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Councillor Conduct Committee

Monday, 22 May 2017 at 6.30 pm
Room 3, Civic Centre, Silver Street, Enfield,
EN1 3XA

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Councillors : Claire Stewart (Chair), Glynis Vince (Vice-Chair), Katherine Chibah and Elaine Hayward

Independent Persons: Christine Chamberlain and Sarah Jewell

Dear All

To Follow Papers

Please find attached the to follow papers mentioned on the agenda for the next meeting of the Councillor Conduct Committee

AGENDA – PART 1

4. APPEAL HEARING (Pages 1 - 168)

To carry out a hearing in relation to an appeal against a Monitoring Officer decision on a councillor complaint.

A report on the complaint will be published and dispatched as soon as it is available. (Report No: 5)

Copies of the Councillor Code of Conduct, the Procedure for Handling Complaints against Councillors and Co-opted Members and the Procedure for Hearing Complaints against Councillors and Co-opted Members and for Appeals against Monitoring Officer Decisions on Complaints are attached for information.

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MUNICIPAL YEAR 2017/2018 REPORT NO. 5**MEETING TITLE AND DATE:**

Councillor Conduct
Committee 22 May 2017

REPORT OF:

Monitoring Officer

Assistant Director of Legal
& Governance

Agenda – Part: 1	Item: 4
Subject: Appeal Against the Monitoring Officer Decision with regards to a Complaint	
Cabinet Member consulted: N/A	

Contact officer and telephone number:

Asmat Hussain – 02083 796 438.

Email asmat.hussain@enfield.gov.uk

1. EXECUTIVE SUMMARY

1. This report sets out a complaint from Helen Osman against Councillor Daniel Anderson received on the 22 February 2017. The complaint alleges multiple breaches of the Code of Conduct, following two Facebook postings made by Councillor Daniel Anderson.
2. Councillor Anderson denies he had breached the Code of Conduct for Councillors.
3. As Monitoring Officer, I instructed Olwen Dutton Partner for Anthony Collins Solicitor's LLP to investigate the complaint in accordance with Council Code of Conduct. I accepted the findings in the investigation report that the complaint did not find breaches of the Code by Councillor Daniel Anderson and the Council dismisses the complaint. The Complaint Report is attached as Appendix A.
4. Helen Osman, the named complainer has exercised her rights to appeal my decision, as Monitoring Officer, to the Councillor Conduct Committee.

2. RECOMMENDATIONS

1. The Committee, having reviewed the Monitoring Officer's decision and the Independent investigation report, considers the appeal from Helen Osman against the decision of the Monitoring Officer to not uphold the complaint against Councillor Daniel Anderson.
2. If the committee agrees with the decision to not uphold the complaint, no further action is required, apart from endorsement of the decision.
3. If the committee disagrees then the committee will need to consider what sanctions, if any to apply as set out in the Code of Conduct.

3. BACKGROUND

- 3.1** I attach to this report Appendix A the investigation report from Olwen Dutton, Partner at Anthony Collins Solicitors with regards to the complaint. It is a report which includes interviews with the complainer, officers of the Council and Councillor Daniel Anderson.
- 3.2** The independent person has been consulted thought the process.
- 3.3** As the Council Monitoring Officer I agree with the conclusions that are set out on Page 18 that the Facebook post was made outside of Councillors role as a councillor and subsequently the Code of Conduct does not apply and even if it did the posts did not amount to a breach of the Code.
- 3.4** Attached at Appendix B is the appeal from Helen Osman and the documents. The committee must have regard to the appeal and its contents in making its decision.

4. ALTERNATIVE OPTIONS CONSIDERED

None

5. REASONS FOR RECOMMENDATIONS

As set out in the report

6. COMMENTS OF THE EXECUTIVE DIRECTOR OF FINANCE, RESOURCES AND CUSTOMER SERVICES AND OTHER DEPARTMENTS

6.1 Financial Implications

None

6.2 Legal Implications

These are contained within the body of the report and the investigation reports.

6.3 Property Implications

None

7. KEY RISKS

None

8. IMPACT ON COUNCIL PRIORITIES

8.1 Fairness for All

8.2 Growth and Sustainability

8.3 Strong Communities

Where applicable contained within the body of the reports and the code of conduct as set out in the Council's Constitution

9. EQUALITIES IMPACT IMPLICATIONS

Where applicable contained within the body of the reports and the code of conduct as set out in the Council's Constitution

10. PERFORMANCE MANAGEMENT IMPLICATIONS

Where applicable contained within the body of the reports and the code of conduct as set out in the Council's Constitution

11. HEALTH AND SAFETY IMPLICATIONS

Where applicable contained within the body of the reports and the code of conduct as set out in the Council's Constitution

12. HR IMPLICATIONS

Where applicable contained within the body of the reports and the code of conduct as set out in the Council's Constitution

13. PUBLIC HEALTH IMPLICATIONS

Where applicable contained within the body of the reports and the code of conduct as set out in the Council's Constitution

14. Background papers

Appendix A

Investigation report of Olwen Dutton, Partner Anthony Collins Solicitors LLP

Appendix B

Helen Osman Appeal Form and Appendices

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INVESTIGATION: COMPLAINTS MADE BY HELEN OSMAN AND SUE WOOLLARD

LONDON BOROUGH OF ENFIELD

STRICTLY CONFIDENTIAL

February 2017



1. EXECUTIVE SUMMARY

This is a report into complaints by Ms Helen Osman and Ms Sue Woollard against Cllr Daniel Anderson. The complainants allege multiple breaches by Cllr Anderson of the Code of Conduct, as a result of two brief Facebook postings made by him. For the reasons set out in this report I do not find breaches of the Code by Cllr Anderson and I recommend that the Council dismisses the complaints.

2. INTRODUCTION

- 2.1. I am a partner in Anthony Collins Solicitors LLP where I am Head of Local Government and a Solicitor of the Senior Courts of England and Wales. I was admitted to the Roll of Solicitors in November 1985. I have held a number of roles in the public sector, working for many authorities and other public bodies, and have held many positions, including those of Head of Legal Services, Monitoring Officer, Corporate Director and Chief Executive. I have been a Solicitor in private practice since 2011 specialising in local government law.
- 2.2. In the course of my career I have carried out many investigations into standards and governance matters and into alleged breaches of Code of Conduct.
- 2.3. In October 2016, I was instructed by the Monitoring Officer of the London Borough of Enfield's (the **Council**) – Asmat Hussain, Assistant Director of Legal and Governance Services – to carry out an investigation into two complaints against Councillor Daniel Anderson (Southgate Green Ward), Cabinet Member for Environment. The complaints were received separately from Ms Osman and Ms Woollard but relate to the same alleged breaches of the Council's Code of Conduct for Members (**the Code**). I considered that it was therefore appropriate for the complaints to be considered as part of a single investigation and through a single report.
- 2.4. I asked Cllr Anderson and the complainants if there were any other persons whom they wished me to interview and to let me have sight of any documents they wished me to consider. Having considered the information provided to me and accompanied by Alex Lawrence, Solicitor in the Local Government team at the firm, I attended the offices of the Council on 27 October 2016. I interviewed:
 - 2.4.1. Ms Sue Woollard;



2.4.2. Ms Helen Osman;

2.4.3. Cllr Daniel Anderson;

2.4.4. Mr Jonathan Goodson (an officer of the Council); and

2.4.5. Mr Jon Judah (an officer of the Council).

2.5. Cllr Anderson had suggested that I interview Cllr McGowan. I attempted to do this but it did not prove possible. However, I am satisfied that this report and its conclusions are unlikely to be adversely affected by this omission.

2.6. Following the interviews, witness statements were prepared and agreed with the witnesses. Those witness statements are appended to this Report in Appendices 3 to 7.

2.7. In addition to the complaint documentation (see Appendices 1 and 2), I have also had the opportunity to consider documentary evidence provided to me by Asmat Hussain and those interviewed.

2.8. On 13 January I sent out my draft report to the complainants, Ms Woollard and Ms Osman, to Cllr Anderson and to the Council's Monitoring Officer. I asked for any comments by Monday 30 January.

2.9. On 13 January – the day the draft was sent out I received an email from Ms Osman which read:

“Sorry Olwen this feels like a stitch up”.

2.10. On 16 January I received an email from Cllr Anderson which read:

“Many thanks for this. I have no further comments to add”.

2.11. On 25 January the Monitoring Officer confirmed that she had no comments to add.

2.12. On Monday 30 January I received a lengthy email reply from Ms Woollard. I have attached her email to the Appendix. I considered carefully what Ms Woollard responded before finalising this report. I have no doubt that Ms Woollard feels very strongly about the issue which led to the complaint and her views came across very strongly in interview and in the correspondence we exchanged. However, I have to investigate her complaint and make findings, in accordance with the relevant legislation in the Localism Act 2011, and in accordance with the Council Code.

2.13. Councillors have the right to a personal life. As I explain in my report the Code of Conduct only applies when a Member is acting in the capacity of a councillor. For the



“Pounds” matter I have judged that Cllr Anderson was not acting as a councillor and so the Code does not apply; for the “Mosque” complaint I have found that he was so acting and so the Code does apply. As councillors are entitled to a private life I do not consider that the belief expressed by Ms Woollard that *“everyone reading these posts knows who he is –that he is a councillor”* sufficient to overturn this view.

- 2.14. So far as the points Ms Woollard makes about the Mosque incident are concerned I have taken account of her view but do not consider that her points raise any new issues that I had not previously considered whilst preparing my draft. Ms Woollard’s comments about whether or not Cllr Anderson should be disciplined for his part and should not remain as a Cabinet member may be her strongly felt views, but they provide no evidence for me to change my findings and my recommendations to the Council.
- 2.15. On 30 January I received a further response from Ms Osman. This response is attached in full at the Appendix.
- 2.16. Ms Osman made a very similar response to Ms Woollard in relation to Cllr Anderson being known in the community. She cites an endorsement from Cllr Anderson for “Better Streets for Enfield” in the Council’s own magazine – and although she does not expressly say so I have assumed she has provided this in support of her view. However, it has, so far as I am aware, never been an issue that Cllr Anderson is in support of the scheme, and I do not find it of any note that he appears in the Council magazine in favour of the scheme.
- 2.17. The issues which refer to Cllr Anderson’s Facebook page are dealt with extensively in my report in response to Ms Woollard and to Ms Osman – see above. I do not view Ms Osman’s response to my draft report as raising any new matters for me to consider.
- 2.18. So far as the issue about Ms Osman being misleading is concerned, there are, I consider, sufficient examples that I have seen and which are referred to further on in my report, to lead me to consider that it was unreasonable for him to make this comment.
- 2.19. I accept that Ms Osman feels very strongly about the Cycling Enfield proposals and I appreciate the time and trouble she has taken in making this complaint and in her responses to me. However, much of her response to my draft report is focussed the rights and wrongs of the Cycle Enfield proposals rather than the issues I need to consider.



- 2.20. It is not my role to consider the issue around Cycle Enfield and I consider that it would be wrong for me to express any views as to this. I am purely considering the question as to whether Cllr Anderson was in breach of the Council's Code of Conduct.
- 2.21. Finally, I have considered what Ms Osman says about Cllr Anderson's position and in particular her statement that "He has been charged to remain impartial". With respect, I think she is wrong. It is true that a councillor must not predetermine matters and must not be biased in the way that he allows his private interests to affect his duty to and in the public interest, but once the Council have taken a decision to pursue a specific policy, as in this case, that does not, in my view, mean that he cannot speak up in support of the policy or scheme. Indeed, as he is a Cabinet Member with responsibility for it, it would be surprising if he did not express such a view.
- 2.22. I have considered all the comments made by Ms Osman but they have not changed my views to the findings in my report and the recommendations to the Council.

3. THE COMPLAINTS

- 3.1. The complaints arise from two posts on Facebook made by Daniel on the page for Better Streets for Enfield (**BSFE**) as follows:

3.1.1. 26 May 2016 – *"From Pounds? ;-)"* (**Post 1**);

- a) For context this was posted in response to a comment from another contributor to the Facebook page "As I was cycling my daughter to school this morning, we turned onto Green Lanes to see a man pass by on his bike – carrying a wide-screen TV on the back. Just saying..."
- b) Daniel's post received two responses: one from a third contributor "*Your have to resign 10 times for a comment like that* [followed by emoticons]"; and the second from the original contributor "*No, this was the Pounds customer: [a posted photo showing two people on a bike with a washing machine attached]*."

3.1.2. 31 August 2016 – *"Helen Osman I believe. She will be at the Ponders End Mosque tomorrow seeking to mislead residents in the East as she has done in the West"*. (**Post 2**)



- a) This posting is also in response to others but I do not believe any give relevant context.

3.2. Ms Woollard makes a complaint about Post 1 and Post 2. Ms Osman does mention Post 1 but her complaint is only in relation to Post 2.

3.3. I note that paragraph 3.1 of the Council's *Procedure for Handling Complaints against Councillors and Co-opted Members* requires any complaint to be received "*in writing within three months of the alleged matter*". As Ms Woollard's complaint was received in September then technically it is out of time as it relates to Post 1. However, for completeness, I have considered in this report whether Post 1 would constitute a breach of the Code.

4. THE CODE OF CONDUCT

4.1. Due to the provisions of s27(2) of the Localism Act 2011, it is important to consider whether or not the Code applied at the time of the incident complained of. The Code would not apply when an elected member was acting in his private capacity. Enfield Council's Code (which is attached in Appendix 7) only applies to Cllr Anderson where he acts or purports to act in his capacity as a Member of the Council. It does not seek to regulate acts and conduct by Cllr Anderson in his private and personal life and it has always been clear that members are entitled to a private life outside their role within the Council. Therefore if the evidence shows that Cllr Anderson made Post 1 and Post 2 outside his role as a councillor there is no breach of the Code.

4.2. Ms Osman has complained that Cllr Anderson breached the following provisions of the Code:

8.8 Respect for Others

You should promote equality by not discriminating unlawfully against any person, and by treating people with respect, regardless of their race, age, religion, gender, sexual orientation or disability. You should respect the impartial role of the authority's statutory officers, and its other employees.

Expectations of conduct



11. *You shall at all times conduct yourself in a manner which will maintain and strengthen the public's trust and confidence in the integrity of the Authority and never undertake any action which would bring the Authority, you or other members or officers generally, into disrepute.*

Rules of Conduct

12. *You shall observe the following rules when acting as a Member or co-opted Member of the Authority:*

(1) Treat others with respect and courtesy.

(2) You must not -

(a) Do anything which may cause your authority to breach any of its equality duties (in particular as set out in the Equality Act 2010)

(b) Bully any person;

(c) Lobby, intimidate or attempt to lobby or intimidate any person who is or is likely to be:

(i) a complainant,

(ii) a witness, or

(iii) involved in the administration or determination of any investigation or proceedings in relation to an allegation that a member (including yourself) has failed to comply with his or her authority's code of conduct; or

(d) Do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, your authority.

(3) You should not use or attempt to use your position as a member improperly to confer on or secure for yourself or any other person, an advantage or disadvantage;

4.3. Ms Osman also refers to the Councils' policy on use of the Internet by members.

Appendix 1 – Internet and Email Usage Policy for Councillors

"We expect you to conduct yourself honestly and appropriately on the Internet..."



If you are posting to newsgroups, internet mailing lists etc, then you must include a council disclaimer as part of each message”...

“You may participate in newsgroups or chat rooms only when relevant to your official duties. When participating you must clearly identify yourself by name and title. ...”

4.4. Ms Woollard alleges the following breaches of the Code:

8.8 Respect for Others

You should promote equality by not discriminating unlawfully against any person, and by treating people with respect, regardless of their race, age, religion, gender, sexual orientation or disability. You should respect the impartial role of the authority's statutory officers, and its other employees.

8.9 Duty to Uphold the Law

You should uphold the law and, on all occasions, act in accordance with the trust that the public is entitled to place in you.

8.7 Leadership

You should promote and support these principles by leadership and example.

Expectations of Conduct

9. *You shall base your conduct on a consideration of the public interest, avoid conflict between personal interest and the public interest and resolve any conflict between the two, at once, and in favour of the public interest.*
11. *You shall at all times conduct yourself in a manner which will maintain and strengthen the public's trust and confidence in the integrity of the Authority and never undertake any action which would bring the Authority, you or other members or officers generally, into disrepute.*

Rules of Conduct

12. *You shall observe the following rules when acting as a Member or co-opted Member of the Authority:*
 - (1) *Treat others with respect and courtesy*
 - (2) *You must not –*



- (a) Do anything which may cause your authority to breach any of its equality duties (in particular as set out in the Equality Act 2010)*
- (b) Bully any person;*
- (c) Lobby, intimidate or attempt to lobby or intimidate any person who is or is likely to be:*
 - (i) a complainant,*
 - (ii) a witness, or*
 - (iii) involved in the administration or determination of any investigation or proceedings in relation to an allegation that a member (including yourself) has failed to comply with his or her authority's code of conduct; or*
- (d) Do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, your authority.*
- (6) You should not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute.*

4.5. Ms Woollard also alleges that Cllr Anderson has breached the Council's policy in relation to Internet use by Members, which states:

We expect Members to use the Internet honestly and appropriately

"If you are posting to newsgroups, internet mailing lists etc, then you must include a council disclaimer as part of each message"...

"You may participate in newsgroups or chat rooms only when relevant to your official duties. When participating you must clearly identify yourself by name and title. ..."

5. CYCLE ENFIELD

5.1. In order to take a clear view on the complaints and put them into the appropriate context, I consider it has been necessary to understand some of the background to Cycle Enfield and I set this out in brief below. I should make it clear that whilst I have done this the issues about the Cycle Enfield project are not ones on which it is necessary for me to have any view as the rights and wrongs of the Scheme whether they may be, are not relevant to this investigation.



- 5.2. The history is that in furtherance of the Mayor of London's March 2013 Vision for Cycling, Transport for London (**TFL**) ran a competition for outer London Boroughs to obtain funding to create so called "mini-Holland" cycling schemes. The Council submitted a bid, with cross party support, in 2013 (the bid document is signed by both the leader and the then leader of the Opposition) and was awarded funding under the scheme, bringing in £42m of investment into the Borough. The implementation of the bid is now managed by the Council under the **Cycle Enfield** project. Cycle Enfield includes the introduction of segregated cycle lanes along some roads. Cllr Anderson, as Portfolio Holder for Environment, has been closely involved with Cycle Enfield since his appointment and has delegated decision making for many aspects of the scheme.
- 5.3. The Council undertook a non-statutory consultation from July 2015 for a period of twelve weeks (17 July to 9 October) in respect of the implementation of Cycle Enfield along the A105. This involved the distribution of materials to residents, public meetings and exhibitions. There are also partnership boards set up by the Council, which are in place to allow for engagement with stakeholders. Ms Osman is a member of the partnership board for the A105.
- 5.4. The outcomes from this consultation were reported to the Council's Cabinet on 10 February 2016. Cabinet authorised further work on the A105 elements of Cycle Enfield and delegated authority to Cllr Anderson to approve and implement the final A105 design subject to consultation and any statutory processes.
- 5.5. Cabinet's decision was called in. The Overview and Scrutiny Committee met on 9 March 2016 and confirmed the original decision.
- 5.6. An application for judicial review of Cabinet's decision was made by representatives of a group called "Save our Green Lanes" This was considered on the papers by Mr Justice Gilbert on 8 July 2016 and refused on the basis it was out of time. The application was renewed at a hearing before Mr Justice Ouseley on 10 August 2016. The Judge held that the application was in time but refused permission on the merits. I understand that this is currently the subject of an appeal.
- 5.7. Elements of the implementation of Cycle Enfield along the A105 required the making of Traffic Management Orders by the Council and accordingly the Council undertook a statutory consultation in July 2016 (6 to 29 July). The outcome of this consultation was reported to Cllr Anderson as Lead Member. On 17 August 2016, Cllr Anderson approved the final design for the A105 and authorised implementation, using his



delegated authority as Portfolio Holder. This decision was also called in and the Overview and Scrutiny Committee considered the matter on 8 September 2016. The Committee confirmed the decision.

- 5.8. An application for an injunction and an order requiring a public inquiry was brought in the High Court. This application was heard by Mr Justice Dove on 19 September 2016 and dismissed.
- 5.9. The A105 proposals are currently in the process of being implemented. I also understand that other elements of Cycle Enfield scheme on other roads are being progressed.
- 5.10. Both Ms Osman and Ms Woollard gave me evidence about the opposition that there has been about Cycle Enfield. There is no doubt that they are both very opposed to it and feel very strongly that it is not the right thing for Enfield. From my reading of the evidence they produced, and what they said to me, I accept that it is fair to say that there is a fair degree of opposition within the Borough to the Cycle Enfield project. In respect of the A105 this opposition is led by Save Our Green Lanes (**SOGL**). Ms Osman is a founder member of SOGL. Ms Osman has also been very vocal in her opposition to Cycle Enfield on her blog "**N21online**" and her weekly newsletter "**This week in N21**".

6. EVIDENCE

The Complainants

- 6.1. Ms Osman and Ms Woollard both came across as very active and involved members of their local community. They clearly care a great deal about what goes on in their area and; in interview they were both quite emotional as they described the issues from their point of view. I do not doubt the sincerity of their views on the Cycle Enfield project. Ms Woollard called it "ill-conceived" and said "...it will have a major impact on the town I know and love and how I live my life. I consider it will impact on whether the shopping centre within Enfield town will continue to be viable". Ms Osman said "...we believe that the current proposals will be damaging to the local community and not make a "Better Enfield for all....there is little support for the scheme locally.."
- 6.2. The complainants told me that they knew each other but denied that they were close, or that there was any collusion between them in making the complaints. I have judged their



complaints separately in each case, although much of the content is very similar. I have no evidence to prove collusion.

- 6.3. The language used by the complainants in their complaint is, it seems to me, very strong. For example, Ms Woollard says “Cllr Anderson has shown himself to be unfit to represent the Council....I trust the strongest possible action will be taken on this matter and the Cllr Anderson is dismissed both as a Cabinet Member and as a Councillor”.

Cllr Anderson

- 6.4. I found Cllr Anderson to be a compelling witness. He appears to believe strongly in the benefits of Cycle Enfield, although he mentioned that it has been “..very contentious” . and that groups have extended their oppositionto me personally. They have misquoted me and at times made me personally the target of their comments”. He pointed out that Cycle Enfield predates his involvement, as the submission to the Mayor of London was made in 2013, before his election to the Council in 2014.
- 6.5. Cycle Enfield takes up a lot of his time as a Portfolio Holder, and he clearly is in favour of the Scheme. However, he told me about the way in which he is dealing with the matter to ensure that everything is done properly. For example, “ I have told officers that they must consider what is submitted in response to the consultations carefully, irrespective of the source...” “we have looked carefully at the facts....to enable us to develop the proposals, cognisant of the concerns from residents and local businesses.”
- 6.6. It was very apparent to me that the proponents of the Scheme, and the campaigners against Cycle Enfield have diametrically opposed views about the Scheme, and its possible benefits and disadvantages. As a result there have been a number of clashes about the impact and as often happens in these situations, feelings run high; on both sides.
- 6.7. Whilst Ms Osman feels that she has been targeted (in her words “public enemy number one”) by those who support Cycle Enfield including Cllr Anderson; Cllr Anderson equally considers that he is being targeted personally and misquoted. He goes further and states that he believes there is a co-ordinated campaign to have him removed from his Cabinet position – or at the very least his oversight of Cycle Enfield.
- 6.8. He referred me to an email that Ms Osman sent to local businesses to encourage them to attend an exhibition on Cycle Enfield. This is attached at Appendix 9. As part of that encouragement Ms Osman stated “No violence please but a spot of verbal abuse is



allowable". Criticism of Ms Osman for this comment was reported in the local press and Ms Osman responded that her comment was "just a bit of banter sent to business owners, to get them off their backsides" (see Appendix 10).

