having been regularly provided with exact details of it – and which forms the substantial base of the issues under consideration here, ie that the Chair, Vice-Chair, Clerk and other councillors have actively sought to abuse their positions to avoid being held to account to the laws they purportedly uphold, and that this may indicate further wrong-doing on their part).

This creates a wide opportunity that responsibilities are not acknowledged, not understood and not followed, if not completely and wilfully disregarded or neglected. The ‘wilful neglect’ of their duties is the root of my claim that the four named councillors are guilty of ‘Misconduct in Public Office’, consequent from various other criminal breaches.

I first raised the issue of non-compliance with the Transparency Code in the month that it came into force, July 2015, noting that it required records are maintained online, but that WPC did not have a website, let alone one which was regularly updated. It is apparent that compliance is lacking in a variety of ways, and this supports a recommendation for a full audit.

Among further changes brought in under the Localism Act 2011, photography in public meeting is explicitly permitted, and is indeed encouraged.

Mr Bull criticises my lack of cooperation with other members of the council – I feel if I had been provided an induction at the start of my term, as required and requested, then this may have been possible. As it wasn’t, it is my opinion that Mr Bull has identified the correct problem, but the wrong perpetrator.

Hi Moira (19 January 2018)

Please accept my apologies as I am unable to attend, in person, the Governance and Ethics Committee on 31 January 2018. Instead, I submit the following submission.

I have been asked to comment upon the Standards Investigation at Woolhampton Parish Council (Report NPC1/17) which relates to a number of complaints made by the Chairman of Woolhampton Parish Council Councillor Mr Tony Renouf, against fellow Councillor Mr James Spackman.

As Clerk, my comments below should be seen as being neutral to all parties. I do not comment upon the complaints in relation to the Council's Code of Conduct as this is the role of the WBC appointed investigator. As part of his investigation I understand that both my Chairman Councillor Mr T. Renouf and Councillor Mr J. Spackman have been interviewed. In addition both Councillors have been provided with an opportunity to respond to the report and its findings. I can confirm that I have been interviewed by the appointed investigator.

I would like to make the following comments:

With respect to complaint 3, I was surprised that Midgham Parish Council Councillor Mr Derek Lombardo was not interviewed. This complaint was not upheld.

With respect to complaint 8, I was surprised that the West Berkshire Neighbourhood Watch lead Mrs Angela Money was not interviewed. This complaint was not upheld.

I would be grateful if you could confirm if the final reports recommendations are binding?

Section 9 – With respect to mediation, if accepted by both parties, is this something that West Berkshire Council can help with or is there a mediation service that can be recommended?

Section 9(3) - The recommendation is not explicit as to what training / guidance is required, any training recommended should seek to address any underlying weaknesses / training requirements.

Section 12 – Are you able to advise if there are any legal restrictions to the publication of the final report?

My personal view is that Councillor Mr J. Spackman is interested in local politics and has a number of good ideas. However, as I look back over the period to which the complaints relate, a lot of time and energy has been wasted. A number of meetings in part were difficult, unruly and disruptive. Relationships currently within the Council are strained. In part, due to actions outlined in the report and the subsequent feelings / reactions that these generated

I sincerely hope that the Council and its Councillors are able to find a way forward. I am prepared to help in that endeavour.

Kind Regards

Steve Brady
Clerk to Woolhampton Parish Council

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Written Decision of West Berkshire Council's Advisory Panel

Date of the Advisory Panel:	13 December 2017
Reference Number:	NPC1/17
Member who this Decision relates to:	Councillor James Spackman
Person who made the original allegation:	Councillor Tony Renouf
Authority:	Woolhampton Parish Council
Chair of the Advisory Panel:	Mr James Rees
Other Members of the Advisory Panel:	Lindsey Appleton, Adrian Edwards, Marigold Jaques, Bruce Laurie, Mollie Lock, Alan Macro, Darren Peace and James Rees
Apologies:	Councillors Mollie Lock, Alan Macro and Tony Renouf
Declarations of Interest:	Councillors Alan Macro, Mollie Lock and Tony Renouf declared an other registrable interest in this matter, did not attend the meeting and therefore did not take part in the discussion or vote on the matter. Councillors Lock and Macro's interest was by virtue of the fact that they knew the subject member through their political group. Councillor Renouf's interest was by virtue of the fact that he was the complainant. Councillor Renouf was not sent any of the agendas sent to the Panel.
Monitoring Officer:	Sarah Clarke
Investigator:	Simon Bull
Clerk of the Advisory Panel:	Stephen Chard
Date Decision Issued:	19 December 2017

Summary of the Original Complaint

Councillor Renouf alleges that Councillor Spackman has been involved in a number of incidents where he has 'lied or misinformed people' and in so doing had brought the authority into disrepute and therefore breached the Parish Council's Code of Conduct.

Outcome of the Initial Assessment

The complaint which was received on the 9 February 2017 and was initially assessed on 7 March 2017 by the Deputy Monitoring Officer (Andy Day) of West Berkshire Council and an Independent Person (Mike Wall).

They concluded that in this case while not making any findings of fact, if the allegations were substantiated they may constitute a breach of the Code of Conduct and therefore the allegation should be referred for investigation.