Cllr Anderson's use of Facebook

- 6.9. The Facebook account that Cllr Anderson uses is his personal one. He does not refer to himself as a Councillor or use his official Council photo(s). Cllr Anderson states that he uses the account to post about personal matters.
- 6.10. My starting presumption, therefore, is that anything Cllr Anderson posts on Facebook is outside of his role as a Councillor. Therefore the Code of Conduct would not apply. However, that presumption could be displaced where there is clear evidence that Cllr Anderson was posting about Council matters or posting information that he could only have obtained as a result of his position as a Councillor.

Appendix 1 to the Code of Conduct – Internet and Email Usage Policy for Councillors

- 6.11. Whilst the Code only applies where Cllr Anderson is acting as a Councillor, Appendix 1 of the Code only applies where Cllr Anderson is acting as a Councillor and using Council provided computers and/or internet connections. The main point raised by Ms Osman and Ms Woollard in relation to Appendix 1 of the Code is that Cllr Anderson did not identify himself as a Councillor when uploading the posts. If in respect of either/both of Post 1 and Post 2, I find that Cllr Anderson was using his Facebook account in his role as a Councillor then Appendix 1 is only relevant if he posted using a Council device or internet connection. Both Ms Woollard and Ms Osman point out that Cllr Anderson has a very high profile and everybody knows that he is a Councillor and leading on Cycle Enfield.
- 6.12. I have considered what both complainants say about Cllr Anderson being well known and their view that as a result what he posts on his Facebook page must be "in direct connection with his role as a Cabinet Member". However, this does not override the provisions of the Localism Act 2011 which clearly provides that the Code only applies when the member is acting in his role as a member.
- 6.13. The Code cannot be extended, in my view to cover situations in which a member is not acting in his role as a councillor, no matter how well known he is. For example, there is the case of Ken Livingstone, when he was Mayor of London and a very well-known



politician at a national (and indeed international) level. In the case of *Livingston-v-Adjudication Panel for England* [2006] EWHC 2533 (Admin) the High Court made it very clear that the Code did not apply to conduct in his private life. Whilst this is a case under the previous standards regime, which the Localism Act 2011 abolished and which, indeed is far more stringent on this point, I regard it as very persuasive in terms of an interpretation of when the Code applies and does not apply.

Post 1

- 6.14. I do not consider that Cllr Anderson's post was made in his role of a Councillor. It was not made to further any of his Council work. Therefore the Code does not apply.
- 6.15. For the sake of completeness, even if the Code did apply, I am satisfied that what Cllr Anderson actually posted would not be in breach of the Code. He told me that he does not know the person who responded and why he referred to him having to resign. Whilst I understand the strong feelings that there are about these matters, I have to take an objective and independent, unbiased view, understanding the context but not letting that unduly sway my judgement. From that viewpoint I cannot accept that this posting mounts to a breach.

Post 2 – Was Cllr Anderson acting in the course of his role as a Councillor?

- 6.16. I consider that Cllr Anderson uploaded the post in response to information he received from Cllr McGowan (incorrectly as it turned out as Ms Osman was on holiday in Pembrokeshire at the time) about Ms Osman attending a meeting at the Ponders End Mosque. Cllr Anderson received that information in his role as Lead Member so that Cllr McGowan could be briefed about arguments to counter anything Ms Osman might say. Therefore I consider Cllr Anderson was acting in the course of his role as a Councillor and the Code applies.

Post 2 – Racial/Religious Element

- 6.17. Both Ms Osman and Ms Woollard consider that Post 2 has a racial or religious element to it and that Cllr Anderson was attempting to make some link with Ms Osman's surname and the Islamic faith. Ms Woollard goes further and suggest that there is a slur in Post 2 on followers of the Islamic faith (in particular those that attend the Ponders End Mosque) that they would be receptive to Ms Osman misleading them.



- 6.18. Cllr Anderson emphatically denies making any racial or religious comment in the post. He told me that he only mentioned the mosque because he was told that a community meeting was taking place there where the Cycle Enfield proposals were to be discussed and that Ms Osman would be attending to speak about Cycle Enfield. This is supported by his text messages with Cllr McGowan (appended to Cllr Anderson's statement at Appendix 5 and the email sent to officers on 31 August 2016 (Appendix 11). The statement of Mr Goodson clarifies the details of the meeting, how it came about and the discussions that took place.
- 6.19. I consider that to adopt the view that Ms Osman and Ms Woollard have indicated and so interpret the post as they appear to do is difficult from the objective, independent and unbiased stance which I must take. For example, Ms Woollard says in her complaint "It is overtly racist, smacks of religious intolerance and is derogatory and libellous, suggesting she deals in lies. It clearly implies Cllr Anderson harbours hostility based on race or religion".
- 6.20. I cannot agree that this is a reasonable interpretation of the posting. I do not view the comments as having racial or religious meanings and I find that this posting does not amount to a breach of the Code.

Post 2 – Misleading Element

- 6.21. In a situation where, as described above, there are diametrically opposed views I am not altogether surprised that allegations of misleading have arisen on both sides. Ms Osman indicated in her interview as recorded in her witness statement that Cllr Anderson had previously accused her of lying.
- 6.22. Allegations of misleading are very serious. It is not for me to determine whether Ms Osman has in fact misled anybody. Rather it is for me to consider, on the balance of probabilities, whether it would have been reasonable for Cllr Anderson to believe – at the time he posted the comment – that Ms Osman had misled people on one or more occasions. Again, it is not the question of whether or not Ms Osman had any intent to mislead, or indeed, whether she did so. To take the comment as forming a breach of the Code – and therefore to see Cllr Anderson's behaviour as falling within one or more of the categories outlined in the complaints – I consider that the comment made by Cllr Anderson about misleading would have to be unreasonable, and so not made in good faith.



- 6.23. I have considered the evidence from Ms Osman. She told me that “I have not misled anybody”, and I accept that this is her view.
- 6.24. However, I have been given evidence that there was a view that some of the information put out by Ms Osman (and other opponents) was misleading. For example, Mr Goodson said “I have not studied the leaflets and information provided by the various opponents of the Cycle Enfield schemes but I have heard from colleagues within the Council whose opinions I trust that some of these have been unhelpful and misleading”. The interviews I undertook with the complainants convinced me that they held very genuine views about the impact of the Cycle Enfield scheme, but when I asked Cllr Anderson, and the officers about what I had been told of some of the impacts they told me that this was not the case.
- 6.25. During the investigation, Cllr Anderson has continued to maintain that Ms Osman has misled people in the information that she has put out into the public domain. These views on some of the information put out by campaigners against Cycle Enfield are reflected in Mr Goodson and Mr Judah’s statements.
- 6.26. Mr Judah, who is the Project Director for Cycle Enfield told me “my view is that Helen Osman has in the past interpreted information from the Council incorrectly....I am not saying she has deliberately attempted to mislead. Helen Osman has a blog....I have read this on occasion and consider that some aspects do not represent the Cycle Enfield strategy as the Council intends it to be, and the information provided has confused the matter”.
- 6.27. Cllr Anderson has pointed to several specific examples:
- 6.27.1. At one exhibition for Cycle Enfield Cllr Anderson was confronted by one of the owners of Pounds. Part of this confrontation related to Councillor Anderson’s shopping habits. Councillor Anderson told me that following this incident Ms Osman published an email misquoting him and stating that he only shops online and does not support local businesses. Councillor Anderson refutes this and I can see how this portrayal of him could negatively impact his relationship with local businesses, and is misleading.
 - 6.27.2. The 29 July 2016 “This week in N21” blog (see Appendix 12) published by Ms Osman, included a link to a SOGL leaflet (see Appendix 13) providing reasons for objecting to Cycle Enfield with the endorsement “*If you would like*



guidance on submitting objections here is a link to the Save Our Green Lanes leaflet". This leaflet included the comment "**OBJECT TO** preventing Blue Badge holders from parking along the entire length of the cycle lane route. **Enfield will be the first Outer London Borough to remove the Blue Badge scheme from its shopping areas.**" Cllr Anderson states that this is entirely inaccurate and caused distress to residents.

6.27.3. In the above blog Ms Osman included a comment that "*Whatever the final tally Enfield Council will try to ignore the views of local residents and businesses. This whole statutory consultation process has been engineered to minimise objections and 'trip' people up along the way.*" Again Cllr Anderson refutes this and informed me that the consultation had been "*structured to make it as easy as possible for people to submit objections*". I have also reflected on the judgement of Mr Justice Ouseley who spoke about "how extensive the consultation actually was".

6.28. Cllr Anderson has also directed me to examples of what he considers to be Ms Osman misleading people that arose after the Facebook posting. I believe that he has directed me to these as evidence of the types of information that Ms Osman put into the public domain before the posting:

6.28.1. The 23 September 2016 "This week in N21" blog (see Appendix 14) published by Ms Osman. This deals largely with the injunction hearing on 19 September 2016. Cllr Anderson in particular takes issue with Ms Osman's assertions that the consultation processes undertaken by the Council were "*exposed as a complete farce. The millions of pounds already spent on exhibitions, consultations, publicity etc was an elaborate smokescreen to kid the people of Enfield that they were being consulted.*" Having considered the judgment of Mr Justice Dove, I note that he did not feel able to consider the application because there was legislative regime in place for challenging traffic management orders. It would certainly be fair to say that the Judge did make comments about the appropriate timing of a challenge. What Ms Osman does not go on to mention is that the Judge considered the merits of the application in any event and took the view that he would have dismissed the application.



- 6.29. Taking all of the above into account, I am satisfied that on the balance of probabilities it was reasonable for Cllr Anderson to have a belief that Ms Osman has misled people. He has demonstrated several examples where he considers that Ms Osman has published misleading information either directly misleading or in the way in which she has presented the information. This belief that Ms Osman and other campaign groups have put out misleading information is reflected in the statements of Mr Judah and Mr Goodson.
- 6.30. I have considered the specific elements of the Code of Conduct indicated by the two complainants, as outlined above, against the acts they complain of, as evidenced by Post 2. As I believe that the posting does not have the interpretation placed upon them by the complainants, and it is reasonable, on the balance of probabilities to see them at face value, all of the elements of the Code quoted by the complainants must fail to be proven.

7. SUMMARY AND CONCLUSIONS

7.1. It follows from the above that I would find as follows in respect of the complaints:

- 7.1.1. The complaint regarding Post 1 is out of time.
- 7.1.2. In any event I consider that Post 1 was made outside of Cllr Anderson's role as a Councillor and so the Code would not apply. Even if it did I do find that the post made would not amount to any breach of the Code.
- 7.1.3. In Post 2 I do not find on the balance of probabilities that Cllr Anderson was making any racial or religious comment. I consider that to interpret the words in this way attaches a meaning to the words that cannot reasonably be supported. Further Cllr Anderson has evidenced that he only made reference to the Mosque because that is where a meeting relevant to Cycle Enfield was taking place.
- 7.1.4. In Post 2 I find on the balance of probabilities that Cllr Anderson had a reasonable belief at the time he uploaded the post that Ms Osman had misled people. He has provided examples of what he considers to be misleading information.



8. CONCLUSION

I recommend that the Council dismiss the complaints against Cllr Anderson.

Olwen Dutton

Partner

Anthony Collins Solicitors LLP

Tel: 0121 214 3625

Email: olwen.dutton@anthonycollins.com



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APPENDICES

SUPPORTING INFORMATION



CONTENTS

Appendix:	Appendix Description:
1.	Helen Osman Complaint Statement
2.	Sue Woollard Complaint Form and Complaint Statement
3.	Helen Osman Witness Statement dated 20 December 2016
4.	Draft Sue Woollard Witness Statement
5.	Cllr Daniel Anderson Witness Statement dated 8 December 2016
6.	Jonathan Goodson Witness Statement dated 8 December 2016
7.	Jon Judah Witness Statement dated 9 January 2017
8.	The Code of Conduct for Members of London Borough of Enfield
9.	Email from Helen Osman to local businesses
10.	Enfield Independent Article 29 September 2016
11.	Cllr Anderson email to officers
12.	29 July 2016 "This week in N21" blog
13.	SOGI Leaflet
14.	23 September 2016 "This week in N21" blog
15.	Response from Sue Woollard to draft report
16.	Response from Helen Osman to draft report

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Anthony Collins
solicitors



Statement in support of complaint by Helen Osman against Cllr Daniel Anderson

Last Friday, (September 2nd) whilst I was holiday in Pembrokeshire I was sent this post from the Better Street For Enfield Facebook page. I am not a member of this group which was set up in support of the Cycle Enfield scheme. I gather that this is just one of a number of posts on this Facebook page made by Daniel Anderson, although I believe that they have now all been taken down.



Michal Zadrag It is clear that parking is the most important issue known to humanity.

Edit: car parking

Like · 3 · August 31 at 9:50pm · Edited



Dan Kelly Dinosaurs are not yet extinct but they're keen to take the rest of us with them.

Like · 7 · August 31 at 10:02pm



Sally Mann replied · 2 Replies



Daniel Anderson Helen Osman I believe. She will be at the Ponders End Mosque tomorrow seeking to mislead residents in the East as she has done in the West.

Like · 2 · August 31 at 10:06pm



Shelia Ross <http://saveourenfield.co.uk/a1010-north/>

X



A1010 North – Enfield for Everyone

STATUS: PUBLIC CONSULTATION IS OPEN The A1010 North Consultation (Hertford Road) is currently live...
SAVEOURENFIELD.CO.UK

I was shocked when I saw these remarks, as were my family, including my husband, daughters, my sister, brother in law and nephews who all share the same surname Osman. At a family dinner on Sunday night they all urged me to submit a formal complaint.

The Code of Conduct for Councillors states that councillors must adhere to the highest ethical standards of behaviour :-

- Selflessness
- Objectivity
- Accountability
- Openness
- Honesty
- Leadership
- Respect for others
- Duty to uphold the law
- Stewardship

I believe that Cllr Anderson has breached many of the guidelines but in particular:-

General Principles of Conduct. 8.8

"You should promote equality by not discriminating unlawfully against any person, and by treating people with respect, regardless of their race, age, religion, gender, sexual orientation or disability".

Expectations of Conduct. 11

"You shall at all times conduct yourself in a manner which will maintain and strengthen the public's trust and confidence in the integrity of the Authority and never undertake any action which would bring the Authority, you or other members or officers generally, into disrepute".

Rules of Conduct. 12

"You shall observe the following rules when acting as a Member or co-opted Member of the Authority:

(1) Treat others with respect and courtesy.

(2) You must not -

(a) Do anything which may cause your authority to breach any of its equality duties (in particular as set out in the Equality Act 2010)

(b) Bully any person;

(c) Lobby, intimidate or attempt to lobby or intimidate any person who is or is likely to be:

(i) a complainant,

(ii) a witness, or

(iii) involved in the administration or determination of any investigation or proceedings in relation to an allegation that a member (including yourself) has failed to comply with his or her authority's code of conduct; or

(d) Do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, your authority.

(3) You should not use or attempt to use your position as a member improperly to confer on or secure for yourself or any other person, an advantage or disadvantage"

Use of the Internet (Appendix)

"We expect you to conduct yourself honestly and appropriately on the Internet"

"if you are posting to newsgroups, Internet mailing lists, etc. then you must include a Council disclaimer as part of each message".

"You may participate in newsgroups or chat rooms only when relevant to your official duties. When participating you must clearly identify yourself by name and title".

Complaint

1. It is my contention that Cllr Anderson is a senior councillor in a position which requires him to act in a way that maintains public confidence in the integrity of the council and its decision making processes. In posting these flippant and divisive comments on this Facebook page he has overstepped the mark and abused his position of authority and breaches the Code of Conduct. This post was not only failing to show respect for others but was written as an invitation to others to post disparaging remarks. He must have recognised that this behaviour was unethical, indeed it was pointed out to him in an earlier post on 26th May, which has been included at the end of this document.

Cllr Anderson has been given responsibility for delivery of a highly contentious project, so it is even more vital that he is seen to display integrity, independence and objectivity.

2. My family believe that there is a racist dimension to this flippant post, as Osman is a common Muslim name, although my family have no Muslim or middle Eastern connections. This was reinforced by the suggestion that I would be misleading people in the mosque – with the negative undertones that this implies.
3. Thirdly, the comment that I would be misleading people in the east (of the borough) as I have done in the west (of the borough) is deeply insulting, especially as in the past Cllr Anderson has praised the work I do in the local community.

By way of background, I run n21online.com a large community portal, which I set up in 2009. Prior to that I led a leading marketing consultancy working with major clients on innovation, trend forecasting, market research and strategic analysis & planning. I have written, spoken on platforms and broadcast on retailing. As a former commercial sociologist, local community engagement and high street regeneration have underpinned my work with local businesses and residents for the past seven years.

I describe n21online.com as a hyperlocal communication platform ABC for short – Activities, businesses and community. It can receive as many as 3,000 visitors a day. I work with around two hundred local businesses, as well as numerous charities and community groups and mentor dozens of start ups and small businesses for free. I also write a weekly blog I 'This week in N21', which is typically read by more than two thousand people.

N21online has being praised by the Evening Standard, the Huffington Post and indeed also by Cllr Anderson. In essence I am using my years of experience to support the community in which I have lived in for the past thirty years.

Cllr Anderson's comments in this context are deeply insulting, implying that I am in some way hoodwinking people.

Involvement In Ponders End

Once the three week Ponders End statutory consultation was announced I read the Economic Risk Assessment and found the methodology to be seriously flawed.

I would be happy to discuss how I arrived at my conclusions should it be deemed important to my complaint. My conclusion in relation to the Ponders End Economic Risk Assessment was:-

As with the previous Regeneris report on the A105 (Green Lanes) shopping parades, this is an economic risk assessment based on very little concrete data and spurious assumptions, which tries but fails to put a positive spin on the impact of the cycle lanes. Perhaps more alarming is the way that it seeks to downplay the risks.

The conclusion is that at best it will have a small or neutral impact on the vitality of Ponders End High Street, even allowing for the public realm improvements.

This report certainly does not conclude this major investment will improve the economic vitality of the area. This analysis fails to demonstrate that there won't be negative impacts on the local economy. Local high streets have a low average customer spend. These independent businesses need lots of customers to thrive. Making it harder for customers to use these shops and restaurants is a huge risk to the local economy.

This report could have been written about anywhere in the country. There is nothing in this analysis which relates specifically to Ponders End, its social and ethnic characteristics; the actual business base or the customers. There is NO DATA underpinning this analysis.

Regeneris claimed to have interviewed a number of local business experts as part of the research, yet this was not the case, according to the people who were cited. If they had done any 'proper' background research, Regeneris should have discovered that Enterprise Enfield are based in the locality and should have been consulted as an expert witness.

Lack of convenient parking and congestion were highlighted by local businesses and residents as problems for the local economy – yet under this cycle lane scheme these problems are going to get a whole lot worse.

The development of the Electric Quarter, which will have a massive impact on Ponders End high street is not factored into the analysis.

In Regeneris' assessment "Ponders End is performing well", although there is a relatively high churn rate (around 10% a year), the vacancy rate is low – that was before the construction of the cycle lanes.

Their 'best estimate' is that this unpopular and highly disruptive cycle lane scheme, which will add 0.5% to the local economy.

Insufficient time and money has been put into doing this vital analysis properly. There is no valid data underpinning this analysis on which to plan the ramifications of a major infrastructure project. This has all the hallmarks of a 'tick box' exercise and should be rejected.

Other than writing this review and completing the Ponders End consultation I have no connection with Ponders End. I have not written any letters, designed or distributed any leaflets or had any contact with people in Ponders End.

I am grateful that these comments have now been removed from this Facebook page. However, my complaint remains that this is not conduct befitting a councillor in such a pivotal role. Any councillor, but especially one in such a politically charged position should treat its residents with respect, courtesy, regardless of their race and religion.

Attached is a second screenshot posted by Cllr Anderson. I gather this business is also contemplating a separate complaint.



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APPENDIX ②

London Borough of Enfield

Councillor Conduct Complaint Form

ENFIELD
Council


This form is to be completed in full if you wish to make a complaint that a Member or voting Co-opted Member of the London Borough of Enfield has failed to comply with the Code of Conduct adopted by the Council with effect from 1 July 2012.

1. Please provide us with your name and contact details

Title	MRS
First Name	SUE
Last Name	WOOLLARD
Address	[REDACTED]
Daytime Tel	[REDACTED]
Evening Tel	[REDACTED]
Mobile Tel	[REDACTED]
Email Address	[REDACTED]

2. Please tick the box which best describes you:

- ☒ Member of the public
- ☐ An elected or co-opted member of an authority
- ☐ Member of Parliament
- ☐ Local authority officer
- ☐ Other (please specify)

3. Please provide us with the name of the Councillor(s) and/or voting Co-Opted Member(s) you believe have breached the Code of Conduct:

Title	First Name	Last Name
CLLR	DANIEL	ANDERSON



4. Please explain in this section (or on separate sheets) what the Councillor has done that you believe breaches the Code of Conduct.

If you are complaining about more than one Councillor you should explain clearly what each individual has done that you believe breaches the Code of Conduct.

It is important that you provide all the information you wish to have taken into account by the Monitoring Officer* when he/she decides (having first sought the advice of the Council's 'Independent Person'), whether to take any action on your complaint. For example:

- Be specific, wherever possible about exactly what you are alleging the Member said or did. For instance, if you are complaining about something said you should state what words were used.
- Specify which part(s) of the Code of Conduct you consider have not been complied with.
- You should provide the dates of alleged incidents wherever possible. If you do not know exact dates, it is important to give a general timeframe.
- Confirm whether there were any witnesses to the alleged conduct and provide their names and contact details if possible.
- Provide relevant background for or any documents that support your allegation.

[* The Monitoring Officer at the London Borough of Enfield has a statutory responsibility to ensure that the Council acts in a lawful manner, and that it does not do anything which might cause maladministration, or injustice to any individual.]

Please set out in this box the details of your complaint. If you use separate continuation sheets please state how many additional pages are attached . . .

I am complaining that Cllr Daniel Anderson made very ill judged and inflammatory remarks in separate posts on a social media Facebook page. Both of these comments were offensive, whilst one was also racist and demonstrated religious intolerance, and the other was insulting and disrespectful. The comments made by him are directly in contravention of the Councillor Code of Conduct by which he should be bound. I have attached 9 pages and documents to illustrate this. I would also request that this matter be forwarded to the Councillor Conduct Committee.



If you are enclosing any documents to support your claim, please list them here.

SCREENSHOT 1 FROM 'BETTER STREETS FOR
GRIFFIN' WEBSITE (FACEBOOK)

" 2 " " "

These are included in the 9 attached
sheets.

Is there anybody who can help us with information about this matter?
If so, please give their name(s) and contact details.

5. Confidentiality

Your complaint will be handled by the Council's Monitoring Officer in accordance with the procedure for handling complaints against Councillors and Co-opted Member.

The Monitoring Officer will normally pass a copy of your complaint to the Councillor complained about so that he/she can comment. It is also in the interests of fairness and natural justice that a Councillor complained about should have the right to know who has made the complaint and what it is.

In very exceptional circumstances, the Monitoring Officer may agree to withhold your name and address. He/she would only do this if he/she has a good reason to believe that to give your name or address to the Councillor would be contrary to the public interest or would prejudice any investigation.

If your request for confidentiality is not granted, you will usually have the option of withdrawing your complaint.

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If you believe that there is justification for withholding your name and address, please set out the reasons here.

However, it is important to understand that in exceptional circumstances where the matter complained about is very serious, the Monitoring Officer may decide to proceed with an investigation or other action and disclose your name even if you have expressly asked her not to.

6. Additional Help

Complaints must be submitted in writing. This includes submissions by email. However, we can make reasonable adjustments to assist you if you have a disability that prevents you from making your complaint in writing.

Please let us know if this is the case (see contact details below or ask to speak to the Monitoring Officer by calling 020 8379 6438).