The Panel were concerned that if the allegations were substantiated:

- They could suggest a pattern of behaviour which could be deemed to be a failure to treat the subject member's fellow Parish Councillors with respect. The Panel noted that the concerns might not be with the issues raised but the manner in which this was done.
- The incident relating to the Landlord of the Angel Inn could show a lack of leadership, honesty and accountability and might have compromised the integrity of the Parish Council and the Public House.
- The subject member stating that he had made a complaint to the Monitoring Officer when he had not could be construed as being dishonest and could be deemed to be a failure to treat the Chairman and the other Parish Councillors with respect.
- The incident pertaining to the name badge and the District Parish Conference could demonstrate a lack of honesty and might be viewed as bringing the subject member's authority into disrepute.
- In relation to the presentation of the Neighbourhood Watch crime statistics the presentation or the manner in which the presentation was made could be considered to show a lack of leadership given the possible impact on the community even if the information was accurate.

Investigation

Mr Simon Bull was appointed to undertake the investigation on behalf of the Monitoring Officer. He interviewed the following people as part of the investigation:

- 1) Councillor Tony Renouf (Chair of the Parish Council and complainant) interviewed at West Berkshire Council Offices
- 2) Councillor Jack Lovell interviewed at West Berkshire Offices
- 3) Councillor Elliott Wright interviewed at West Berkshire Offices
- 4) Councillor Eve Burke interviewed by telephone
- 5) The Clerk to Woolhampton Parish Council Mr Steve Brady was interviewed at West Berkshire Offices and they spoke about specific factors by telephone on a couple of occasions

- 6) Mr M interviewed by telephone. (Mr M is a local parishioner who has shown an interest in Parish business and has attended parish meetings in the public gallery.)
- 7) Councillor Malcolm Large interviewed by telephone
- 8) Councillor Gerald Hale interviewed by telephone
- 9) Mr Martin Dunscombe West Berkshire Council Officer interviewed by telephone
- 10) Councillor James Spackman the subject member of the complaint interviewed at West Berkshire Offices in the presence of Mrs Moira Fraser

Amongst the individuals listed above are the 7 Councillors and the Clerk who make up the Woolhampton Parish Council in its entirety.

The Investigator also considered the Parish's Code of Conduct, minutes of a number of meetings, letters and emails relevant to the complaint. He also considered the original complaint, the subject member's response to that complaint and the Initial Assessment Notice.

Mr Bull's final report was submitted to the Council on the 12 December 2017 after relevant parties had had the opportunity to comment on it.

Conclusion of the Independent Investigator

That Councillor James Spackman has significantly breached the Code of Conduct for Members and recommended upholding four of the eight complaints as breaches of the Code (complaints one, two, six and seven). Councillor Spackman's behaviour and conduct has fallen below that expected of a Parish Councillor in a number of areas. Where no breach was found, the Investigator still concluded that Councillor Spackman could and should have behaved more constructively.

Decision of the Advisory Panel

In respect of complaint NPC1/17 the Advisory Panel concurred with the findings of the Investigator as set out above, subject to the amendment of the recommendation to add complaint number five as a breach of the Code. The Advisory Panel agreed to refer a recommendation to the Special Governance and Ethics Committee who would make a final determination on this matter.

The Advisory Panel did not identify any areas of the Investigator's report that required further clarification.

The Advisory Panel recommended that the following people be invited to attend the Special Governance and Ethics Committee (date to be decided) where the matter will be determined:

1. Investigator – Mr Simon Bull
2. Complainant – Councillor Tony Renouf
3. Subject Member – Councillor James Spackman
4. Vice-Chairman of Woolhampton Parish Council – Councillor Elliot Wright
5. Parish Clerk – Mr Steve Brady

The Advisory Panel recommended that if the Special Governance and Ethics Committee concurred with the finding that a breach of the Code of Conduct has occurred the Panel would recommend that the following sanctions be applied:

1. A formal letter to the member from the Chairman of the Governance and Ethics Committee indicating the failure to comply with the Code.
5. A local resolution acceptable to the complainant and subject member and sanctioned by the Governance and Ethics Committee including a letter of apology to Councillor Burke and entering into mediation.

If mediation proves unsuccessful then the following sanction would be applied:

4. A formal press release sanctioned by the Chairman of the Governance and Ethics Committee summarising the breach.

Councillor James Spackman should also be required to make an unreserved formal apology to Councillor Eve Burke before any consideration was given to allowing him to participate on the Parish Council.

Right to Appeal

Under the revised Localism Act 2011 there is no appeals mechanism in place. Parties may challenge the decision by way of Judicial Review in the High Court. Parties are advised to seek independent legal advice prior to pursuing this option.

Sanctions Which Can be Applied to Councillors Deemed to Have Breached the Code of Conduct

- (i) A formal letter to the member from the Chairman of Governance and Ethics Committee indicating the failure to comply with the Code.
- (ii) Removal of a member from a particular committee which can only be achieved in consultation with the Group Leader of the members' party.
- (iii) Formal censorship motion via Council initiated by the Chairman of the Governance and Ethics Committee.
- (iv) A formal press release sanctioned by Governance and Ethics Committee summarising the breach.
- (v) A local resolution acceptable to the complainant and member and sanctioned by Governance and Ethics Committee.

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