Please sign and date this form

Signature: Sue Woolford

Print full name: Sue Woolford

Date: 19.9.16

Please send the completed form to:

The Monitoring Officer - London Borough of Enfield
PO Box 54, Civic Centre, Silver Street, Enfield,
Middlesex EN1 3XF

Email: asmad.hussain@enfield.gov.uk

1

Councillor Daniel Anderson appears to post many comments on the 'Better Streets for Enfield' Facebook page. This page has an agenda of promoting the Cycle Enfield 'Mini-Holland' Scheme currently being considered for Enfield. Cllr Anderson has direct influence and decision-making responsibility for this Scheme as Cabinet Member for the Environment and, as such, it is reasonable to assume that the comments he makes are not only personal observations and views, but as he represents Enfield Council, they are also the views of the Council at this time. He also has a duty to be impartial in all his decisions and dealings.

He recently posted two comments, on separate issues, which breach the Code of Conduct for Councillors. I have attached screenshots of both these comments in the context of the conversations appearing at the time, and will list the reasons why I consider they breach the Code after the screenshots.

COMMENT 1 –

Background

- Helen Osman is a resident of Grange Park and is a PR and Marketing professional. She produces a weekly online 'blog', n21online, which promotes businesses, people and community activities in Winchmore Hill and the surrounding area. She upholds the views and rights of the local community and will often champion causes which threaten to damage these. She has been vocal about many causes, but always appears to have researched her subject well, sought expert professional advice and gives a balanced and reasonable summary in her weekly newsletters to a very wide readership. It is from this newsletter that I originally saw these Screenshots.
- Local residents are, I believe, exceptionally grateful for the amount of work she does to promote business and quality of life in the area and she is a trusted and respected member of the community.

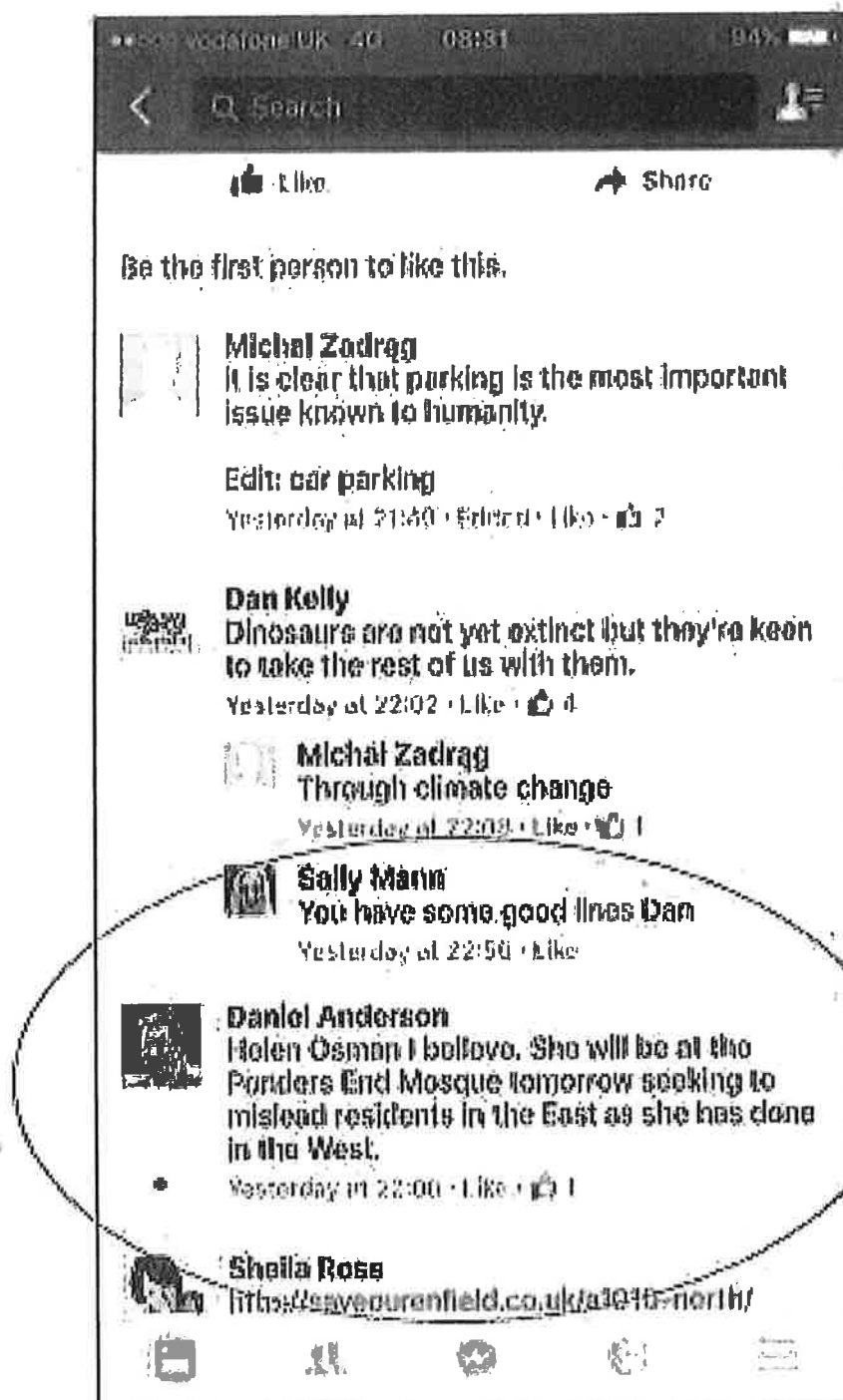
In the comment in Screenshot 1 Cllr Anderson is making a religiously intolerant 'joke' about Helen Osman, presumably judging her surname to be of Moslem origin. He suggests that she attends Ponders End Mosque and intends to make false statements to the members there (mislead those in the East) 'as she has done in the West'.

This is totally outrageous and is an insult to both Helen Osman, in its presumptions -whatever her religious views, if any, and to the members of Ponders End Mosque. It is overtly racist, smacks of religious intolerance and is derogatory and libellous, suggesting that she deals in lies. It clearly implies Cllr Anderson harbours hostility based on race or religion.

A couple of years ago, a Councillor, from Grange Ward, was found guilty of a similar lack of judgement in posting a racially provocative cartoon which, I believe, had been forwarded to him, on his Social Media page. He was, I understand, suspended and subsequently dismissed from his political group for this offence and police investigations were conducted. *Councillor Anderson has not just forwarded someone else's words, these are his own comments, which he obviously believes are acceptable, and also acceptable to publish on a public forum*

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COMMENT 1 – POSTED ON 'BETTER STREETS FOR ENFIELD' FACEBOOK PAGE



The fact that this post appears to have been taken down when Cllr Anderson realised it was creating controversy seems to prove that he realises his actions breached the Code of Conduct.

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I consider, that this comment shows that Cllr Anderson has failed in his duty to comply with the Code of Conduct namely:

8.8 Respect for Others You should promote equality by not discriminating unlawfully against any person, and by treating people with respect, regardless of their race, age, religion, gender, sexual orientation or disability. You should respect the impartial role of the authority's statutory officers, and its other employees.

This comment fails to treat another person with respect – seeking to mock their race and religion.

Furthermore, it does not uphold the impartial role of a councillor in dealing with residents as it implies complicity with the Cycle Enfield Campaigners.

8.9 Duty to Uphold the Law You should uphold the law and, on all occasions, act in accordance with the trust that the public is entitled to place in you.

This comment shows that Cllr Anderson holds apparently discriminatory views. The views are not compatible with the role of Councillor, let alone Cabinet Member

This comment should not have been made and demonstrates lack of judgement; furthermore, it demonstrates dishonesty in removing it once he realised it had been seen by others. The fact that he did so without issuing a public apology to Helen Osman for this offensive post is a further ground for concluding that Daniel Anderson is not fit to be a Councillor, let alone a Cabinet Member.

8.7 Leadership You should promote and support these principles [8.6,8.8,8.9] by leadership and example

Cllr Anderson has set an unacceptable example to others by harbouring these views and by publicising them.

9. You shall base your conduct on a consideration of the public interest, avoid conflict between personal interest and the public interest and resolve any conflict between the two, at once, and in favour of the public interest.

As a Cabinet Member, Cllr Anderson has demonstrated a conflict between his Council duties and his personal interest by posting a personal comment on Social Media, to the detriment of his ability to consider the wider interests of residents as a whole, as opposed to those of a very small lobbying group.

11. You shall at all times conduct yourself in a manner which will maintain and strengthen the public's trust and confidence in the integrity of the Authority and never undertake any action which would bring the Authority, you or other members or officers generally, into disrepute.

These offensive, racist and anti-religious remarks bring into disrepute the integrity of the Authority which represents the wider public of Enfield, which by its very nature has diverse religious and racial aspects. How can an Authority reflect an inclusive and tolerant attitude when its Councillors make remarks of this nature?

12. You shall observe the following rules when acting as a Member or co-opted Member of the Authority: (1) Treat others with respect and courtesy. (2) You must not – (a) Do anything which may cause your authority to breach any of its equality duties (in particular as set out in the Equality Act 2010) (b) Bully any person; (c) Lobby, intimidate or attempt to lobby or intimidate any person who is

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or is likely to be: Part 5 5 -6 (i) a complainant, (ii) a witness, or (iii) involved in the administration or determination of any investigation or proceedings in relation to an allegation that a member (including yourself) has failed to comply with his or her authority's code of conduct; or (d) Do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, your authority.

Cllr Anderson has shown contempt for others and has contravened the majority of these rules in particular:

12 (6) You should not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute.

Cllr Anderson has brought the roles of Councillor, and Cabinet Member into disrepute by making and posting these remarks

Use of the Internet (Appendix)

"We expect you to conduct yourself honestly and appropriately on the Internet"

"If you are posting to newsgroups, Internet mailing lists, etc. then you must include a Council disclaimer as part of each message".

"You may participate in newsgroups or chat rooms only when relevant to your official duties. When participating you must clearly identify yourself by name and title".

Cllr Anderson has not conducted himself appropriately on the Internet demonstrated by the racial and anti-religious remarks he has posted on a public forum. There was no Council disclaimer as part of this message. This participation was directly relevant to his official duties as Cabinet Member with responsibility for the Scheme which was being discussed yet he has not identified himself by title.

COMMENT 2 –

Background

- **If the Cycle Enfield Scheme goes ahead, many residents and businesses will be adversely affected.**
- **One of the businesses which will be affected by loss of parking, loss of delivery area should the A105 section of the Scheme go ahead is an independent, family-run Electrical goods business called Pounds. It is well regarded by people both in the area and further afield but the management believes the business will be severely affected. This is obviously a worrying and serious matter for the family.**

In Screenshot 2, Cllr Anderson is responding to a remark from another person who mentions that someone was seen carrying a large electrical item away from an electrical store on the back of their bike and Cllr Anderson responds asking 'if it was from Pounds? '

You should be aware that the manager of Pounds has previously made her concerns known to Cllr Anderson. His reply – in a public place – that the problems the Cycle Enfield scheme will cause for individual businesses was of no concern to him (his actual words being 'I am not interested in the impact on individual shops along Green Lanes'). This flippant remark and reference to this specific shop name in the post serves both to evidence Cllr Anderson's ongoing contempt for shops in

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general and Pounds in particular – and the problems the scheme will cause for businesses along the route.

One would expect Cllr Anderson to have concern for businesses across Enfield and maintaining their viability. Instead, this post appears to show Cllr Anderson mocking one of the businesses whose livelihood is threatened. At best it was provocative and unwise, at worst it is offensive.

It also appears that the issue of Cllr Anderson having previously made unwise comments which could lead to his resignation, has been discussed by people either on or off the forum, given that one response in the reply to his comment jokily infers that this is yet another comment which breaches the Code of Conduct? This therefore indicates a total lack of impartiality if Cllr Anderson is treated as a friend by this lobbying group – and in return Cllr Anderson treats this lobbying group as friends.

The next response compounds the joke on the store – which Cllr Anderson appears to have started.

Cllr Anderson, as Cabinet member for the Environment who is leading on the Cycle Enfield Scheme should be dealing with all residents and business who may be affected by the scheme with sensitivity and consideration – not by making jokes at their expense on a Social Media public forum. This remark is over 3 months old but this also indicates that whilst still at the Consultation scheme, Cllr Anderson was treating those likely to be affected by the Scheme with contempt and lack of respect – maybe because the outcome of the Consultation had already been pre-judged? In which case this shows a lack of impartiality and neutrality on behalf of the Cabinet Member, and indeed, of Enfield Council.

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COMMENT 2 - COPY OF SCREENSHOT TAKEN FROM 'BETTER STREETS FOR ENFIELD' FACEBOOK PAGE



Therefore I consider, that this comment does not comply with the Code of Conduct for the following reasons:

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8.8 Respect for Others You should promote equality by not discriminating unlawfully against any person, and by treating people with respect, regardless of their race, age, religion, gender, sexual orientation or disability. You should respect the impartial role of the authority's statutory officers, and its other employees.

This comment fails to treat another person/business with respect. It demonstrates a lack of impartiality by being posted when a consultation being undertaken by Cllr Anderson's team was still underway at this time. Of most concern, Cllr Anderson's post casts aspersions on a business by name.

8.9 Duty to Uphold the Law You should uphold the law and, on all occasions, act in accordance with the trust that the public is entitled to place in you.

This comment shows that the public trust cannot be placed with Cllr Anderson if he holds these views. They are not compatible with the role of Councillor, let alone Cabinet Member. Members of the public should feel, that during a consultation period, those carrying out the consultation do not harbour personal partisan views. It goes without saying that such partisan views should not be published on Social Media, and especially those forums run and operated by a lobbying group.

8.6 Honesty You have a duty to declare any private interests relating to your public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

This comment should not have been made during a Consultation period as it conflicts with the neutral stance of the team conducting the consultation and does the opposite to protecting the public interest.

8.7 Leadership You should promote and support these principles by leadership and example

Cllr Anderson has set an unacceptable example to others by harbouring these views and by publicising them.

9. You shall base your conduct on a consideration of the public interest, avoid conflict between personal interest and the public interest and resolve any conflict between the two, at once, and in favour of the public interest.

As a Cabinet Member, Cllr Anderson has demonstrated a conflict between his Council duties and his personal interest by posting personal comment on Social Media, and any impartiality has been lost.

11. You shall at all times conduct yourself in a manner which will maintain and strengthen the public's trust and confidence in the integrity of the Authority and never undertake any action which would bring the Authority, you or other members or officers generally, into disrepute.

The offensive remark brings into disrepute the integrity of the Authority which represents all members of the public in Enfield, both residents and businesses. How can the public believe that the Authority is interested in nurturing and encouraging small businesses, and is taking their concerns properly into account, when a Councillor makes remarks of this nature?

12. You shall observe the following rules when acting as a Member or co-opted Member of the Authority: (1) Treat others with respect and courtesy. (2) You must not - (a) Do anything which may

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cause your authority to breach any of its equality duties (in particular as set out in the Equality Act 2010) (b) Bully any person; (c) Lobby, intimidate or attempt to lobby or intimidate any person who is or is likely to be; Part 5 5 -6 (i) a complainant, (ii) a witness, or (iii) involved in the administration or determination of any investigation or proceedings in relation to an allegation that a member (including yourself) has failed to comply with his or her authority's code of conduct; or (d) Do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, your authority.

Cllr Anderson has shown a lack of respect for others.

12 (6) You should not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute.

Cllr Anderson has brought the role of Cabinet Member, and Councillor into disrepute by posting this remark. It could be construed that Enfield Council had already decided the outcome of the Consultation of the A105 scheme when a Councillor and Cabinet Member posts a flippant remark regarding his area of responsibility on a public forum.

Use of the Internet (Appendix)

"We expect you to conduct yourself honestly and appropriately on the Internet"

"If you are posting to newsgroups, Internet mailing lists, etc. then you must include a Council disclaimer as part of each message".

"You may participate in newsgroups or chat rooms only when relevant to your official duties. When participating you must clearly identify yourself by name and title".

Cllr Anderson has not conducted himself appropriately on the Internet demonstrated by the flippant and offensive remark he has posted on a public forum. There was no Council disclaimer as part of this message. This participation was directly relevant to his official duties as Cabinet Member with responsibility for the Scheme which was being consulted on at the time, yet he has not identified himself by title.

SUMMARY

By posting these comments and breaking the Code of Conduct for Councillors in so many ways, Cllr Anderson has shown himself to be unfit to represent the Council, given his intolerance towards minority groups, his complicity with a group which may make his judgement regarding the Cycle Enfield Scheme unsound and his lack of judgement in posting controversial remarks on Social Media forums.

I trust the strongest possible action be taken on this matter and that Cllr Anderson is dismissed both as a Cabinet Member and as a Councillor.

The way Cllr Anderson has used derogatory remarks and slurs about residents and businesses to justify ignoring the concerns of businesses and residents during the Cycle Enfield consultation reflects badly on Enfield Council. It appears to confirm that residents and shopkeepers are right to harbour doubts about the lawfulness of any consultation which has already taken place, when the lead Councillor for the scheme is openly dismissive of their concerns in a public forum, and seeks to imply that a resident who publicises veridical information about the scheme is 'misleading' residents. Is this why Cllr Anderson was so keen to dismiss the possibility of a public enquiry into the Scheme when called for by other Councillors?

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These remarks would be deemed unacceptable if written by a member of the public, but for a Cabinet Member, let alone a Councillor representing the London Borough of Enfield, they are grossly ill-judged, breach many of the aspects of the Code of Conduct, and one of the comments, I believe, warrants criminal investigation.

Thank you.

A handwritten signature in black ink, appearing to read 'Sue Woollard'.

SUE WOOLLARD (MRS)

APPENDIX (3)

STATEMENT OF HELEN OSMAN

Helen Osman, will say as follows:

1. My background is in marketing and business development, working for major clients, including government departments. I have a Master's degree in sociology and marketing qualifications.
2. In 2009 after leaving the city where I worked as a marketing strategist and commercial sociologist, I set up a website for the local community (n21online.com) in the area I have lived for 30 years, where my children attended local schools. It is all about local connectivity – hyper-local content driven marketing. On some days there can be as many as 3,000 visitors to the site and up to 1,200 at a time on some occasions. I use my experience to help my community, including small businesses and start-ups, charities and community groups and I have a blog 'this week in N21' which is widely read.
3. I am a founding member of the Save Our Green Lanes ("SOGL") Campaign Team. SOGL is a campaign group against the Cycle Enfield scheme. We are not against cycling or the construction of cycle lanes but we believe that the current proposals will be damaging to the local community and not make 'a Better Enfield for All' as LBE claim. There is little support for the scheme locally, but the Council is ignoring this. Many local cyclists believe it is dangerous and will not be used. SOGL is challenging the A105 cycle lane scheme in the High Court.
4. There was a statutory consultation conducted in July and 1,600 objections were received, but construction of the scheme began the day after an unsuccessful attempt to call in the scheme. There were grounds for concern that the objections, including one by Aviva buses should be sufficient to warrant a public inquiry. Cllr Terry Neville, Leader of the Conservative Opposition is seeking an Advisory Order as to whether this is legal and also how the Council could issue purchase orders to contractors during the statutory consultation period.

5. Like many other local people I have concerns about how the matter is being handled by the Council. I am a member of A105 partnership board for Cycle Enfield, however Enfield Council did not provide full information to its critical friends and has completely ignored their comments, as well as those of leading community groups, churches and residents associations.
6. One example of the Council's approach to project management was the reticence to release the full economic risk assessment for the A105 scheme. From the summary report it was not possible to understand the methodology and thus the validity of the analysis. Councillor Neville had to go to the Chief Executive to get a copy of the full Regeneris Economic Risk Assessment report. This 90 page report was finally supplied on Friday afternoon, with a deadline of Monday noon for all submissions.
7. I have very serious concerns about the Cycle Enfield project and the approach that the Council has taken to it. However, I only submitted this complaint as a Code of Conduct investigation into the comments that Councillor Daniel Anderson made on 31 August 2016, on the "Better Streets for Enfield" Facebook page.
8. I believe that I have been targeted by Councillor Anderson because of my high profile campaigning. He has previously accused me of lying in relation to meeting dates. This was picked up by the local press. However screenshots of Council meetings were taken to show this was not the case.
9. Given my marketing consultancy background I believe that I have been able to demonstrate that the economic risk assessment reports were based on poor quality data, with scenario modelling which attempts to minimise the risks posed to local businesses. I believe Enfield Council's Cabinet was deliberately misled by misuse of a quote to say that cycle lane schemes could lead to a 5% - 15% increase in the size of the local economy. In fact the report authors state that they do not envisage that the scheme will achieve its transformative objectives.
10. When the Ponders End economic risk report was published in August I also reviewed this. Other than looking at the Ponders End report I have no connections with Ponders End. I understand that there were leaflets circulated in the local area to raise awareness of the consultation, but I had no involvement, in any aspect of this campaign. I sent my critique of the Ponders End report to the leader of the Council,

Councillor Doug Taylor (councillor for Ponders End), commenting that this was a very poor quality research; there was little evidence of any real understanding of the local economy, the demographic profile of Ponders End or any meaningful engagement with local businesses. For example the report makes no reference to the major Meridian Water regeneration project.

31 August 2016 – Facebook Posting

11. My complaint is about his comment on 31 August.
12. I consider that Councillor Anderson has made a connection between my surname of Osman to the Muslim community and the Mosque in Ponders End. I do not have any Muslim connections and Councillor Anderson knows me well, when he took over the portfolio he came to meet me and sat at my kitchen table.
13. I was shocked when I saw the comments. I found them insulting, as did my family. I have never been to the Mosque. I do not know whether it is used as a general meeting place for the local community.
14. Councillor Anderson is posting on a Facebook page that is pro cycling and I do not consider that he should be posting on that given his position as a Cabinet Member and decision maker, who should be objective.
15. I consider there are two elements to his statement:
 - a. that I mislead people; and
 - b. Councillor Anderson trying to make something of my name and linking it with the Muslim community.
16. I have not misled anybody.
17. There has been a good local campaign to raise awareness of implications of Cycle Enfield but I feel that Councillor Anderson has made me public enemy number one. I have been subject to trolling on Twitter, Street Life and Better Streets for Enfield, by the cycle fraternity. Whilst I do not look at these social media pages on a frequent basis,

I have been led to believe that Councillor Anderson has participated, although comments have now been taken down.

18. I do not know why Councillor Anderson thought I would be at the Mosque perhaps it was because of the critique I had done on the Ponders End report. I was not there because I was on holiday in Pembrokeshire with my family.
19. I do not consider that Councillor Anderson is a fit and proper person to oversee Cycle Enfield. I believe that a senior decision maker for a major and highly controversial infrastructure project should take this position seriously and should not have displayed such partisan views. It was known to the members of the group that he is charge of the Cycle Enfield scheme.
20. I do not consider that Councillor Anderson's comment on the 31 August shows him to be objective and showing respect to others, accountable, open and honest.

26 May 2016 – Facebook Posting

21. Pounds is a very successful large local retailer. They will lose parking and delivery spaces as part of Cycle Enfield. One of the directors of Pounds confronted Councillor Anderson at a meeting about the lack of parking caused by Cycle Enfield and the effect on her business. Councillor Anderson said that he does all his shopping online and does not care about local businesses. The director of Pounds shouted this out after he had said it and she appeared very upset by his comment. I consider that the comment he made on Facebook on 26 May is symptomatic of Councillor Anderson's approach to the Cycle Enfield project and its effect on the local community.

Conclusion

22. I consider that Councillor Anderson was acting in his role as a Councillor as he is so well known on this scheme. He is in the local press virtually every week and his remit is wide. People reading the comments would have known that he was a Councillor. I have never known a Councillor have such a high media profile.

23. When my family saw the comment they were disgusted. Most of my family cycle, including my daughter's partner who cycled to work from Grange Park to Clerkenwell before moving closer into town. As a cyclist he can see little merit in the scheme but more importantly was equally disgusted by these insulting remarks.
24. Councillor Anderson's comment that I mislead people has upset me. Council officers send me information to post on my website and have said that the local community is more likely to see it there than on the Council website.
25. I know Sue Woollard. We are friends but not close. I did not know that Sue was going to put a complaint in. She did tell me that she had been incensed by the comments made by Councillor Anderson after she had submitted the complaint. I felt that Councillor Anderson's comments were insulting to me. It would have been nice if he had contacted me and apologised but he had not done that.

Signed.....*helen amon*.....

Dated.....*20/12/16*.....

APPENDIX ④

STATEMENT OF SUE WOOLLARD

Sue Woollard, will say as follows:

1. I have lived in the borough of Enfield all my life. I am involved in my community. I was previously a governor of St. Andrew's School and after I ceased to be governor I joined the independent school appeals panel for the borough on which I still sit. In both of these roles I received regular training from the Council on what one can and cannot say and the dignity with which we should always treat other members of the public.
2. I am an involved resident of N21, West Enfield. For example, I was involved in the opposition to an Environment Agency flood defence scheme which threatened our neighbourhood. It was as part of this opposition that I first came into contact with Helen Osman who also lives in N21. I know Helen, but I do not consider us to be friends. It would have been around 2011/2012 when I first met Helen. Helen produces a weekly blog "N21online". This covers local business news and community issues. I understand that the blog has a very wide readership.
3. For the last five years I have been a Trustee of the Old Enfield Charitable Trust. I am one of two Trustees appointed by St Andrew's Church to be representative of the congregation and to uphold the interests of the Church. The Trust owns the market place in Enfield Town and runs the weekly Charter Market. On non-market days the market place is a car park. Cycle Enfield will seriously affect the future of the market place. I am not making this statement in my capacity of a Trustee of the Trust but as an independent resident of Enfield. NB Since this was written the Council have changed the plans the Town Scheme of Cycle Enfield which, although reducing the impact on Enfield Market, will still have a negative effect on Enfield's trade and shopper footfall which will then have an impact on the Market trade.
4. I consider that the Cycle Enfield Scheme will have a major impact on the town I know and love and how I live my life. I consider it will impact on whether the shopping centre within Enfield Town will continue to be viable. My complaint and the resulting investigation is not about the Cycle Enfield Scheme. However, my personal view is that the Cycle Enfield Scheme will not work and my understanding was that those who put together the proposal knew it would not work when they bid for the money.

5. I think that it is important to understand the context about the situation. The London Borough of Enfield comprises the former Enfield, Southgate and Edmonton boroughs. There remain three distinct areas. The west of the Borough has been perceived to be the more affluent. However, over time there have been changes in the demographics of the Borough and movements of different communities to particular areas.
6. Enfield Town operates a one way system and the Cycle Enfield proposals will stop traffic down Church Street, Instead Cecil Road, which is a residential street, will become two-way. Two lorries, coming from opposite directions, will not be able to get down the street. Since this was written, this is no longer relevant and should be removed please
7. I consider the Cycle scheme is ill conceived but it has started. The scheme is separated into several parts including the A105, N21, Enfield Town, Southbury Road and the A1010 Enfield Lock to Edmonton. There was a judicial review claim in respect of the A105 section.
8. Work started on the first part, on the A105, 4 weeks ago. We will be able to judge the potential impact of the scheme but not before the Enfield Town phase is deliberated by Cabinet in December.
9. In Ponders End/Enfield Highway there is one major road with shops most of the way along it. These are small, mainly independent shops that the local population wants to buy from. The cycle lanes will mean that there is no parking and the shops will not be able to receive deliveries. This is also why the Trust's market/car park will have problems. No longer relevant*
10. Councillor Daniel Anderson is the portfolio holder for Environment within the Council's Cabinet, responsible for Cycle Enfield.
11. The Council undertook an initial consultation on the Scheme but this was open to the whole of the UK. The result raised tensions in Enfield but if you take out the external people then overall residents were opposed. The Council undertook a further statutory consultation on an amended scheme for the A105 and received 1,600 objections. It is now understood that this section of the scheme was given the go-ahead before this later consultation was complete.

12. Councillor Anderson approved the amended scheme. His decision was called in on the basis that the 1,600 objections were not taken into account. Councillor Anderson said that he has personally looked at all the objections and he thought there were no new facts to consider.
13. Arriva objected to the A105 section as having serious concerns for their bus service. This was one of the major points when the decision was called in. My understanding is that Transport for London who are owners of the Cycle Scheme overruled Arriva just prior to the Council meeting.
14. In my view the other parts of the Scheme are flawed and there are concerns. Revised plans are to be unveiled in November 2016. A meeting has already been scheduled for 14 December 2016 for the Cabinet to discuss and, it is thought, to approve these plans.
15. Councillor Anderson is vocal in his support for groups lobbying for Cycle Enfield. I consider it is unwise for Councillor Anderson to be posting on Facebook for "Better Streets for Enfield" who are a cycling group very pro and in favour of Cycle Enfield. I understand that Councillor Anderson is a regular contributor to the Facebook page for that group and I think it is unwise of him to ally with a lobbying group given his role as Cabinet Member. The nature of the language used indicates a cosy group. Councillor Anderson has a duty to be totally unbiased and as a result should not get involved in forums.
16. I consider that when Councillor Anderson posts to groups like "Better Streets for Enfield" everyone knows he is a Councillor. He is always in the local paper defending Cycle Enfield. I think that means he is acting in his capacity of a Councillor. I think this is demonstrated by the Facebook postings on 26 May 2016 because there is a comment from another contributor about Councillor Anderson having to resign for the comment he makes.
17. Councillor Anderson's position is so well known on Better Streets for Enfield that I do not think that he can write or post in a personal capacity on it.
18. When Helen Osman copied onto N21online the 26 May 2016 and 31 August 2016 Facebook posts which Councillor Anderson had posted on Better Streets for Enfield

Facebook page, my heart sank at the personal and unfounded attack on her, and the nature of the comment re Pounds store

26 May 2016 – Facebook Posting

19. Pounds is a local, family-run electrical store located on the A105 that I understand may close if the impact from the Cycle Enfield Scheme results in decrease in footfall as customers and delivery vehicles are unable to park outside the store, and, as a consequence, turnover suffers. I consider that by the post Councillor Anderson is making a joke and laughing at something resulting from the Scheme. I am not a regular customer at Pounds but I can understand how upsetting a 'joke' like this could be for Pounds.
20. My view is that if Councillor Anderson is acting as Councillor then he should declare that he is one and that it is inappropriate for him to comment on a forum such as this. The post indicates that he is making fun of an Enfield Business which he has a duty as a Councillor to protect.

31 August 2016 – Facebook Posting

21. Ponders End (A1010) is a different section of the Cycle Enfield Scheme. It falls outside of Helen's "patch" and I am not aware that Helen has been vocal in respect of it. Ponders End has a high Muslim population and has a Mosque. I do not know anything about the activities of the Mosque and whether it is used as a community venue for meetings.
22. I do not know what Helen's religion is. I consider the posting by Councillor Anderson on 31 August smacks of race or religion bias. I do not know what the difference is now between the two with regard to Islam in particular. Again, I do not believe that it is appropriate for Councillor Anderson to post remarks regarding the Cycle Scheme on this forum, let alone comments of this nature. He seems to imply that Helen is a member of the Islamic community and would use the Mosque as a platform to spread information to the Moslems of Ponders End -- and that this information would be without substance -- in effect misleading the community. I consider that this is also a slur on the community by implying that their Mosque is a meeting place which is able to be used as a platform for someone spreading misleading information -- and that implies that they are gullible. I also

have to question why he would consider that Helen would attend a Mosque almost as though this is a derogatory comment.

23. The Facebook posting accuses Helen of having misled people in the west (of the borough) and that she was now intending to do the same in the east (of the borough) where Ponders End is situated. In my view this could not be further from the truth. To my knowledge, Helen has always been very careful with the information, data and figures that she publishes. She often quotes from government papers or accredited journals or actual statistics from Council websites.
24. I believe that the post by Councillor Anderson implied that Helen deals in lies and by misleading people. This is a slur on her character and good standing in the community and is, in my experience, not the truth. I understand that Councillor Anderson has tried to discredit Helen on other occasions. My view is that he appears to be frustrated that others, including our local MP, back Helen unreservedly.
25. My understanding is that both of the Facebook posts were removed from the "Better Streets for Enfield" page when Helen published the remarks on her blog.
26. I consider that Councillor Anderson's comments are defamatory and ill advised. He should not be able to get away with them. He is a Councillor and also a Cabinet Member who should be unbiased and represent the whole of the borough. I am angry that someone elected to be a Councillor and appointed to be a Cabinet Member is allowed to make personal comments of this nature. If Councillor Anderson puts these types of observations out there then in effect he is speaking for the Council and so it is a slur on the Council. I am upset to live in Enfield if this is how Councillors act.
27. I do not think it is appropriate for me to say that Councillor Anderson should not be an elected member of the Council. He has been elected by residents of his ward. However, I do not think it appropriate for him to be a Cabinet Member if he holds these types of anti-religious and racist views and these comments show a lack of judgement, normally required of someone in a senior position.
28. I am confused by the whole thing, deeply angry and upset for Enfield, because I believed we had standards. I consider his comments have been a real wedge in the community.

29. I have never been prompted to send in a letter of complaint about an individual before. I saw Helen's post with the comments but it was not for a couple of weeks that I had the opportunity to put together a complaint. When I saw the comments initially I was appalled. I did see Helen in a meeting and expressed my views on the nature of the comments. I do not recall telling Helen that I was going to put a complaint into the Council. I did not submit my complaint in collusion with Helen.
30. I consider that in my role as a governor and a member of independent school appeal panels that I have been trained by the Council to act and speak in one way and I cannot understand how somebody else representing the Council, and, I assume, given similar training, can act and speak in a completely different and unacceptable way. I understand that Councillor Anderson is employed by the Council in his capacity as Cabinet Member.

Signed.....

Dated.....

APPENDIX ⑤

STATEMENT OF COUNCILLOR DANIEL ANDERSON

Councillor Daniel Anderson, will say as follows:

1. I was first elected as a councillor to Enfield Council in 1998 serving until 2002. I was then re-elected in 2014. When I returned to the Council as an elected member I received training on the code of conduct and I am broadly familiar with how it works.
2. I have been a Cabinet Member and the Portfolio Holder for Environment since June 2015. As part of my role as portfolio holder I have a large amount of delegated decision making power. This includes delegated decision making in respect of aspects of Cycle Enfield.
3. I understand that the complaints against me both relate to two posts that I made on a Facebook page for Better Streets for Enfield. The first of these posts was on 26 May 2016 and the second on 31 August 2016.
4. The Cycle Enfield scheme has been very contentious. There are several groups that are opposed to the scheme and who seem to work collaboratively. They have extended their opposition to not only Cycle Enfield but also to me personally. They have misquoted me and at times made me personally the target of their comments.
5. Helen Osman is one of the more vociferous and regular campaigners against Cycle Enfield and she works collaboratively with others who oppose it.
6. The Cycle Enfield scheme predates my involvement in it. The submission was made to Boris Johnson, the then Mayor of London, in December 2013 under the Mini-Holland programme. It was a cross party bid, which was a requirement of the submission with the written support of both the Leader of the Council and the then Leader of the Opposition. The bid clearly stated that Enfield's proposals would run along Green Lanes. I am aware that those objecting to Cycle Enfield refer to the route using back streets rather than main roads. This was considered and rejected. The bid was submitted on the principle of the proposed schemes going down main thoroughfares. However, there are complimentary elements, known as Greenways

and Quietways that seek to use side roads, parks and open spaces, but these are peripheral to and not the essence of the proposals.

7. Since the bid was made the Leader of the Opposition on the Council has changed and the current leader opposes the scheme. He has said that he would not have agreed to the bid. However, his deputy supported the bid and is on record as doing so.
8. I consider that Save our Green Lanes is one of the key groups in opposition to Cycle Enfield and has been distributing information that is misleading. The consultation that the Council has undertaken has been about shaping the various schemes, but has never been a referendum on the scheme as a whole. It is a voice and not a veto. It has never been an option to scrap the scheme following these recent consultations which are just intended to set the scope as to what is done and change details as a result of the feedback received.
9. I am aware of the concerns that residents have raised and I have considered them. There has been a great deal of consultation with residents over the past 18 months on the A105 scheme with a 12-week consultation at the start of that period. Those opposed to Cycle Enfield have been to the Courts on three separate occasions. Twice they have sought a judicial review and on the third occasion they sought an injunction to prevent works from proceeding along the A105. Every time their application has been thrown out and costs awarded against them on the basis that they did not have robust or acceptable grounds. There is no legitimacy behind their attempt to get the A105 scheme stopped.
10. The decision to approve the scheme was taken by Cabinet in February 2016. This was then called in by the opposition, but the decision was confirmed after it had been considered by Overview and Scrutiny in March 2016. The steps that the Council has taken since that time have been to consider a greater level of detail for each individual stage. The consultation processes undertaken have followed the statutory requirement and relate to the traffic management orders.

11. The element of Cycle Enfield running along the A105 has been one of most contentious elements of the programme with concerns about whether the road is of sufficient width for what is proposed.
12. Nonetheless, I have told officers that they must consider what is submitted in response to the consultations carefully, irrespective of the source and there has been some recognition locally that the Council has made some changes.
13. We have looked carefully at the facts and the emerging Traffic Management Orders to enable us to develop the proposals, cognisant of the concerns from residents and local businesses. For example, the impact on businesses as a result of removal of on-street parking has been mitigated by the installation of offering 45-minute free parking bays in both Lodge Drive and Fords Grove car parks.
14. Cycle Enfield is being compared with the Cycle Superhighways in Central London, but we are an outer London borough and it is not comparative. Cycle Enfield has three key strands, to transform our high streets and town centres, to promote more active forms of travel and to create safe and segregated cycle lanes. The £42m of external investment into the borough will help ensure that this is a scheme which works for Enfield and the consultation is about evolving that vision.
15. It is not about long journeys by bike, but about the opportunity for people of all ages to be able to cycle short journeys in safety and to encourage short trips on bikes rather than in the car. Enfield has one of the lowest cycling rates and one of the highest child obesity rates of all the London boroughs, so there are public health issues which are being addressed through the scheme.
16. We have always been clear that we cannot do everything that everyone wants, but we have gone as far as we can to work with the groups. For example, we have invited some members of the groups opposing Cycle Enfield onto the various partnership boards we have set up to ensure that it represents a cross section of opinions and Helen Osman, herself, is a member of the A105 Partnership Board.
17. The Council has held public meetings with the residents and businesses and recognises that some have issues with the principle of the scheme. Nonetheless, where issues have been raised concerning the detail I have asked officers to look at

them and see what can be done. Officers have been able to assist with some changes as a result and I believe that there is recognition that we have adapted the scheme in light of resident feedback.

Facebook Post 31 August

18. I received a voicemail on my phone from my colleague Councillor Don McGowan on 31 August and called Councillor McGowan back straightaway. This call was in reference to a meeting being held at the Ponders End Mosque the following day. Councillor McGowan informed me that he understood Helen Osman was attending to speak against the Ponders End Scheme as it related to cycling. Councillor McGowan needed information to be able to respond to any comments that Helen Osman might make. I sent Councillor McGowan a text message on my own phone which set out the main points to cover. A photograph of the text is attached to this statement. This was on the morning of 1 September. As a result of that conversation, I sent officers an email asking that they should go to the meeting at the Ponders End Mosque to counter any misleading information that may be presented. I was informed after the meeting that Helen Osman did not attend. I sent Councillor McGowan a text to that effect later that day.
19. I refute any allegation that my post on 31 August was in any way a racial slur on Helen Osman. My reference to the Mosque was simply because I understood a meeting was taking place there and that Helen was attending. It had nothing whatsoever to do with Helen Osman's religion. I do not know what Helen Osman's religion is and I do not care as it made no difference to me.
20. After Helen Osman published the Facebook post I received a phone call from a man, I do not know who he was, saying that I was making racial comments. He even referred to the fact that I am Jewish, which was odd given that I do not believe I had ever met him. I refuted that there were any grounds for the post being in any way racial. I was working with the information I had and it was in no way intended to be religiously intolerant.
21. I consider that Helen Osman and Sue Woollard are making a leap between what I said and how they appear to have interpreted it. I find it offensive and absurd that

they consider I am in any way hostile to Helen based on race, religion or ethnicity and my comments were solely based on information provided by Councillor McGowan.

22. My view is that a handful of people, hostile to Cycle Enfield and myself as Cabinet Lead on the project have read Helen Osman's post interpreting my comments and taken it as fact without challenging it.
23. I nonetheless stand by my comment that Helen Osman has been misleading people and can evidence base that position. Information that Helen Osman has published has had, I consider, a misleading effect on people's interpretation of the Cycle Enfield Scheme. In support of this I refer below to Helen Osman misquoting my interaction with the owner of Pounds on her blog and which makes no reference to the fact that I was verbally assaulted by the individual.
24. I also refer to a blog post that Helen Osman distributed on 23 September 2016. This related to the failed legal action for an injunction. Helen Osman gives her view of what she considers Mr Justice Dove said but this is not consistent with the judgment as I am aware of it. My understanding is that Mr Justice Dove said the applicants had no case. The impression I have from Helen Osman's blog is that there was a case, but the Council had got around things on a technicality – indeed the title of her post is "This week in N21 – a game of charades in the High Court?"

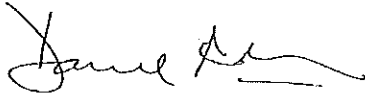
Facebook Post 26 May

25. I consider that Helen Osman has a direct role in inciting people in relation to opposition to Cycle Enfield. For example I am aware of a post that Helen Osman sent out in advance of an exhibition at Palmers Green. The Council intended to exhibit revised plans for the A105 scheme. Helen's post encouraged people to attend but also stated that although those attending should not be violent "a spot of verbal abuse is allowable".
26. At the meeting I was approached by a very angry woman who was shouting at me. I understand that she was the owner of Pounds, a local electrical store. She pulled me aside and said that Cycle Enfield would destroy her business. She asked me where I buy my electrical goods from. I made reference to using shops and on line. She told me to go forth and multiply and then started shouting that Councillor Anderson only

buys online. In addition to my encounter with this lady, officers and the Council's consultants were also verbally abused at this meeting. In my opinion Helen Osman incited this heightened tension with her post prior to the meeting.

27. Helen Osman then published an email the next week where she misquoted me and stated that I only shop online and do not support local businesses (as referenced in point 23 above).
28. In relation to my one word post on 26 May on the Better Streets for Enfield Facebook page I posted it in response to a post on electrical items on bikes. I do not know who Keith Hepburn is who responded to my comment or why he would refer to my having to resign in such a way. Whatever is the case, I did not respond to him.
29. I only have one Facebook account. I use this to comment on personal things and on occasion comment on other pages, for example "love your doorstep" – about the Council. As a general rule, I tend to be extremely careful about what I post and even more so now, in fact I very rarely comment at all, particularly on council matters. The photo that I use for my Facebook account is my own photo; it is not my official Council photo.
30. I take great offence to the statements and the accusations made against me. I consider these complaints are part of a co-ordinated effort to have me removed from the Cabinet. This effort has included a petition asking for my removal signed by 200 people. The Leader of the Council has rejected that petition. Over the same weekend the Labour Group office at the Council received several offensive voicemails regarding the Cycle Enfield A105 scheme and these have been passed to the police. The voicemails did not threaten me personally, but threatened the group. The Southgate Green ward forum on the 20th September was also forced to be cancelled at the urging of the police borough commander because people were being encouraged to turn up and disrupt the meeting targeting me.

31. I do not consider that I have breached the Council's code of conduct in any way.

A handwritten signature in black ink, appearing to read 'Daniel Anderson', with a stylized flourish at the end.

Councillor Daniel Anderson

Date: 8th December 2016

●●●●● EE 30

New iMessage

Cancel

To: Don McGowan

iMessage

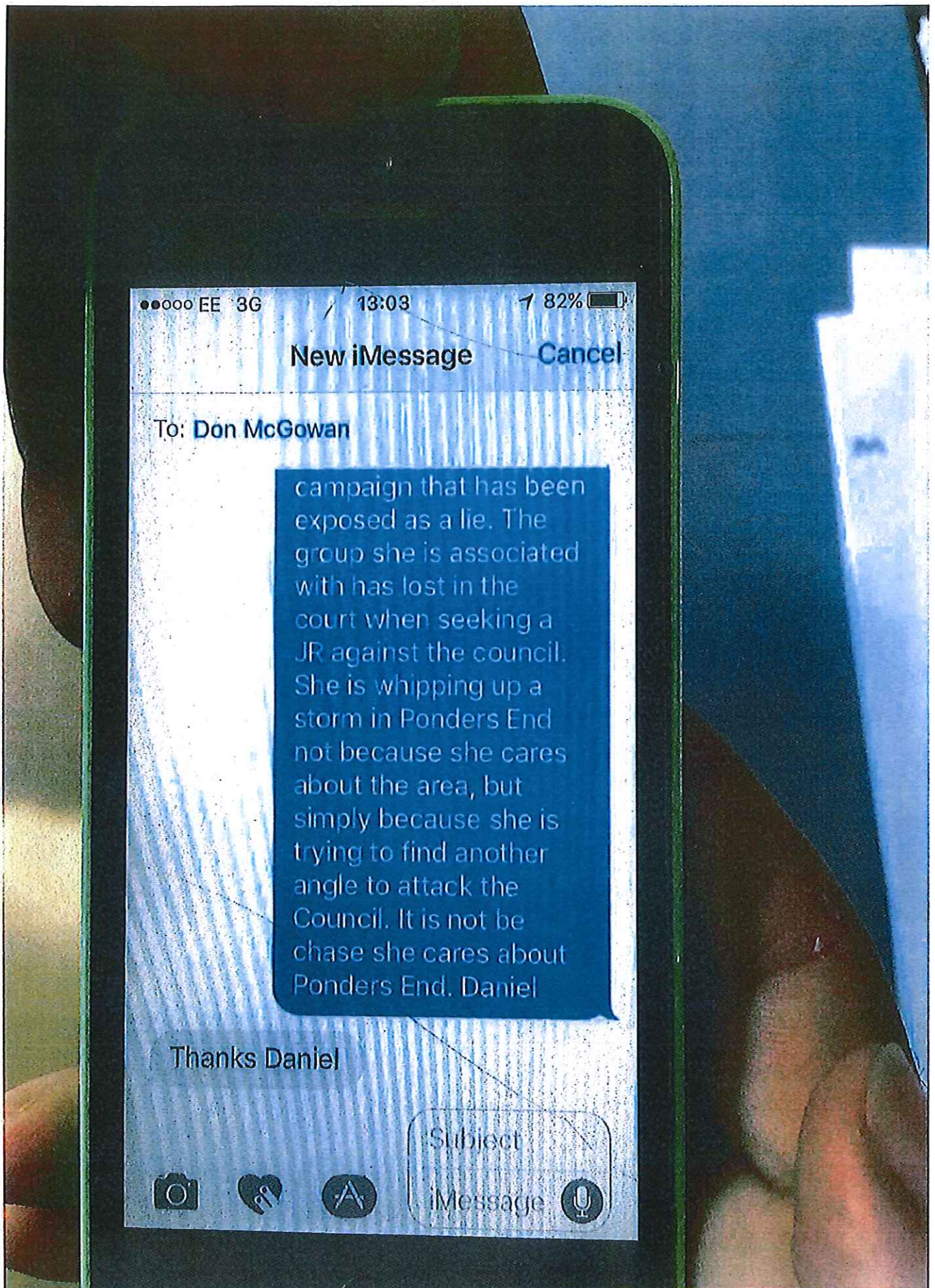
Thu 1 Sep, 08:11

Morning Don. The key points to make to Helen Osman are that she doesn't live in the East, but comfortably in the West. She has led a campaign that has been exposed as a lie. The group she is associated with has lost in the court when seeking a JR against the council. She is whipping up a storm in Ponders End not because she cares about the area, but

Subject

iMessage





New iMessage Cancel

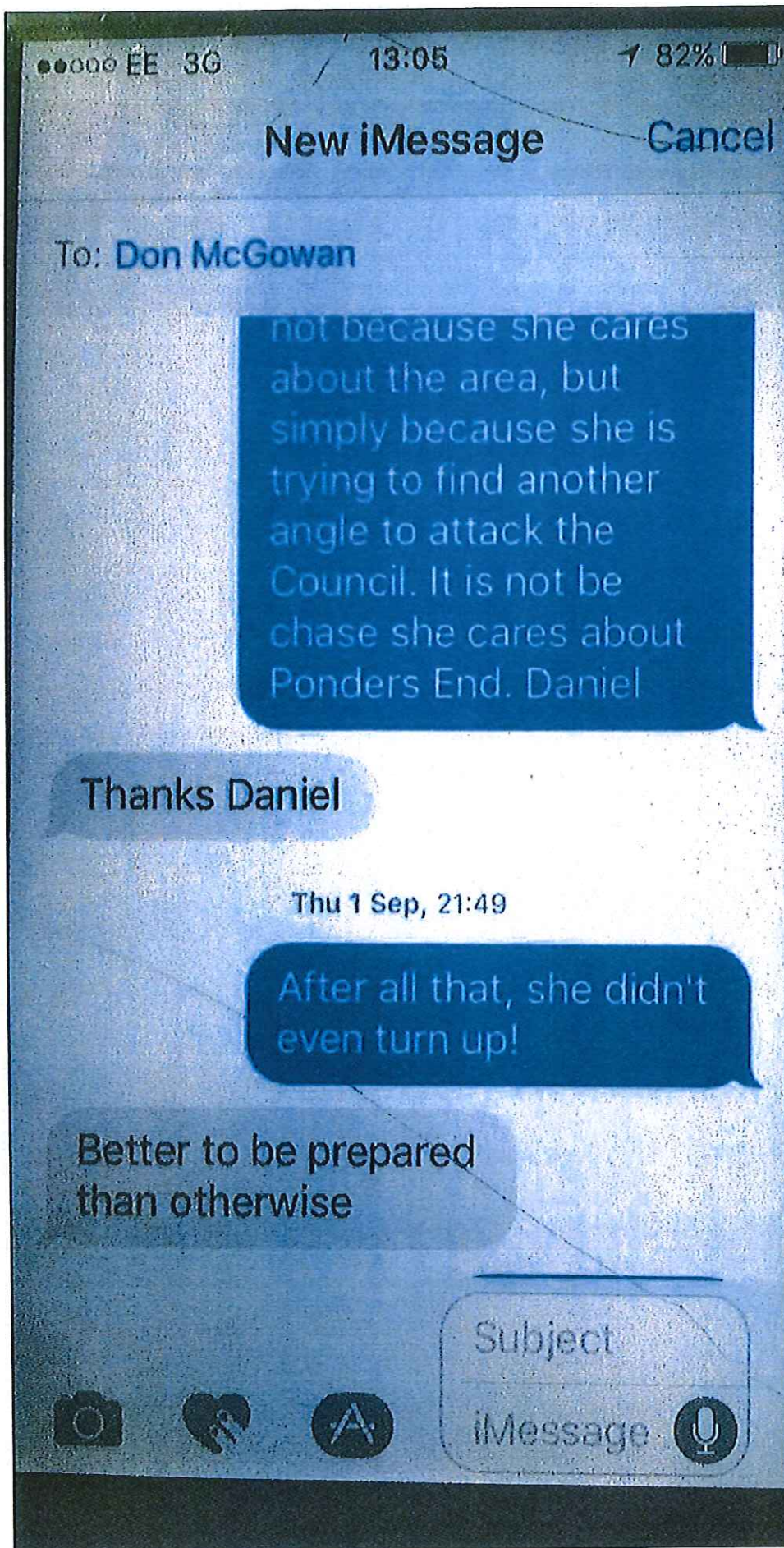
To: Don McGowan

campaign that has been exposed as a lie. The group she is associated with has lost in the court when seeking a JR against the council. She is whipping up a storm in Ponders End not because she cares about the area, but simply because she is trying to find another angle to attack the Council. It is not because she cares about Ponders End. Daniel

Thanks Daniel

Subject

Message



APPENDIX ⑥

STATEMENT OF JONATHAN GOODSON

Jonathan Goodson, will say as follows:

1. I am a Principal Engineer within the Traffic & Transportation Service, which falls within the Regeneration and Environment Department of Enfield Council. I head a small sub-team (the Traffic & Parking Team) whose core work is designing and consulting on minor traffic and parking schemes and responding to the varied and numerous parking enquiries that arise from the public. I have been employed by the Council since July 2010. The Traffic & Parking Team's projects previously included cycle routes but this work now comes under the umbrella of Cycle Enfield. The more extensive resources now assigned to cycling projects reflects the larger scope and complexity of the schemes being progressed since circa 2014.
2. For the last year and a half I have, in addition, been the Project Manager for the Ponders End High Street scheme. This is a large high street improvement scheme in the Ponders End area of the borough and has been developed over a number of years. This scheme is crossed by one of the subsequent Cycle Enfield corridors (the A110 Southbury Road) and sits within another, which runs north-south along several kilometres of the A1010 Hertford Road. The high street improvements therefore feature cycling facilities in order to maintain the integrity of the wider route. Other than in its interface with Ponders End High Street, I am not directly involved in the Cycle Enfield project at the present time. Previously I contributed to the bid writing work and some of the early route planning and public engagement.
3. As part of the Ponders End Scheme the Council has undertaken various consultation exercises. In August 2016 the Council undertook a statutory consultation which made explicit the parking and loading restrictions that will apply. The Council used the Cycle Enfield website to facilitate the consultation. Earlier consultation exercises across the Ponders End area generated limited interest, but the statutory consultation provoked a much larger number of responses.
4. Worshippers at the local Ponders End Mosque were concerned about a loss of parking in the evening. The proposed cycle lanes along the high street will remove the current facility to park on single yellow lines after 6.30pm. Local traders (many of

whom attend the Mosque) share this concern and would also like an increase in the number of dedicated all-day parking spaces within the new layout, which represents a reduction on the current provision. The Mosque has acted as a focal point for the local community in the discussions that have followed.

5. The Imam for the Mosque contacted the Council and asked for members of the relevant team and local Councillors to visit and talk to the community about the proposals. A meeting was arranged for this on Thursday 1 September 2016. I was to attend together with the Project Director for Cycle Enfield, Jon Judah. Councillor Daniel Anderson did not, as far as I can recall, ask officers to attend the meeting at the Mosque. I was asked to attend by my Head of Service. I have seen an email sent by Councillor Anderson on 31 August 2016. This email was forwarded to me by Jon Judah. The email referred to the possibility that Helen Osman would be attending the Mosque the following day. I have provided a copy of this email to the investigator.
6. I have met Helen Osman on several occasions. Prior to the email from Councillor Anderson, it did not occur to me that she would be attending the meeting at the Mosque. I am aware that she has been very active in the west of the borough which is her particular area of interest. Given her involvement in previous Cycle Enfield consultations, it did not seem implausible that she would attend the meeting at the Mosque although I am not aware if Helen Osman has any links with the Ponders End community.
7. Jon Judah and I attended the meeting on 1 September. It was a fairly positive meeting that allowed the community to make their points and the Council to provide some additional information. It was clear that the community welcomed, overall, the investment and the wider improvements being proposed, but was keen that the fine detail would provide adequately for parking. A further meeting was held on 8 September that had been arranged by local Councillors. I attended this meeting together with Councillor Donald McGowan and Councillor Doug Taylor. That too was a positive meeting.
8. I have not studied the leaflets and information produced by the various opponents of the Cycle Enfield schemes, but I have heard from colleagues within the Council whose opinions I trust that some of these have been unhelpful and misleading.

9. I am aware that Councillor Anderson has, since taking over the role of Cabinet Member for Environment, had to deal with a large amount of anti-cycling and anti-Council sentiment associated with the Cycle Enfield proposals.

JB Gam

Jonathan Goodson

8 December 2016

Date

APPENDIX ⑦

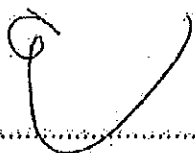
STATEMENT OF JON JUDAH

JON JUDAH, will say as follows:-

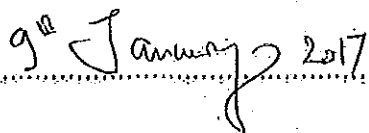
1. I am the Project Director for Cycle Enfield, and have been employed as such by the Council for approximately 5 months. Prior to this I had a long career in the public and private sector, working at senior levels in councils and other organisations and on national and international projects. In my time at the Council, it has become clear that the groups who oppose Cycle Enfield take a view diametrically opposite to that of the Council. As part of my role, I have regular meetings with Cabinet members and associate Cabinet members which I use to brief members on the progress of Cycle Enfield.
2. Some of the information put out by some groups opposed to Cycle Enfield has, in my view, confused the public's understanding of the scheme and has led to local communities being misled. I do not say that any misleading information has been deliberately put out by these opposing groups. However, this is a major scheme which brings £41m of funding into the Borough. The Council has employed professional officers and consultants to assist with developing the Cycle Enfield proposal who take a professional and unbiased view. The Cycle Enfield scheme in itself is very complex and my view is that it would be difficult for a campaign group even with the benefit of Freedom of Information requests to fully understand the background detail to the proposals. The matter has been taken to court three times by those opposing the scheme. Every time the judges have endorsed the Council's view. There are processes in place set out in law for the Council to follow and the Council has done so.
3. The Cycle Enfield scheme interacts with other projects of the Council including the Ponders End scheme which is a major scheme linking two "mini-Holland" schemes. Due to concerns about the cycling elements of the Ponders End scheme, I understand that the Imam of the local Mosque asked for the Council to attend a meeting at the Mosque to address local community concerns. Jonathan Goodson who is the Project Manager for the Ponders End scheme was to attend and I was asked to attend with him. Local members were also asked to attend. If communities

have concerns about proposals the Council has to try to address them. It has to be sensitive to different cultures and try to reach those people who are hard to reach.

4. My recollection is that subsequent to the meeting being arranged at the Ponders End Mosque, I became aware that Helen Osman was to attend. In any event when we did attend the meeting, Helen Osman was not there. Jonathan Goodson and I addressed the men's side of the Mosque. I asked a member of the mosque staff if there was anybody in the women's side that they needed us to address. I was told that there was nobody there.
5. The Council put in place partnership boards for each area that the proposed route for Cycle Enfield would run through so that the issues could be discussed and I am aware that Helen Osman was a member of one of these partnership boards.
6. My view is that Helen Osman has in the past interpreted information from the Council incorrectly in relation to that portion of Cycle Enfield running along the A105. I am not saying that she has deliberately attempted to mislead. Helen Osman has a blog that she posts on. I have read this on occasion and consider that some aspects do not represent the Cycle Enfield strategy as the Council intends it to be, and the information provided has confused the matter.



Jon Judah



Date

Chapter 5.1 - Code of Conduct for Members

[Updated Council 04/07/12 & 17/07/13]

The Code of Conduct for Members of London Borough of Enfield

Purpose of the Code

1. The purpose of this Code of Conduct is to assist you in the discharge of your obligations to the Authority, the local communities and the public at large by:
 - a) setting out the standards of conduct that are expected of you when you are acting in that capacity, and in so doing
 - b) providing the openness and accountability necessary to reinforce public confidence in the way in which you perform those activities.
2. The Code applies equally to co-opted members of Council Committees who are entitled to vote on any issues coming before those committees.

Scope of the Code

3. The Code applies to you in all aspects of your activities as a member, including when acting on Authority business, ward business or when otherwise purporting to act as a member. It does not seek to regulate what you do in your private and personal lives.
4. The obligations set out in this Code are also complementary to related Codes and Protocols of the Authority within the Council's Constitution and elsewhere.
5. References to committees or meetings of the Authority within this Code also refer to Council, Cabinet, sub-committees, panels and working groups, as well as joint-committees.

Public Duties of Members

6. You have a duty to uphold the law, including the general law against discrimination and the requirements of the Localism Act, and to act on all occasions in accordance with the public trust placed in you.
7. You have an overriding duty to act in the interests of the London Borough of Enfield's area as a whole, but also have a particular duty to represent the views of the residents of your ward.

General Principles of Conduct

8. In carrying out your duties, in exercising the functions of the Authority, or otherwise acting as a Councillor, you will be expected to observe the following general principles of conduct. These principles will be taken into consideration when any allegation is received of breaches of the provisions of the Code.

8.1 Selflessness

You should take decisions solely in terms of the public interest. You should not seek to gain financial or other material benefits for yourself, your family, or friends.

8.2 Integrity

You should not place yourself under any financial or other obligation to outside individuals or organisations that might influence you in the performance of your official duties.

8.3 Objectivity

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, you should make choices on merit.

8.4 Accountability

You are accountable for your decisions and actions to the public and must submit yourself to whatever scrutiny is appropriate to your office.

8.5 Openness

You should be as open as possible about all the decisions and actions that you take. You should give reasons for your decisions and restrict information only when the wider public interest clearly demands.

8.6 Honesty

You have a duty to declare any private interests relating to your public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

8.7 Leadership

You should promote and support these principles by leadership and example.

8.8 *Respect for Others*

You should promote equality by not discriminating unlawfully against any person, and by treating people with respect, regardless of their race, age, religion, gender, sexual orientation or disability. You should respect the impartial role of the authority's statutory officers, and its other employees.

8.9 *Duty to Uphold the Law*

You should uphold the law and, on all occasions, act in accordance with the trust that the public is entitled to place in you.

8.10 *Stewardship*

You should do whatever you are able to do to ensure that the Authority uses its resources prudently and in accordance with the law.

Expectations of Conduct

9. You shall base your conduct on a consideration of the public interest, avoid conflict between personal interest and the public interest and resolve any conflict between the two, at once, and in favour of the public interest.
10. You shall at all times ensure that your use of expenses, allowances, facilities and services provided from the public purse is strictly in accordance with the rules laid down on these matters, and that you observe any limits placed by the Authority on the use of such expenses, allowances, facilities and services.
11. You shall at all times conduct yourself in a manner which will maintain and strengthen the public's trust and confidence in the integrity of the Authority and never undertake any action which would bring the Authority, you or other members or officers generally, into disrepute.

Rules of Conduct

12. You shall observe the following rules when acting as a Member or co-opted Member of the Authority:
 - (1) Treat others with respect and courtesy.
 - (2) You must not -
 - (a) Do anything which may cause your authority to breach any of its equality duties (in particular as set out in the Equality Act 2010)
 - (b) Bully any person;
 - (c) Lobby, intimidate or attempt to lobby or intimidate any person who is or is likely to be:

- (i) a complainant,
- (ii) a witness, or
- (iii) involved in the administration or determination of any investigation or proceedings

in relation to an allegation that a member (including yourself) has failed to comply with his or her authority's code of conduct; or

- (d) Do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, your authority.
- (3) You should not use or attempt to use your position as a member improperly to confer on or secure for yourself or any other person, an advantage or disadvantage;
- (4) You must not disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, except where:
- (i) you have the consent of a person authorised to give it;
 - (ii) you are required by law to do so;
 - (iii) the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or
 - (iv) the disclosure is:
 - (a) reasonable and in the public interest; and
 - (b) made in good faith and in compliance with the reasonable requirements of the authority
- (5) You must not prevent another person from gaining access to information to which that person is entitled by law.
- (6) You should not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute.
13. You shall observe the following rules when using the resources of the Authority, or authorising the use of those resources by others:
- (1) Act in accordance with the Authority's reasonable requirements including the requirements of its ICT policy and the policies listed in the Constitution which you are deemed to have read and understood.
 - (2) Ensure that such resources are not used improperly for political purposes (including party political purposes);

- (3) Have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.
- 14. You shall observe the following rules when making decisions on behalf of or as part of the authority:
 - (1) Have regard to any relevant advice provided to you by the Council's Chief Financial Officer and Monitoring Officer where such advice is offered pursuant to their statutory duties.
 - (2) Give reasons for the decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by the authority.
 - (3) Have regard to the rules and advice on the registration and disclosure of interests as set out in paragraphs I & J of this Code.

Registration and Declaration of Interests

- 15. You shall fulfil conscientiously the requirements of the Authority in respect of the registration of interests in the Register(s) of Members' Interests and, where it is required or appropriate to do so, shall always draw attention to any relevant interest in any proceeding of the Authority or its Committees, or in any communications with the Authority, its Members or officers.
- 16. Such disclosures must be made even if the interest has already been included on the register of interests or where there is a notification pending to the Monitoring Officer.
- 17. In accordance with this Code, you must keep the register up-to-date and refresh such interests as requested by the Monitoring Officer.
- 18. These interests extend to those of your spouse, partner, civil partner, family members or persons with whom you have a close association or personal relationship and you are aware that they have the interest.

Duties in respect of the Authority's Councillor Conduct Committee and the Monitoring Officer

19. The application and guidance on this Code shall be a matter for the Authority and for the Councillor Conduct Committee and, as appropriate, the Monitoring Officer, acting in accordance with their terms of reference.
20. You shall co-operate, at all stages, with any investigation into your conduct by the Authority or those persons acting on its behalf. Failure to do so is likely to be a breach of this Code.
21. All complaints will be dealt with according to the Council's Procedure for Handling Complaints against Councillors and Co-opted Members as set out in Appendix A to the Code of Conduct.

Registration of Interests

22. You must comply with the requirements of the law and the Council in registering your interests in the Register of Members' Interests. These are explained on the following pages. These interests extend to those of your spouse, partner, civil partner, family members or persons with whom you have a close association or personal relationship.
23. When considering registering or disclosing any interests, you should ask yourself:

"Would a member of the public, with knowledge of the relevant facts, reasonably regard your interest as so significant that it is likely to prejudice your judgement of the public interest? "

If the answer to this question is "yes", then you should disclose that interest.

24. Within 28 days of becoming a member of the Authority, or of knowing you have a disclosable pecuniary interest, you must notify the Monitoring Officer. You must also draw attention to any relevant interest, where it is required or appropriate to do so, in any proceeding of the Council or its Committees with which you are involved or in any communications with any colleague, officer or outside body in your role as a member. Such registration and disclosures must be made even if the interest has already been included in the register of interests or where there is a notification pending to the Monitoring Officer.
25. You should approach the Authority's Monitoring Officer if you feel that your interest should be treated as sensitive because it could lead to you, or a person connected with you, being subject to violence or intimidation. If it is agreed that you have such an interest, you will be obliged to register it but details will not be disclosed in the published version of the register. Similarly, when at a meeting, you only need to state the fact that you have a disclosable interest, and not details of the interest itself.

Disclosable Pecuniary Interests

26. The following will constitute pecuniary interests for the purposes of section 30(3) of the Localism Act 2011

Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract 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.
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	Any tenancy where (to your knowledge) (a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest.

Securities

Any beneficial interest in securities of a body where

(a) that body (to your 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.

Other Pecuniary Interests

27. Other financial interests (if any) that would qualify as grounds for bias in an application to quash a decision of the Authority.

Other Non-Pecuniary Interests

28. Other interests that would qualify as grounds for bias in an application to quash a decision of the Authority.

Memberships

29. In addition, this Code requires you to disclose any interests in any business of the Authority where it relates to, or is likely to affect, either:

(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 which exercises functions of a public nature, is directed to charitable purposes, or has a primary purpose of influencing 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.

Register of Gifts and Hospitality

- 30 You shall comply with the Council's agreed policy on gifts and hospitality and disclose to the Monitoring Officer the offer or receipt of any gift or hospitality with an estimated value of £25 or more. Offers made but refused must also be disclosed.

Disclosure and Duties in Respect of Interests Held by Members

31. Declaration of interests not included in the Register

- (1) If you have an interest in a matter under discussion at a meeting of the authority and are aware of that interest, you must disclose the interest to the meeting (unless the Authority's Monitoring Officer considers that it is a sensitive interest – see paragraph 13 of this Code)
- (2) You must notify the Authority's Monitoring Officer of the interest before the end of 28 days beginning with the date of the disclosure (unless it is subject of a pending notification)
- (3) You must then act in accordance with paragraph 2 below.

32. Disclosable Pecuniary Interests

- (1) Where you
 - (a) are present at a meeting of the authority and
 - (b) have, or become aware that you have, a disclosable pecuniary interest in any matter to be considered, or being considered, at the meeting,

You must

- (c) not participate, or participate further, in any discussion of the matter at the meeting
 - (d) not participate in any vote, or further vote, taken on the matter at the meeting
 - (e) leave the room until the conclusion of the matter under discussion
- (2) Where you are an executive member taking a portfolio decision and are aware you have a disclosable pecuniary interest, you must notify the Monitoring Officer of that interest within 28 days and take no action in respect of the matter other than refer to another executive member to take the decision.
- (3) Where you have taken a portfolio decision that is subsequently discussed at a

meeting of the authority, you must not try to influence the outcome of that discussion or take any further part in the proceedings unless answering questions to facilitate those discussions

- (4) If you have a disclosable pecuniary interest in a matter coming before a meeting of the authority, you can make a written request to the Monitoring Officer beforehand for a dispensation, which may allow you to participate in the discussion and vote.

A dispensation may be granted in the following circumstances:

- (a) Where members of the decision making body have disclosable pecuniary interests in a matter that would "impede the transaction of the business"
- (b) That without the dispensation, the representation of different political groups on the body conducting the business would be so upset as to alter the outcome of any vote on the matter
- (c) That the authority considers that the dispensation is in the interest of persons living in the authority's area
- (d) That the authority considers that it is otherwise appropriate to grant a dispensation.

Any grant of dispensation must specify how long it will last, up to a maximum of 4 years.

Dispensations under (a) and (b) above shall be decided by the Monitoring Officer, with the right of appeal to the Councillor Conduct Committee. Those in (c) and (d) shall be considered by the Councillor Conduct Committee, after consultation with the Independent Person(s).

The following standard exemptions in relation to the granting of dispensations, in relation to members' allowances, business rates, plus housing matters and rents have been agreed by the Councillor Conduct Committee:

- (i) An allowance, payment or indemnity given to members or any ceremonial honour given to members.
- (ii) Setting a local scheme for the payment of business rates, including eligibility for rebates and reductions, for the purposes of the Local Government Finance Act 2012 as amended from time to time and any superseding legislation.
- (iii) Housing matters and rents (provided that those functions do not relate particularly to the members tenancy or lease).

- (5) Failure to register a disclosable pecuniary interest could be a breach of the Code and a criminal offence. You must register all such interests relating to you, your spouse, civil partner or partner.
- (6) If a disclosable pecuniary interest arises in relation to your family member or person with whom you have a close association or personal relationship, and you are aware that they have the interest, you must disclose and register that interest. Failure to do so could be in breach of this Code.
- (7) If you fail to comply with the Code of Conduct (whether or not the finding is made in accordance with the Council's agreed arrangements) the Authority may have regard to that failure in deciding:
 - (a) whether to take action in relation to you, and
 - (b) what action to take.

Appendix A

London Borough of Enfield

Procedure for Handling Complaints against Councillors and Co-opted Members

1. Introduction

- 1.1 The Council has established a Councillor Conduct Committee to implement the relevant requirements of Section 28 of the Localism Act 2011. These include arrangements for dealing with allegations that a councillor or co-opted member has failed to comply with the Authority's Code of Conduct.
- 1.2 The Councillor Conduct Committee comprises 4 members of the Council and deals with policy, complaints against councillors and issues concerning the members' Code of Conduct. The Localism Act also set up a role of Independent Person who will be consulted in respect of complaints received and before findings and sanctions are agreed. The Independent Person will not be a councillor and will be drawn from the local community. The Council has agreed to appoint two Independent Persons who will be recruited through public advertisement and a competitive interview process. Further information on the role of the Committee and the Independent Persons can be found online.
- 1.3 Further reference to 'councillor' or 'member' in this document also refers to co-opted members of the Authority.

2. Key principles

The procedure for dealing with complaints should:

- 2.1 Be relevant to the Council's Code of Conduct
- 2.2 Have the confidence of the public, Council members and council staff
- 2.3 Be as simple and economical as possible
- 2.4 Be speedy and fair to all parties
- 2.5 Be decisive
- 2.6 Provide oversight and support to the Monitoring Officer
- 2.7 Be proportionate and comply with the principles of natural justice

3. Criteria for eligibility of complaints

3.1 Complaints must be received by the Council's Monitoring Officer in writing within three months of the alleged matter, stating why it is felt the councillor concerned has breached the Code of Conduct. It will be considered solely on the evidence presented. The Council encourages complainants to provide their name and contact details. If the complainant asks for their identity to be protected, the Council will not disclose such details without their consent. The Council will not accept anonymous complaints. The Monitoring Officer will consult the Councillor Conduct Committee or relevant Independent Person as appropriate throughout the process – subject to neither being at risk of being compromised in the event of them being involved at some future point.

3.2 Complaints will not be accepted where:

- (a) They are considered to be malicious, vexatious or frivolous
- (b) The subject matter has already been considered by the Council - except where new evidence has become available which could not previously have been produced
- (c) It would be more appropriate for the complaint to be dealt with by a court or under another complaints or arbitration procedure
- (d) One of the parties had registered their intention to take legal action on all or some of the matters complained about
- (e) Legal action is under way
- (f) Some or all of the matters complained about have been resolved through litigation.
- (g) The complaint is being/has been dealt with by another independent complaints process.
- (h) The complainant seeks to overturn decisions made by the Council.

3.3 If a complaint is rejected on the basis of 3.2 above, there is no right of appeal.

4. Process

4.1 All complaints must be made using the Councillor Conduct Complaint Form.

4.2 The Council will use its best endeavours to determine a complaint within 3 months of receipt. It will acknowledge the complaint within 5 working days, giving the complainant a contact name and details. The complainant will be kept informed of progress throughout. The process may include:

- (a) Requests for further information/evidence
- (b) Informal resolution to the satisfaction of all parties
- (c) Mediation

- (d) Investigation and/or
 - (e) Referral to the Councillor Conduct Committee where the Monitoring Officer feels it would not be appropriate for him/her to take a decision
- 4.3 The Monitoring Officer, based primarily on the criteria set out in paragraph 3.2 above, will consider the complaint received and, in consultation with an Independent Person, will determine whether it warrants further action.
- 4.4 If it is decided that the complaint does not warrant further action, as it falls within the criteria in 3.2, the Monitoring Officer will advise the complainant accordingly with reasons.
- 4.5 If the complaint is referred for further action, the Monitoring Officer will determine, in consultation with the Independent Person, the most appropriate way of dealing with the complaint. The Monitoring Officer can either decide to determine the matter her/himself or refer it to the Councillor Conduct Committee.

5. Consideration of Complaints by Monitoring Officer

- 5.1 The Monitoring Officer may decide to undertake any investigation and other actions him/herself or appoint another person to act as investigating officer on his/her behalf. Whichever option is chosen, the outcome will be the responsibility (and in the name) of the Monitoring Officer.
- 5.2 Following an investigation which may involve requests for further information and advice, the Monitoring Officer or his/her representative will seek to resolve the matter to the satisfaction of all parties or carry out mediation.
- (a) If the complaint is resolved, there will be no further action.
 - (b) If this is not possible the Monitoring Officer will either determine the matter her/himself or refer it to the Councillor Conduct Committee at this stage.
- 5.3 The Monitoring Officer will report quarterly to the Councillor Conduct Committee on:
- (a) The number and nature of complaints received
 - (b) Those rejected with reasons
 - (c) Those resolved through informal resolution and other methods (eg mediation)
 - (d) The number investigated,
 - (e) Outcome/progress of investigations and action taken.

6. Appeals against Monitoring Officer decisions

- 6.1 In cases where the Monitoring Officer has either found no breach of the code or has determined the matter him/herself the complainant will have a right of appeal against this decision.
- 6.2 A councillor will also have a similar right of appeal against a Monitoring Officer decision.
- 6.3 Such appeals must be submitted on the template within 10 working days of the receipt of the decision.
- 6.4 Appeals under 6.1 above will be considered by the Councillor Conduct Committee, with advice from an Independent Person not previously involved, if available.
- 6.5 When considering the appeal the Councillor Conduct Committee will follow the procedure for appeal hearings (to be reviewed).
- 6.6 The attendance of the appellants will not be required unless the committee decides otherwise.
- 6.7 If the Councillor Conduct Committee do uphold the appeal, and consider that there has been a breach of the code, they will have the option of considering further action, imposing sanctions or adjourning to seek further information.
- 6.8 There is no further right of appeal to the Council against the decision of the Councillor Conduct Committee. The decision made will be final and binding.
- 6.9 If the complainant feels that the Council has failed to deal with a complaint properly, and that this failure has caused injustice, a complaint can be taken to the Local Government Ombudsman.

7. Consideration of complaints by Councillor Conduct Committee

- 7.1 If appropriate, the Monitoring Officer (in consultation with the Independent Person) may refer the outcome of an investigation to the Councillor Conduct Committee.
- 7.2 The Committee will consider the Monitoring Officer / Investigating Officer's report which should include evidence and representations from both parties associated with the complaint. The attendance of the complainant(s) and the member(s) against whom the allegations were made will not be required, unless the Committee decides otherwise.
- 7.3 The Committee will follow the procedure for Councillor Conduct Committee hearings (to be revised).
- 7.4 The Committee after considering the investigating officer's report will decide either that:

- (a) The member concerned has breached the Code of Conduct; or
- (b) There has been no breach

7.5 In the event of a finding of a breach of the Code, the Committee will have the option of recommending a sanction against the member concerned. This can include:

- (a) Reporting the findings to full Council
- (b) Recommending to the relevant Group Leader that the councillor be removed from relevant meetings of the Authority of which they are a member
- (c) Recommending to the Leader of the Council that the member be removed from the Cabinet or from particular portfolio responsibilities
- (d) Withdrawing facilities provided to the member by the Council – such as computer access and/or e mail or internet access
- (e) Excluding the member from the Council's offices or other premises for a defined period of time – with the exception of meeting rooms as necessary for the purpose of attending meetings of the Authority of which they are a member
- (f) Publishing the findings in the local media.

7.6 The decision will be communicated to all parties with reasons.

7.7 Where there is a finding of no breach, the Committee will communicate the decision to all parties together with reasons.

8. Appeals against decisions of the Councillor Conduct Committee (in relation to 7 above)

The decision of the Councillor Conduct Committee will be final and binding with no further right of appeal to the Council. If the complainant feels that the Council has failed to deal with the complaint properly and that this failure has caused injustice, they can make a complaint to the Local Government Ombudsman.

Councillors E Mail and Internet Usage Policy

The Council on 16 June 2004 approved the Councillors E Mail and Internet Usage policy, as attached as Appendix 1 to this Code of Conduct.

Appendix 1- INTERNET AND EMAIL USAGE POLICY FOR COUNCILLORS

Policy Overview

Enfield Council gives you access to the information resources of the Internet and email to help you carry out your duties as a Councillor. You do not have to accept email and Internet access. However, if you do, you must read and keep to this policy.

First and foremost, the Internet is a tool, given to you to help the Council improve services to customers. You must only use your Internet access for Council-related purposes. This includes:

- communicating with citizens, customers and suppliers, and
- researching relevant topics to obtain useful information to assist you in your duties.

We expect you to conduct yourself honestly and appropriately on the Internet, and respect the copyrights, software licensing rules, property rights, privacy and rights of others, just as you would in any other business dealings.

All existing Council policies apply to your conduct on the Internet, especially (but not exclusively) those that deal with privacy, misuse of Council resources, sexual or racial harassment, information and data security, confidentiality, and those included in the Member Code of Conduct, of which this policy forms a part.

ANY VIOLATION OF THIS POLICY COULD BE REFERRED TO THE MONITORING OFFICER OR THE COUNCILLOR CONDUCT COMMITTEE AND POSSIBLY FOR CRIMINAL PROSECUTION.

Guidance on Usage

The following provisions do not in any way limit your ability to carry out your official duties.

1. You are responsible for ensuring that if you have Internet access you also understand the requirements of this policy.
2. If you are posting to newsgroups, Internet mailing lists, etc. then you must include a Council disclaimer as part of each message.
3. You may participate in newsgroups or chat rooms only when relevant to your official duties. When participating you must clearly identify yourself by name and title. You must not endorse or appear to endorse on the Council's behalf any commercial product or service not sold or serviced by this Council, its agents or partners.
4. The Council retains the copyright to any original material posted to any forum, newsgroup, chat room or World Wide Web page by you in the course of your official duties.
5. Chat rooms and newsgroups are public forums where it is inappropriate to release confidential Council information, customer data, trade secrets, and any other material covered by existing Council confidentiality policies and procedures, whether or not the release is inadvertent.
6. When interacting with a Website, if you are asked whether you wish to proceed, do so only if you know that you can reasonably trust the Website. If you are uncertain, check with Corporate IT.

Council systems and equipment, including email and Internet systems and their associated hardware and software, are for official and authorised purposes only. However, personal use is authorised where it:

- does not interfere with the performance of your official duties
- is of reasonable duration and frequency
- serves a legitimate Council interest, such as enhancing your special interests or education
- does not overburden the system or create any additional expense to the Council.

You should consider carefully discretionary use for any other purpose.

Passwords and Security

Passwords to Council systems are provided in order to protect sensitive information and messages from unauthorised use or viewing. Such passwords are not intended to prevent appropriate review by Council management. Council management reserves the right to periodically monitor your use of any Council computer systems or network.

Passwords, login IDs, dial-in numbers and encryption keys must be kept unique and private. You must not share them or write them down.

You must not allow anyone else to send email using your identity. This includes your secretaries, assistants or any other individual.

Prohibited Usage

You may use the Council's Internet facilities for personal purposes as set out above, but you may not access any obscene or pornographic sites, and may not access or use information that would be considered harassing. Council facilities must not be used in an unlawful way.

A wide variety of materials may be considered offensive by colleagues, customers or suppliers. It is a violation of Council policy to store, view, print or redistribute any document or graphic file that is not directly related to your role as Councillor or to the Council's business activities. This should be understood with reference to the Council's policy framework, including the Equal Opportunities policy.

Some uses of the Council connection to the Internet can never be permitted. Internet use is inappropriate when it:

1. Compromises the privacy of users and their personal data
2. Damages the integrity of a computer system, or the data or programs stored on a computer system
3. Disrupts the intended use of system or network resources
4. Uses or copies proprietary software when not authorised to do so
5. Results in the uploading, downloading, modification, or removal of files on the network for which such action is not authorised

It is impossible to define all possible unauthorised use. However, examples of other unacceptable Internet use include:

- Unauthorised attempts to break into any computer or network
- Using Council time and resources for personal gain
- Theft or copying of electronic files without permission
- Sending or posting Council confidential information outside the Council or inside the Council to unauthorised personnel
- Refusing to cooperate with a reasonable security investigation
- Sending chain letters through email

All Council Internet users are prohibited from transmitting or downloading material that is obscene, pornographic, threatening, racially or sexually harassing, or in any way contravenes the Equal Opportunities policy.

You may not visit sites known to contain offensive material. If you access an offensive site accidentally you must forward its address to Corporate IT within one working day of access or as soon as practical. We block access to known offensive sites.

You may buy or sell on the Internet. However, there are personal risks attached to this. See the Council's web site under Trading Standards for guidance.

If you commit the Council to a contract by electronic means without due authority, the Council may seek to recover any losses or expenses from you.

Use of interactive software (such as games) across the Internet is prohibited.

Software, Files and Downloading

1. All software used to access the World Wide Web must be Council approved and must incorporate all vendor provided security patches, as installed by ITNET.
2. Any files downloaded over the World Wide Web shall be scanned for viruses, using approved virus detection software as installed by ITNET.
3. Due to the non-secure state of the technology, no downloading of or interaction with Java, JavaScript, or ActiveX programs is allowed.
4. Only Council approved software may be installed on Council equipment.
5. You must not download software from the Internet. If there is a good reason to do so, you must ask for Corporate IT approval. When this is granted, the software will be downloaded and installed by ITNET.
6. Software licensed to the Council may not be transmitted to the Internet.

Use of Computer Equipment for Internet and Email Access

Access to the Internet from a Council-owned home computer or through Council-owned connections must keep to the same policies that apply to use within Council premises. As a Councillor, you may access Council computer systems; but family members or friends must not use them.

You may only connect to the Internet via Council supplied or approved Telecommunications lines.

You must inform the ITNET Help Desk if you detect any virus, configuration change or different behaviour of a computer or applications.

Monitoring the Policy

For management use, the Council's security software may record the Internet address of any site visited, and keep a record of file transmission or reception. Any message sent or received may be recorded and stored in an archive file.

Web browsers leave 'footprints' providing a trail of all site visits, and the Council reserves the right to monitor this. Any Councillor suspected of misuse may have all transactions and material logged for further action and potential investigation by management on behalf of the Monitoring Officer or the Councillor Conduct Committee.

Email Usage Policy

Electronic mail is provided by the Council for you to conduct Council business. However, personal use is allowed.

- Council confidential information may not be sent by email unless encrypted.
- Only authorised email software may be used.
- Email may not, by any means, be sent anonymously.

If you are found to be deliberately misusing email you will be referred to the Monitoring Officer or the Councillor Conduct Committee.

All electronic messages created and stored on Council computers or networks are the property of the Council and are not considered private.

The Council retains the right to access user electronic mail if it has reasonable grounds to do so. The Council may retrieve email messages even though the sender and the reader have deleted them. The contents of electronic mail will only be accessed or disclosed for security purposes or as required by law. Under such circumstances, ITNET will make relevant mail accessible to management for investigation.

Data Protection

The provisions of the Data Protection Act apply to any personal information held about constituents by Councillors on their private PC. All constituents' personal information should be kept secure, be used only for the purpose acquired, and kept only for as long as it is required.

General

This policy applies to Councillors using Council facilities. This means a Council owned laptop or PC, but equally applies to use of a private PC for Council business when connected to the Internet via a Council supplied telecommunications link.

The Council's email disclaimer need not be added to emails relating to Council business sent by Councillors using a private PC. The disclaimer will be automatically added to email sent from Council equipment using Council supplied email software.

APPENDIX 9

Dear Green Lanes business owner

Once again please excuse the round robin email but the next stage of our fight against the Green Lanes cycle lane campaign is well under way.

1. Today the council is exhibiting the revised plans for the route from Palmers Green and Enfield from 1pm - 8pm. Please try to go along, because it will help you to understand the potential impact on your business and what to tell your customers and clients. No violence please but a spot of verbal abuse is allowable.

2. The Sadiq Khan Stop TfL from imposing an unworkable cycle lane scheme on Enfield petition has gained over 600 signatures in less than a week. It should pass 700 today or tomorrow but with your help we could get it to over a thousand before the weekend. Between you you have thousands of customers and friends who would be happy to support you.

<https://www.change.org/p/the-mayor-of-london-sadiq-khan-stop-tfl-from-imposing-an-unworkable-cycle-lane-scheme-on-enfield>

Our target is 5,000, the higher the number the more impact it will have on the council, TfL, the GLA, Sadiq Khan and of course the Judge should we have to fight this in the court.

Save Our Green Lanes (SOGL) will be printing a flyer in the next few days for local residents and for you to give to customers, getting them to sign the petition and explaining what the revised scheme will look like.

The petition alone won't stop TfL and Enfield Council. Only Sadiq Khan and the court can. We are starting to talk about legal action but we can't officially announce it yet, because there is a backlog in the high court and has not yet been served on the council but they know it is coming.

We need your involvement, please don't leave it to a small group of us, we have made good progress but we can't do it alone.

We have got a lot of good activity going on Streetwork, it would be good for Enfield residents to hear from business owners. Sign up and join in, it is very easy to post. Please use facebook, your mailing lists etc to get your customers to support us.

We will need fundraising, but our next step is to fully understand what is being proposed. The first fundraising event will be an a sponsored cycle ride by Justin Mason, from Greenwich to Bristol. He cycles from Enfield Town to London via Green Lanes to work every day but he is thinks these proposals are all wrong.

So to be blunt, don't sit back back, leave it to someone else and wait for this to happen, TfL has been stopped in other parts of London, so get signing and sharing

Best wishes

Helen

Helen Osman
n21online.com
07946 545601

on behalf of the Save Our Green Lanes team
<http://www.saveourgreenlanes.co.uk/>

Community group criticised for saying 'verbal abuse is allowable' at Cycle Enfield con...: Page 1 of 6

APPENDIX 10

BOOK A HAD BUSINESS DIRECTORY LOCAL INFO DATING BUYS&SELL REGISTER | SIGN IN Search

Enfield **INDEPENDENT** Enfield 5°C

How much is your property worth? The housing market is moving! If you're curious to find out the value of your home, click now for an online valuation of your property. Kings Group is a leading estate agent in Enfield, Haringey, and Waltham Forest.

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News > National News

Community group criticised for saying 'verbal abuse is allowable' at Cycle Enfield consultation



Green Lanes, one of the areas Cycle Enfield will run through

29 Sep 2016 / Matthew Smith

0 comments

Don't be the last to know! Get the latest local news straight to your inbox.

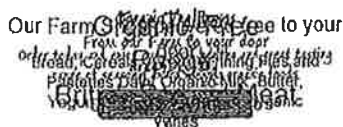
Sign up

An anti-Cycle Enfield group have been criticised for saying "verbal abuse is allowable" during the £42m scheme's public survey.

The comments were made in an e-mail sent out to business owners by Save Our Green Lanes member Helen Osman during the A105 Cycle Enfield consultation, which the group vehemently opposed.

Referring to an exhibition of the planned route, the email says: "Please try to go along, because it will help you to understand the potential impact on your business and what to tell your customers and clients. No violence please but a spot of verbal abuse is allowable."

Community group criticised for saying 'verbal abuse is allowable' at Cycle Enfield con... Page 2 of 6



When asked about her comments, Ms Osman said it was "just a bit of banter sent to business owners, to get them off their backsides."

However, Enfield Council spokesperson Andrew Golder said it "spoke volumes about their character and lack of respect" for the consultation.

He said: "It is clearly unacceptable for any campaign group, let alone one purporting to promote the views of responsible businesses, to encourage its supporters to verbally abuse elected representatives or council officers simply because they oppose a scheme that they have had more than 18 months to help shape through formal and well established consultation channels.

"We are aware that some people are vehemently opposed to the Cycle Enfield scheme, but this sort of irresponsible behaviour simply heightens tensions and puts the personal safety of public servants at risk.

"We have now moved into the implementation phase for the A105 scheme and our contractor will work with local businesses to minimise disruption during the construction works. However there is still further engagement and consultation to follow for the other schemes.

"Moving forward, we ask that residents and businesses alike engage with us in a constructive way, working together to help maximise the benefits of this investment."

Save Our Green Lanes have taken the council to court in judicial review and injunction hearings to try and stop the lanes from being built.

They lost, and face having to pay the Council £10,000 in costs. Construction began on the A105 section on September 12.

f t G+ in p 0 comments

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Community group criticised for saying 'verbal abuse is allowable' at Cycle Enfield con... Page 3 of 6



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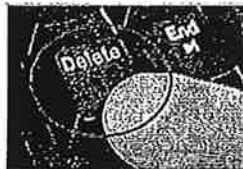
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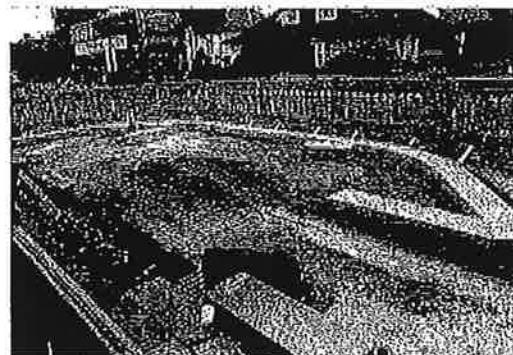
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'A complete sham': Council paid firm £2m to build Cycle Enfield before end of public consultation

Community group criticised for saying 'verbal abuse is allowable' at Cycle Enfield con... Page 4 of 6



'Has he ever run a business?': Hundreds call on Cycle Enfield chief to resign from council cabinet role



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Community group criticised for saying 'verbal abuse is allowable' at Cycle Enfield con... Page 5 of 6

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APPENDIX ⑪

From: Jon Judah <Jon.Judah@enfield.gov.uk>
Sent: 01 September 2016 09:42
To: Jonathan Goodson
Subject: FW: Helen Osman - Ponders End Mosque Thursday 11am [SEC=OFFICIAL]

Classification: OFFICIAL

FYA

Jon Judah
Project Director
Regeneration & Environment Department
Enfield Council

Tel: 07970311854
Email: jon.judah@enfield.gov.uk

From: Cllr Daniel Anderson
Sent: 31 August 2016 23:22
To: Richard Eason; David B Taylor; Jon Judah; Paul Rogers
Cc: Bob Griffiths; Ian Davis
Subject: Helen Osman - Ponders End Mosque Thursday 11am

Hi all,

I understand from Cllr Don McGowan that Helen will be at the Mosque at 11am seeking to whip up trouble there. This is the latest twist in their ongoing campaign seeking to turn their attention to the East having failed dismally in the West.

<http://saveourenewfield.co.uk/a1010-north/>

Daniel

PARKING TO BE REMOVED ALONG HERTFORD ROAD

Do you know what the Council want
A1010 North (Hertford Road)

The Council is consulting NOW on plans to put cycle lanes on both sides of the A1010 Hertford Road, from Southbury Road to Southbury Lane. To do this Enfield plans to:

- Remove 162 parking spaces along the Hertford Road and the yellow lines (where you can park in the evenings and at the weekends)
- Ban all parking and stopping (including parking by blue badge holders) on the Hertford Road except in a few bays and service roads
- Remove right turn 'pockets' - so that traffic will have to wait when waiting to turn right - and make Carterhatch Road no entry at the junction with Bullsmoor Lane

Cllr Daniel Anderson
Cabinet Member for Environment
Southgate Green Ward (Labour)
London Borough of Enfield
07812 673 070
cllr.daniel.anderson@enfield.gov.uk

Sent from my iPad

Classification: OFFICIAL

1/13/2017

This week In N21 - 12 hours left to OBJECT to the A105 cycle lanes

APPENDIX 12

SO much going on in your little patch of North London

[View this email in your browser](#)

n21online
Friday July 29th 2016

This week in N21
Activities Business Campaigns
In your local community

Good afternoon N21

This is the final N21 blog until September - short and sweet - ie BLUNT.

You now have only hours to complete the A105 Statutory Consultation, as this is the final day (FRIDAY 29th JULY).

LOTS OF PEOPLE HAVE ALREADY OBJECTED BUT THE MORE PEOPLE WHO OBJECT, THE MORE PRESSURE CAN BE EXACTED ON ENFIELD COUNCIL

Whatever the final tally Enfield Council will try to ignore the views of local residents and businesses. This whole statutory consultation process has been engineered to minimise objections and 'trip' people up along the way.

* The use of 'Experimental Traffic Orders' for the parking and delivery bays when this scheme is clearly not a temporary measure.

* **The 17,000 leaflets - who received them?** A large number of people living within the stipulated 400 metres of the route from Palmers Green to Enfield Town have said that they haven't received the Cycle Enfield A105 Statutory Consultation leaflet.

* If you got the leaflet, you are asked to submit your objection to the Draft Traffic Management Orders via Cycle Enfield - yet the DTMO states that **all written objections MUST quote reference TG-52-1314** and be sent to the Head of Traffic & Transport.

* Businesses along the route received a letter about the consultation dated July 20th, enclosing a map of the route - but were given **NO information about the loss of parking and delivery bays.**

* **Enfield Council has attempted to misrepresent the data on the economic risks, increased congestion and increased pollution.** From day one they have tried to 'sell' the scheme massively downplaying any negative impacts.

1/13/2017

This week In N21 - 12 hours left to OBJECT to the A105 cycle lanes

*** The A105 Cycle Scheme Safety Audit - runs to 45 pages on the 3.4 mile route
A105 Road Safety Audit**

Here are important extracts

"Within the main shopping streets the cycle lanes will reduce footways and segregate pedestrians from crossing points, bus stops and parking / loading bays. Pedestrians using or crossing the cycle lanes may be at a greater risk of collision with cyclists."

"At many of the bus stop locations, bus stop boarders will be separated from footways by cycle lanes. The bus stop boarders are narrow and this may lead to pedestrians walking in the cycle lane. This may lead to low level conflicts between cyclists and pedestrians. Vulnerable pedestrians such as blind or partially sighted, or wheelchair users may feel vulnerable when attempting to access bus facilities, or kerb delineation may lead to trip hazards for some user types."

These accidents are happening elsewhere yet Enfield Council are pushing on regardless!

Finally - lets look back to the results from last year's so-called consultation, here are the stats from the people who took part who actually had a postcode within the borough.

612 voted against the A105 scheme

624 voted for

121 voted partially, of whom 10 voted yes for a cycle lane but no to the proposed route, ie, NOT the A105.

So, these should be counted in with the 'nos'. Which makes the proportions:

NO: $612 + 10 = 622 = 44.9\%$

YES: $624/1386 = 45\%$

In other words, a 0.1% difference. THIS IS NOT AND NEVER WAS A MAJORITY, SILENT OR OTHERWISE!

A number of people seem to think that because there is a Judicial Review lodged they don't need to complete this consultation. This is NOT THE CASE. The people who live in Bush Hill Park, Grange Park, Palmers Green and Winchmore Hill who are likely to be most affected by the A105 cycle lane scheme should object if they believe that the A105 is not the right road for segregated cycle lanes

So over to you.

1/13/2017

This week in N21 - 12 hours left to OBJECT to the A105 cycle lanes

HOW TO OBJECT IN THE A105 STATUTORY CONSULTATION

All written objections must arrive at the Civic Centre by 5pm today - Friday 29th July.

The Head of Traffic & Transport
Enfield Council
Civic Centre
Silver Street
Enfield EN1 3XD

Quote Reference: TG-52-1314



Here is a link to the A105 Statutory Consultation which closes at midnight
[A105 Statutory Consultation](#)

If you would like guidance on submitting objections here is a link to the Save Our Green Lanes leaflet

[How to object to the A105 Cycle Lane Statutory Consultation](#)



[Confidence Lab Dance & Fit Camp](#)

[Create Theatre Summer Workshop](#)

[Jigsaw Arts Summer Fun](#)

[Kalo Sports Camps At Hazelwood Sports Club](#)

[Soccer Revolution Summer Holiday Camps](#)

[The Story Room Creative Writing Workshops](#)

[Vicars Moor Lawn Tennis Club Summer Camps](#)

[Winchmore Hill Football Club Summer Camps](#)

1/13/2017

This week in N21 - 12 hours left to OBJECT to the A105 cycle lanes



Click in the image to see what The Story Room recommends for your teenagers to read should they be bored

Other Summer Holiday activities

Livestock Music Festival is back for another year. Tomorrow's music fest will showcase 24 bands on three stages; food, drink and kids activities.

<http://livestockuk.com/line-up/>

This year Livestock Music is helping to raise funds for the Mayor Bernadette Lappage's Enfield Sounds Great' charity.

Tickets are on sale now
www.livestockuk.com/tickets



Winchmore Hill's Food Gatherer
Emma Lundle is organising an Enfield Food Festival over August Bank Holiday weekend, August 28th & 29th.

"A culinary celebration of the fantastic produce made right here in the borough of Enfield and its neighbouring areas with good food and fun for all the family".

1/13/2017

This week in N21 - 12 hours left to OBJECT to the A105 cycle lanes



There will be plenty of street food, cookery demonstrations, fun activities for children and lots more, including bike powered smoothies!

Enfield Food Festival



**ALIEN FAMILY PICNIC
IN THE PARK IN THE DARK**
featuring...
ET - THE EXTRA TERRESTRIAL

FRIDAY 2 SEPTEMBER
Picnic from 7.00pm
Film: starts 8.00pm
Location: Broomfield Park

<http://talkies.org.uk/event/et-extra-terrestrial/>

1/13/2017

This week in N21 - 12 hours left to OBJECT to the A105 cycle lanes



www.palmersgreenfestival.org.uk

This is the last N21 blog until September.

By September we should know the result of this so-called Statutory Consultation on the A105 cycle lanes.

We should know whether Save Our Green Lanes's Judicial Review against the scheme can proceed.

n21online.com will be updated with lots of new content over the next few weeks, so check out what is happening in your local patch.

Have a lovely August N21

Helen

n21online.com

**Connecting the residents of Grange Park, Highlands Village
and Winchmore Hill**

1/13/2017

This week in N21 - 12 hours left to OBJECT to the A105 cycle lanes

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APPENDIX 13



July 2016

How to object to The A105 Cycle Lane Statutory Consultation

Enfield Council are proposing to devote around a third of the road width from Enfield Town to Palmers Green Library for the exclusive use of cyclists 24/7.

Have you read the A105 statutory consultation leaflet yet?

Only objections that relate to the draft traffic management orders will be considered by the London Borough of Enfield.



The Council's leaflet does not give you the full picture.

Please read this leaflet to find out:

Why you should object
How you should object

You ONLY have until JULY 29th to make your views known

How to object

Objections can be made both online or in writing and must state clearly the grounds on which the objections are being made.

QUOTE REFERENCE TG-52-1314

Online:

www.consultations.cycleenfield.co.uk/traffic-and-transportation/a105-statutory-consultation

Q6 What is the specific location to which your objection refers?

Answer this question by saying

**"The whole of the A105 cycle lane scheme from
Enfield Town to Palmers Green"**

Q7 Please describe the nature of your objection? (Required)

Answer using the list opposite.

In writing to:

**The Head of Traffic & Transport
Enfield Council, Civic Centre, Silver Street
Enfield EN1 3XD**

QUOTE REFERENCE TG-52-1314

YOU MUST STATE YOUR GROUNDS FOR OBJECTION

What you should object to

Here is a list of suggested objections to the draft traffic management order;

OBJECT TO the proposal to install continuous cycle lanes along the kerb, from Enfield Town to Palmers Green on both sides of the road.

OBJECT TO the potentially massive increase in congestion which will result if you force all vehicles to share a **single** lane.

OBJECT TO the effect on response times for emergency services including fire tenders and ambulances.

OBJECT TO the proposed bus stops which would put passengers (and cyclists) at risk as they have to cross the cycle lane to get on and off a bus.

OBJECT TO parking and delivery bays being located **OUTSIDE** of the cycle lanes. There have been many accidents in places where similar cycle lanes are already installed.

OBJECT TO the massive loss of on-street parking which will be highly restrictive for residents and businesses. In addition, there will be other restrictions such as: no skips, no deliveries, and no visitor parking.

OBJECT TO preventing Blue Badge holders from parking along the entire length of the cycle lane route. **Enfield will be the first Outer London Borough to remove the Blue Badge scheme from its shopping areas.**

OBJECT TO the potential loss of local businesses, such as: restaurants, take-aways, charity shops, hairdressers etc. which provide important services and jobs for the community.

OBJECT TO the lack of proper consultation, as the scheme and its implications have not been properly explained to residents and businesses.

Why is Enfield Council putting residents lives AT RISK?

PLEASE OBJECT TODAY and quote reference TG-52-1314

Unsafe Uneconomic Undemocratic

Impact assessments

Enfield Council has been economical with the truth about the traffic modelling, economic impact and air quality reports they commissioned.

This scheme will do nothing to improve local prosperity, local bus services or air quality.

www.cycleenfield.co.uk/A105



Source: <http://cycleenfield.co.uk/bus-stops>


Support SOGL

 www.saveourgreenlanes.co.uk

 facebook.com/savegreenlanes

 @SaveGreenLanes

 savegreenlanes@gmail.com

 07464 780516

Donate:

Please send cheques to:
SOGL
C/O 29 Broomfield Avenue
London N13 4JJ

Or pay direct into our bank account
Account name: Save Our Green Lanes
Bank sort code: 20-25-19 (Barclays)
Bank account number: 30928275

**The A105 scheme is putting your way of life AT RISK
PLEASE OBJECT BY FRIDAY JULY 29th**

1/13/2017

This week in N21 - a game of charades in the High Court?

APPENDIX 14

SO much going on in your little patch of
North London

[View this email in your browser](#)

n21online

This week in N21

Activities Business Campaigns
in your local community

Friday 23rd September 2016

Good afternoon N21

On Monday 19th September 2016 Save Our Green Lanes (SOGL) went to the High Court, seeking two Injunctions: to stop the construction work on the A105 cycle lane and to direct a public inquiry.



This was a real David v Goliath situation in Court 37 - the SOGL team, led by Constantinos Regas, a public policy expert and SOGL member pitted against Mr James Goudle QC, his legal entourage and a coterie of highways and Cycle Enfield officers, with a sometimes frantic passing of notes to Mr Goudle.

What ensued was three hours of delving into the legalities of highways acts, TMOs (traffic management orders); references to 'Bob the bus' (Williams v Devon County Council, which

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This week in N21 - a game of charades in the High Court?

was in the High Court and the Court of Appeal); safety concerns about bus passengers crossing cycle lanes, the concerns of Arriva bus company, Transport for London and the emergency services about how the A105 cycle lane proposals would cause congestion and slow them down.

The judge, Mr Justice Dove, was told that Enfield Council had actually signed contracts with its contractors for the first £2m whilst the A105 Statutory Consultation was running. He was read sections of the London Cycle Design Standards that confirm that the scheme design contravenes best practice and that Enfield Council had sought ways to avoid a public inquiry on the cycle lane scheme which they know to be hugely unpopular.

There was a great deal of confusion about what orders Enfield Council had made and the judge asked lots of questions to clear this up. It transpired that although Enfield Council had undertaken a statutory consultation on the Highways Act 1980 works (the construction of the cycle lanes) and the traffic management orders (which regulate their use), the council hasn't yet made the Traffic Management Orders (TMOs).

Only if the TMOs are made can a public inquiry be required. Enfield said that they wouldn't make the TMOs until the cycle lanes are completed!

Constantinos told the judge that the Highways Act works were indistinguishable from the TMOs - both are required for the scheme. Mr Justice Dove described this as a 'chicken & egg' situation and questioned at what point it would be possible to raise a legal challenge. Essentially, SOGL was bringing this case too soon but by the time the scheme is completed, it could arguably be considered that the challenge was being brought too late because of the expense incurred. The judge said he wasn't empowered by the law to grant the injunction because the TMOs are not in place.

By 3.15 on Monday afternoon, the whole Mini Holland consultation process and perhaps the wider consultation process for these schemes all over London was exposed as a complete farce. The millions of pounds already spent on exhibitions, consultations, publicity etc was an elaborate smokescreen to kid the people of Enfield that they were being consulted. Enfield signed the multi-million pound works order with Ringway Jacobs just one week into the statutory consultation.

So is this a fait accompli - a done deal? People are now realising what this all means for them. To quote local resident Helen S:

"It's astounding that despite several other options and in the face of fierce local opposition, Enfield Council has persisted in pushing on with this farce. I can only suppose that the reason is because they can undertake work on the main roads under the guise of the cycle scheme and use the money granted from the London Mayor to effectively finance maintenance rather than find the money out of their own highways budget. SHAME ON YOU ENFIELD COUNCIL."

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This week in N21 - a game of charades in the High Court?

for your disgraceful undemocratic and unconstitutional behaviour".

Enfield Council sought costs of almost £25,000 but the judge said that SOGL's claim was covered by the Aarhus Convention on environmental matters and capped the liability at £5,000.

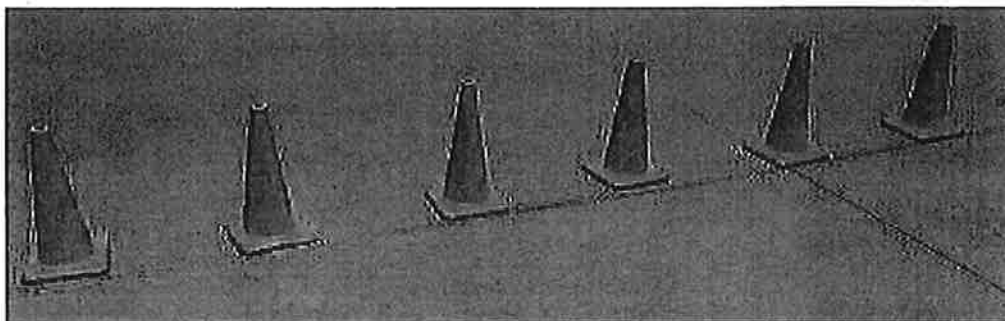
The Council was quick to put out a press release explaining that the injunction had been rejected - without explaining the circumstances of course. The judge didn't address the issue about the works order having been signed before the end of the consultation.

What next?

Is the battle to protect Green Lanes from chaos over?

No of course not, it belongs to the local people, so the fight will go on. If you are not happy with this awful Enfield Mini Holland Mess contact councillors, in particular the leaders of this scheme, but please complain in measured tones, no abusive language please - It isn't yet the time for mass public protests.

SOGL want Enfield Council to undertake a pilot scheme using plastic barriers so that the real-world impacts can be seen.



They first made this request in December 2014 and SOGL have said that if the trial is well-designed, they will support its findings (whether positive or negative).

But will Enfield Council listen to its citizens?

Twitter: @SaveGreenLanes

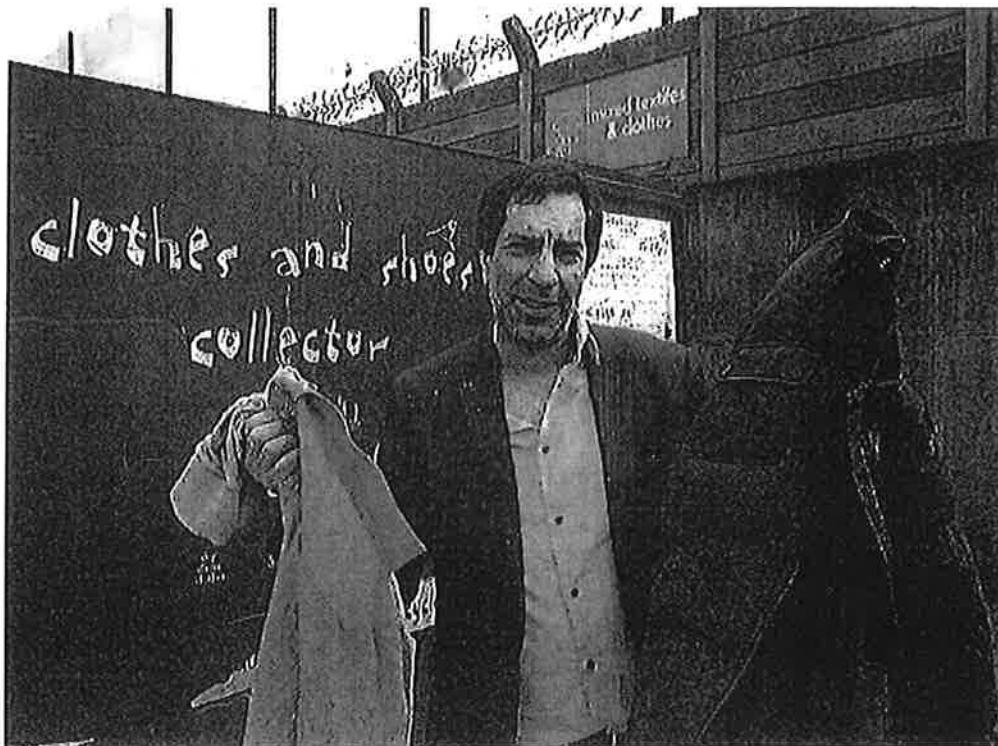
Businesses call for Cllr Daniel Anderson to be replaced

1/13/2017

This week in N21 - a game of charades in the High Court?

On Monday 225 businesses, led by Malcolm McGrath of Keymakers, submitted a petition asking for Cllr Daniel Anderson, Cabinet Member for Environment to be replaced by someone who understands business. To quote from the Enfield Independent.

Has this man ever run a business?



[Read the Enfield Independent article here](#)

Malcolm McGrath explains:

"For the past two years the businesses of Palmers Green and Winchmore Hill have been asking for the cabinet member for the environment and other councillors to meet with us so that you could hear our concerns about the impact that the cycle lane scheme on us, our customers and our clients.

Our requests for a meeting have been ignored. If the cycle lane scheme is allowed to pass through our local high streets it will cause massive problems and loss of trade. Many businesses along Green Lanes may not even survive the highly disruptive construction period.

The speed with which the road works are now being started without any attempt to acknowledge our concerns is nothing short of an insult to the hard working A105 business community.

Palmers Green and Winchmore Hill businesses employ thousands of people, generate millions

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This week in N21 - a game of charades in the High Court?

In turnover and pay millions of pounds in business rates and other taxes. We have a right to be listened to and treated with respect and consideration. We see that Cllr Anderson lists his career as 'life entrepreneur' – has he ever run a business and had responsibility for paying staff?

The way that Cllr Anderson has responded to the objections, by dismissing them as not worthy of consideration, is the final straw. We urgently need to find solutions to the massive problems this scheme will inflict on our local area. We do not believe this can be achieved under Cllr Anderson's leadership."

I gather that Mr McGrath has not yet received a response. Deputy Leader of Enfield Council Achilleas Georgiou is quoted in this week's Enfield Independent about the abusive phone calls as saying:

"It's not right. That there would be people who should stoop so low is totally unacceptable. We do not have a problem with protestors, that's the democratic process and we welcome that. We are happy to go to public meetings and we encourage people to question what we do"

So Cllr Georgiou - perhaps it is "totally unacceptable" that the Council is running roughshod over the wishes of local residents and businesses and that the so-called 'consultation process' is a complete sham?

He says that the council leaders are "happy to go to public meetings" and that he "encourages people to question what we do".

So why have these same council leaders refused to do so in the past?

Perhaps Mr McGrath will be inviting Cllr Anderson, Georgiou et al to a meeting shortly to explain how they can be "confident that Cycle Enfield will transform our town centres, revolutionise transport and hugely benefit businesses in our borough".

Facts not fluff are urgently needed, our council is playing politics with people's lives and livelihoods.

It is the final day of the A1010 North (Hertford Road) consultation, covering the section from the junction with Southbury Road to the junction with Bullsmoor Lane/Mollison Avenue.

If you don't know the Hertford Road it is similar to the A105 (Green Lanes) with local high streets and residential stretches. Here the key changes required to build the cycle lanes.

- The loss of 162 parking spaces

1/13/2017

Thi's week In N21 - a game of charades In the High Court?

- All yellow lines will be removed to make way for the cycle lanes; there will be NO PARKING on the cycle lanes 24 hours a day 7 days a week
- The removal of bus lanes
- The removal of the majority of right turn 'pockets', meaning all traffic will have to wait behind vehicles turning right, increasing congestion and air pollution
- The removal of left turn slip roads, reducing junction capacity and increasing congestion and air pollution
- At most bus stops, bus passengers will have to cross the cycle lane to board the bus, using a 'bus boarder' – a raised section of the cycle lane. The council says these are safe. The Royal National Institute for the Blind (RNIB) says they are not. Who do you believe?

These local businesses owners would really appreciate your support



If you would like some further guidance on the details of the scheme go to
<http://saveourenfield.co.uk/a1010-north/>

Complete the consultation
www.consultations.cycleenfield.co.uk/traffic-and-transportation/a1010-north-scheme/consultation

N21 Business

At the end of the month Le Peloton
Cycles on Masons Corner will shut up

1/13/2017

This week in N21 - a game of charades in the High Court?



shop.

Paul O'Sullivan would like to thank people for their support, but explains that many people looking to buy a bike or accessories will come in to discuss what best suits them and then go and buy it online!

In retailing jargon it is described as 'showrooming', but is killing our local high streets. Does Paul, a passionate cyclist think this cycle scheme will benefit our area? Nope, not one jot.

Thanks for trying Paul, you have a great eye for design, now go and enjoy all the extra time you will have on the open road!

942 Green Lanes is under offer and we will have a raft new businesses on Green Lanes before the end of the year. Keep your eyes peeled, these people are investing serious money in their new businesses and will need your support.



We also say goodbye to Captain Cook, Lolzos Ellice, aka 'Fat Lou'.

After two unsuccessful attempts to run a fish & chip shop, 881 Green Lanes will reopen around 10th October as the Vine Leaf, a greek takeaway with a contemporary twist.

It is good to see that our Council is encouraging us to shop locally.

Just a shame that Riverside Florist, where this poster is sited, may well have to shut up shop as the delivery lorries will no longer be able to park anywhere nearby.

1/13/2017

This week in N21 - a game of charades in the High Court?



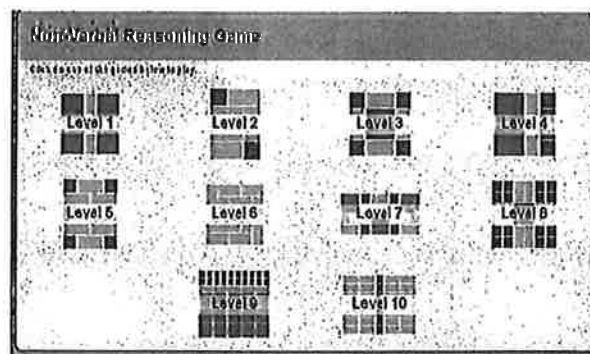
Vassos Vassiliou of the
The After School Learning Centre
has useful advice for parents on school
open evenings

Secondary school selection & how to
get the most out of school open
evenings

He has also written this article with lots of simple tips on how you can help your child at school
without tantrums & tears!

Helping your child get better grades this school year

Lots more tips on the After School Learning website, as well as games to play with your child.



www.afterschoollearning.com/

This smiley lady is Monica Angell of
Angell Learning and Development.

Monica helps children and young people
of all abilities to reach their potential and
also understands that a happy child is
more able to learn.



Children learn at different rates, and to
get the absolute best from them it is
important to understand what motivates
them. Monica is trained in the use of
motivational maps to identify a child's
learning styles, to prepare a personalised
study plan..

You can find out lots more about Monica, who also has loads of useful tips and games for

1/13/2017

This week in N21 - a game of charades in the High Court?

parents on her website

<http://angelltutoring.co.uk>

Charity & Community

Vicars Moor Tennis Club has been awarded 'Community Asset' status by Enfield Council

The Club, which recently celebrated its 90th anniversary, was given the accolade for its services to the local community.

Chairman, Matthew Robinson says:

"We are delighted with this award. Our link with local schools, such as Keble and Highlands, was also very important in the decision."



We have various community initiatives in place to encourage local children to learn tennis. Our diverse membership base is the key to our success. Vicars Moor Tennis Club is part of Winchmore Hill's heritage and long may it continue to thrive as an important asset in the local community.

The award will make the Vicars Moor Annual Club Championships Festival on 24th September even more celebratory for club members and supporters."



Keith Ballenger, Eversley Primary School teacher and N21 resident has made it safely to Le Mans and has so far raised £634.73 for Children With Cancer UK.

"All arrived in Le Mans safe and well and a special treat a couple of laps of the Le Mans 24 hour circuit to finish!"

<https://www.justgiving.com/fundraising/Keith-Balenger1>

The North London Hospice is in urgent need for more volunteers to help them to transport patients.

1/13/2017

This week in N21 - a game of charades in the High Court?

It is Hospice Care Week shortly, more news next week.

We are lucky to have this amazing community resource on our doorstep

www.northlondonhospice.org



NORTH LONDON HOSPICE

URGENTLY NEEDED: volunteer drivers for North London Hospice

We rely on our drivers to bring patients to their appointments at our Hospices in Finchley and Winchmore Hill, either in our wheelchair-accessible vehicles or in drivers' own cars. The team also transport essential small items between sites.

If you can spare half a day or more on a regular basis, we'd love to hear from you! We will:

- Provide full training
- Arrange your DBS checks
- Reimburse your mileage costs

To find out more about joining the team, please call or email Kate Kent:
020 8343 8844
kkent@northlondonhospice.co.uk

Thank you!

What's on around N21

Enfield Town & Country Show

Quintessentially British Events



The annual Enfield Town Show has morphed into the Enfield Town & Country Show. It looks like professional event organisers have been brought in and they have created a lovely little website.

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

The Autumn equinox but the weather is looking good, and something for everyone.

Tomorrow is Grand Jumble Sale

1/13/2017

This week in N21 - a game of charades in the High Court?

1ST GRANGE PARK
GUIDES, BROWNIES, RANGERS, RAINBOWS'
PARENTS' ASSOCIATION

GRAND JUMBLE SALE



SATURDAY 24th SEPTEMBER

AT CHURCH IN THE ORCHARD, PARK DRIVE, N21 2EU
Doors open 10am Adults 50p Children FREE
COLLECTION FROM LOCAL AREA - THURS 22nd evening
FOR OTHER COLLECTIONS PLEASE RING 020 8960 6418

day at the Church In The Orchard.

As a veteran collector, sorter and seller for the 1st Grange Park packs, I know much much this event means to them.

Doors open at 10am and there is usually a queue.



There are five coffee mornings being held in N21 in the next few days, to raise money for Macmillan Cancer Support, kicking off with coffee & cakes in Peter Barry tomorrow.

Peter Barry

24th September

Dental Practice On The Green

26th September

Assetgrove Prime

30th September

Homecare Preferred

30th September

**The Rotary Club of
Edmonton/The Winchmore**

30th September

1/13/2017

This week in N21 - a game of charades in the High Court?



Your voice matters

Senior members of the Sustainability and Transformation Plan Board would like to invite you to a public information meeting on:

Date: 26th September 2016

Time: 6:00pm - 8:00pm

Venue: The Dugdale Centre,
Thomas Hardy House, London
Road, Enfield EN2 6DS

NHS England has tasked Heathwatch Enfield to engage with local people in the development of a North Central London Sustainability and Transformation plan, to improve health and wellbeing whilst reducing costs.

[More details here](#)

More events beyond next week can be found here

n21online.com/events-in-n21.html

Knocking off now for the afternoon, to enjoy this glorious weather. There has been more drama in Enfield than 'enders or Holby City - what will next week bring?

Hope to see you at the Enfield Town & Country Show.

Helen

n21online.com

**Connecting the residents of Grange Park, Highlands Village
and Winchmore Hill**



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You can [update your preferences](#) or [unsubscribe from this list](#)

APPENDIX (15)

Olwen Dutton

From: Sue Woollard ~~XXXXXXXXXXXXXXXXXXXX~~
Sent: 30 January 2017 14:50
To: Olwen Dutton
Subject: RE: Strictly Private and Confidential

Sensitivity: Confidential

Hello again Olwen

I am so sorry for the late reply, but as you have probably realised this is a particularly busy time of the year for me and I did want to give this my full attention before the deadline. I have managed to read most of the appendices and my reaction to your initial response is still one of disappointment. I will therefore just restate the important facts as I see them.

I have read the predictable responses from Cllr Anderson and his officers at the Council, which only seem to suggest that Cllr Anderson believes there are people against the Cycle Scheme, that they will never be satisfied if the Scheme appears to be going ahead and, ultimately, these people are complaining to discredit him and because they will use any tactics to stop the Cyclists 'winning'. Cllr Anderson has said as much in his statement which appears to be 'dismissive' of anyone opposing the Cycle scheme.

As you will recall from our interview, this is not the case and not why I brought the complaint against Cllr Anderson as my reasons were very specifically about the comments he made about Helen Osman and Pounds. I am still strongly of the opinion that Cllr Anderson should not have been posting on a public forum. These postings were directly from him by name, I imagine that everyone reading these posts knows who he is and that he is a Councillor and Cabinet Member responsible for the Cycling Scheme – and, as such, his views were those of a Councillor showing an unacceptable lack of impartiality. Never mind that he was posting from his private account – his views and comments were not those acceptable as a Councillor – and that is what he is, from whichever account he sends these ill-judged views. By being elected to that role and accepting the position as Cabinet member overseeing and promoting a multi-million pound scheme he has a certain responsibility to act and speak in an appropriate manner about members of the public and businesses at all times, which he has broken with these comments. By posting them on a public forum he has inflamed the situation and stepped outside the bounds where he can be protected by them not being posted from a Council computer. He must be aware that he is known as the Cabinet member responsible for the Cycle Scheme, and therefore should be aware of his position – and accordingly act and speak appropriately at all times.

Re the dialogue between Cllr Anderson and Council Officers regarding the meeting which they state had been arranged between the Council officers and the Imam of Ponders End Mosque, I am surprised that such a meeting had been arranged yet not surprised that members of the public, especially those not in the locality of the Mosque, knew nothing of such a meeting. Why would we on the other side of Enfield? I would have assumed that the Imam, concerned about the effect of the Cycle Scheme on his worshippers and their ability to park near the Mosque should it go ahead, would have been requesting a private meeting with Council Officers, and as such, I am sure there are minutes from the meeting outlining what was discussed and resolved. I am sure it would be possible for you to have access to any such minutes from the Officers confirming that such a meeting took place? Why then, if this was a meeting for people local to Ponders End, would Cllr Anderson post a remark about Helen Osman planning to be at the meeting. I would question the fact that, if Helen actually knew about the meeting (and I have no idea if she did) would she have travelled to Ponders End to 'mislead' them all? Especially if there were Council Officers present at the meeting who would have been able to present the facts? Why would Cllr Anderson have announced that Helen Osman would be at a meeting without checking with her that she knew anything about it and would be attending? I don't believe Cllr Anderson's statement regarding this. He was, in my opinion, making ill-judged remarks about what someone might be about to do yet presenting it as fact. In the same way that his remark about Helen is accusatory and derogatory by saying that she was going to mislead the residents of Ponders End. What foundation

does he have for these remarks? They were ill-judged and totally inappropriate to be spoken of by anyone, let alone a Councillor – and let alone on a public forum.

I do not have a great knowledge of the hierarchy of local government so would question the relationship between Council Officers and the Cabinet Member overseeing the scheme that they are working on. Are those who have made statements, in effect, accountable to Cllr Anderson as the senior member of the team, and, as such, are their statements governed by any authority he has over them?

In the same way, making snide comments about a local business, again on a public forum, is not appropriate for someone who everyone knows from press, meetings and publicity (often self-promoting) is leading on an issue which is very close to the hearts and financial viability of businesses and public where a scheme may have a catastrophic effect on their lives. Again, it does not matter that he was not posting from a Council account – these are his words, attributable to him by name, and everyone connected with Cycle Enfield/Better Streets for Enfield knows he is a Councillor and Cabinet member. He is trying to make jokes to his friends/supporters at the expense of members of the public.

There is no excuse for either of these comments. They were ill-judged at best, did not represent the required impartiality of Councillors, nor demonstrate the gravitas with which Cabinet members, in particular, should present themselves. Both of these comments are inexcusable and I would ask you to look at this complaint again in just those terms. The statements in support of Cllr Anderson's behaviour regarding other aspects of the Cycle Scheme have actually nothing to do with this complaint. He made inappropriate and derogatory statements about a member of the public and a business on a public forum in his name – end of story. There is no defence and I believe he appears to have spun a whole lot of excuses as reasons – when there can be none. As a resident of Enfield, I believe Cllr Anderson has done a great disservice to the Borough and should not remain in the role of Cabinet member. I also believe that the leader of his party should be taking steps to discipline him for these comments as a Councillor. I stand by my comments that the other case I cited regarding another Councillor making a similar type of remark on social media does have relevance to this case, inasmuch as that was handled with seriousness and appropriate steps taken at the time, and the similarity there is that the other Councillor was not posting from a council computer either. This demonstrates double standards in the Council's governance of Councillor conduct.

I trust that this will cause you to review your initial response.

Many thanks

Kind regards

Sue Woollard

From: Olwen Dutton [mailto:Olwen.Dutton@anthonycollins.com]
Sent: 13 January 2017 16:25
To: Sue Woollard [redacted]
Subject: Strictly Private and Confidential
Importance: High
Sensitivity: Confidential

Dear Sue,

I attach a copy of my draft report, together with the appendices.

Please note the comments on the face of the report. I would be grateful if you could let me have your comments no later than Monday, 30th January 2017. I will consider your comments, together with any others I receive and will then finalise my report.

Please note that the report is strictly confidential at this point.

Kind regards,

Olwen

Olwen Dutton,
Partner
for Anthony Collins Solicitors LLP

T: 0121 214 3625

F: 0121 212 7438

M: 07918 906 355

olwen.dutton@anthonicollins.com

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Birmingham
B3 2ES

Tel: 0121 200 3242

Fax: 0121 212 7442

***** End of message *****

APPENDIX (16)

Olwen Dutton

From: Helen Osman <hosmanopr@gmail.com>
Sent: 30 January 2017 16:14
To: Olwen Dutton
Subject: Complaint by Helen Osman
Attachments: Response by Helen Osman to complaint against Daniel Anderson 30.1.17.pdf

Olwen

Please find attached my response to your draft report. I find the conclusions are not borne out by the evidence. There are numerous examples of posts which refer to Cllr Anderson's political position on the Better Streets For Enfield Facebook page, both prior to my complaint and in recent months.

I want to state this once more that I had no idea that Sue Woollard was submitting a complaint, I would be happy to swear this under oath, I could probably go back to find the first email that discusses her complaint. I do not lie or mislead and I am very angry.

I am heading out now but if you would like to discuss this further please give me a call.

Helen Osman

Response to Draft Report into complaint made by Helen Osman against Cllr Daniel Anderson

Facebook post – breaches principle of objectivity

- 1.1. The Facebook account that Cllr Anderson uses is his personal one. He does not refer to himself as a Councillor or use his official Council photo(s). Cllr Anderson states that he uses the account to post about personal matters.
- 1.2. My starting presumption, therefore, is that anything Cllr Anderson posts on Facebook is outside of his role as a Councillor. Therefore the Code of Conduct would not apply. However, that presumption could be displaced where there is clear evidence that Cllr Anderson was posting about Council matters or posting information that he could only have obtained as a result of his position as a Councillor.

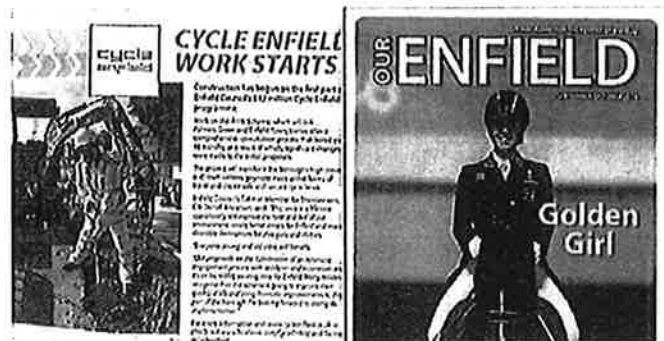
The failure to withhold this complaint against Cllr Daniel Anderson hinges on the notion that Daniel Anderson was posting from a personal account. Whilst he does not refer to himself as a councillor, there are numerous examples on posts on this Facebook page and others associated with this group that demonstrates his support for the people who belong to this group. It is hard to conclude the claim that Cllr Anderson was not known to this community and that his posts were not related to his political role. It would seem that Cllr Anderson has even been endorsing Better Streets For Enfield in the Council's own magazine.



David Hilliard > [Better Streets for Enfield](#)

October 11, 2016 · London · G

Good to see a very prominent place on the start of Cycle Enfield work in the "Our Enfield" council magazine. I believe it is distributed to all households in the borough. Should start to help dispel the widespread impression that the the cycle lane proposals have hit the buffers. Interesting how the quote from Daniel Anderson includes our [Better Streets for Enfield](#) moniker!



16

1 Comment

Posts by Daniel Anderson have been deleted from this Facebook group, including the ones which form the basis of this complaint. As far as I can ascertain Daniel Anderson does not have a personal Facebook page. Here are further examples on Better Streets For Enfield that make clear reference to his role in Cycle Enfield.


 **Clare Rogers** shared a Page to the group: **Better Streets for Enfield**
January 19 at 11:58am · 

The Guardian article that Daniel Anderson and I were interviewed for is being discussed over at the Cycle Enfield Facebook page. It's descended into a general whinge about cycle lanes. Some views from Better Streets members would be welcome! (Just click on the image below to get to the Facebook page)



 **Clare Rogers** ▸ **Better Streets for Enfield**
December 14, 2016 · 

At tonight's cabinet meeting it was great to see two major schemes approved - Enfield Town and the A1010 north. There was lots of support for Cycle Enfield from across the council, including Councillors Vicky Pite, Ahmet Oykener and Alan Sitkin. Cllr Terry Neville played the part of the pantomime villain, and there was actually a moment of pantomime-style booing from the antis when Cllr Daniel Anderson criticised him for trying to prolong the consultation endlessly!

Thanks Hal Haines, David Hillard, Trevor Stone and Mark Smith for joining me in representing Enfield Cycling Campaign and Better Streets 

(You can read a tweet-by-tweet account of the meeting on Enfield Cycling Campaign's Twitter feed)

 50

7 Comments

This post, which was made shortly after the altercation at the Palmers Green Library between Maxine Spencer of Pounds and Cllr Anderson. He was clearly recognised as the responsibility holder by Keith Hepburn, who could clearly see that this was an unwise post. Whether he knows Mr Hepburn or not is irrelevant.

I note in Cllr Anderson's statement that he is denying the incident at Palmers Green Library ever took place. However, there were numerous witnesses who can provide a statement. Indeed it was almost certainly this incident that prompted Cllr Anderson to mention Pounds in this Facebook post.



This post shows Cllr Anderson posing with members of this Facebook group. As far as I can ascertain Daniel Anderson does not have a personal Facebook page.



References to Helen Osman

The circumstances leading up to the posting by Cllr Anderson against me personally are irrelevant, but even to have linked my name which has Middle Eastern connections (although my husband's family have lived in this country for hundreds of years) in connection with a mosque is bizarre. It immediately conjures up unsavoury images of Abu Hamza preaching in the Finsbury Park Mosque, seeking to radicalise people to commit heinous crimes.

Cllr Daniel Anderson is clearly not showing respect for others in his personal comment, whatever the background reasons behind this post, there are no mitigating circumstances. If he was alerted to a meeting at the Mosque by members concerned about loss of parking (as are the Church members of St Monica's Church and other churches along the A105) this was not anything to do with me. This accusatory post should not have been put on Facebook.

Cllr Anderson also accuses me of misleading people. I would like him to provide ONE example of where I am supposed to have mislead people.

I am just one of many thousands of people who have expressed alarm at this project; the congestion it would cause, the extra pollution, disadvantaging the elderly, creating greater danger for all road users and damaging our businesses.

All these concerns have already come to fruition. We have a localised congestion & pollution crisis, people are panicking about just how dangerous the completed sections of the A105 are and businesses are complaining of double digit loss of trade, which could make some businesses unsustainable in a very short period of time.

Here is a snapshot of the problems on the A105 one afternoon last week

<https://drive.google.com/file/d/0B6ALBbxYFMmnNGVZU1ZKRVBDVGM/view?usp=sharing>

Almost certainly Cllr Anderson will try to say that this is a temporary problem, but the congestion problem will continue after the construction is completed. However, many delivery lorries will have nowhere to park to unload, all the traffic is being forced into one lane and most of the buses are having to stop in the middle of the road so this is unlikely to happen.

For example, the 329 make up to 1500 stops a day at bus stops on the A105 cycle lane, with many of the bus stops relocated so that buses have to stop in the carriageway. It is reported by residents that queues are already building up behind buses at the new bus stops.

I was one of the founders of the N21 Live Local Spend Local campaign encouraging people to shop locally. My community website n21online.com and 'this week in N21' predate Mini Holland, dating back to 2010. This is the single biggest issue to have impacted on our local community for many decades so it is not surprising that there is a significant amount of content relating to the scheme (much of it supplied by other people) on the site.

I have robustly contested the poor economic risk evaluations and the dangers to our local high streets. The saying goes 'don't shoot the messenger', the site is providing a communication channel for large numbers of people in relation to this scheme, who are very angry that the local community has been ignored by their council.

Having come from a marketing/management consultancy background, it was not difficult to see the serious flaws in the methodology and modelling used in the economic risk reports commissioned by Enfield Council. Many local businesses are already experiencing a more severe downturn in trade than the worst case scenarios outlined in the analysis, which were predicated on shorter periods of disruption. Mitigation measures were promised but have failed to materialise.

Whilst I am part of the SOGL group I am not part of the legal team who took the Council to the high court, so I am not in full knowledge of the facts. I did however attend the Injunction in September, where the Judge described the case as a 'chicken & egg situation', that because the construction had been undertaken under temporary traffic management orders they cannot be challenged, until the

scheme is completed. I understand that temporary traffic management orders normally refer to temporary traffic schemes, although I am not an expert in this field. Whilst I gather that an appeal has been lodged due to a misinterpretation of the law this is outside the remit of this complaint.

I must also refute Cllr Anderson when he states that "the councils held public meetings with the residents and businesses and recognises that some had issues with the principles of the scheme". Public exhibitions were held and public meetings were organised by campaign groups, community groups and residents associations but perhaps Cllr Anderson could inform me when a public meeting was organised by the council?

Businesses along Green Lanes made numerous attempts to invite Cllr Anderson, Cllr Bambous Charalambous and Cllr Sitkin to meet with them but they all declined to do so.

In terms of the examples used as illustrative of misleading the public, blue badge holders will no longer be able to park along the A105, in Church Street, London Road, Cecil Road in Enfield; on the Hertford Road as yellow line parking will be removed. This is a fact.

Furthermore, an FOI request revealed that Dial-A-Ride is very widely used in the area, with hundreds of drop offs a month. Drivers will no longer be able to escort people with mobility problems safely into their destinations; ditto mini cab drivers. This is not misleading information. The much quoted phrase that this scheme is creating a 'Better Enfield For All' is seen as hollow to a very large number of very angry residents.

In conclusion, it is hard to conclude anything other than that Daniel Anderson was posting on this partisan Facebook page in direct connection with his role as the Cabinet Member with responsibility for Cycle Enfield and was seen by group members as such. This is in clear contravention of the code of conduct. A senior councillor in this role must "adhere to the highest ethical standards of behaviour". He has been charged to remain impartial and weigh up all the evidence, risks etc objectively, leading a full risk assessment and cost benefit analysis, this is a clear dereliction of his position.

There have been many hundreds of complaints lodged against the consultation process by local residents, businesses, charities and community groups. No proper clarification has been provided as to how Cllr Anderson and his officers were able to issue purchase orders to begin the construction of the A105 during the statutory consultation period and how 1600 submissions to the statutory consultation could have been completely ignored as according to Cllr Anderson – "they revealed nothing new under the sun". This is outside the remit of this complaint but confirms the total disrespect for the wishes of local residents.

I wait to see the final version of the report, if it does not fully address the complaint I reserve the right to waive this confidentiality agreement and to see further clarification of whether Cllr Anderson has abused his public position.

Helen Osman

30.1.17

Appendix B – Helen Osman's Appeal

The following documents are included:

1. Appeal Complaint Form from Helen Osman
2. Helen Osman's Response to Draft Report on her Complaint

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London Borough of Enfield

Councillor Conduct Committee

Appeal against a Monitoring Officer/Councillor Conduct Committee Decision

Complaint	Complaint against Cllr Daniel Anderson and the report prepared by Anthony Collins solicitors, rejecting the complaint.
Name of Complainant	Helen Osman
Councillor(s) Involved	Daniel Anderson
Finding of Monitoring Officer/Councillor Conduct Committee	
<p>The report concluded that Daniel Anderson was posting on this Facebook page in a personal capacity. However there is plenty of evidence to show that Daniel Anderson was known to be the Cabinet Member responsible for this scheme and it is impossible to separate his private views from his public role, where he is required to be objective in order to form decisions relating to the scheme on the basis of all the information available to him.</p> <p>Secondly that this platform should not be used by him to denigrate me, especially in such an inflammatory way.</p>	

Complainant notified of Monitoring Officer /Councillor Conduct Committee decision		Date:
Reason(s) for Appeal (Please list below and attach any supporting evidence) Please add more reasons if you need to.		
1. There are strong grounds to demonstrate that Daniel Anderson was known to be the office holder and is referred to on numerous occasions as such.		
2. Rejection of the complaint implies support for the view that I have misled people, through the reports and other material I have written or co-authored in connection with Cycle Enfield. I want hard factual evidence. At no stage has Cllr Anderson ever apologised either privately or publically for these defamatory remarks.		
3 The reference to me being in the mosque and misleading people is totally unacceptable for a cabinet member.		
Date appeal submitted (within 10 working days of receipt of decision)		
Yes/No Yes	Date 22.2.17	
What are the relevant matters that you feel should be taken into account?		
In rejecting the complaint Anthony Collins are implying that I am guilty of 'misleading' people and that the references made to me as preaching in the mosque, as my surname is Osman is acceptable in any public forum, but especially by a councillor holding a high office. I would like evidence of the way I am supposed to have misled people and if my complaint is not dealt with to my satisfaction I will seek my own legal advice.		

Details of any new evidence to support your appeal

Response showing examples from the Facebook page of posts in which Daniel Anderson is referred to. His personal posts were deleted following the complaint.

A report containing comments and statements from around 1600 local people to show that I am not alone in having concerns about Cycle Enfield

The reports I authored which critiqued the Regeneris economic risk assessment reports, highlighting the flawed methodology, poor research and scenario modelling

Recent reports (not authored by me) on current trading patterns of businesses along the A105 as a result of the cycle lane construction.

Comments/Advice from Independent Person (where appropriate)

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Response to Draft Report into complaint made by Helen Osman against Cllr Daniel Anderson

By rejecting this complaint against Cllr Anderson, Olwen Dutton of Anthony Collins is inferring that it is acceptable for the office holder of Cabinet Member for the Environment, to be posting on a partisan Facebook page 'Better Streets 4 Enfield'.

Yet in doing so, he has breached important principles of objectivity and impartiality which are the duty to his public office.

Secondly, that it is acceptable to use this Facebook page to make a personal attack on me.

Thirdly, by inference that I am in some way "misleading people" – whether in the west or the east. No 'evidence' has been provided for this.

In summary; there is ample evidence to show that Daniel Anderson was posting on this Facebook page in support of Cycle Enfield and he was known to be the leader of the scheme amongst group members. It is impossible to separate his public role from his private role.

The key argument for dismissing this complaint is that Cllr Anderson was posting as a private individual.

To quote:

Due to the provisions of s27(2) of the Localism Act 2011, it is important to consider whether or not the Code applied at the time of the incident complained of. **The Code would not apply when an elected member was acting in his private capacity.** Enfield Council's Code (which is attached in Appendix 7) only applies to Cllr Anderson where he acts or purports to act in his capacity as a Member of the Council. It does not seek to regulate acts and conduct by Cllr Anderson in his private and personal life. Therefore if the evidence shows that Cllr Anderson made Post 1 and Post 2 outside his role as a councillor there is no breach of the Code.

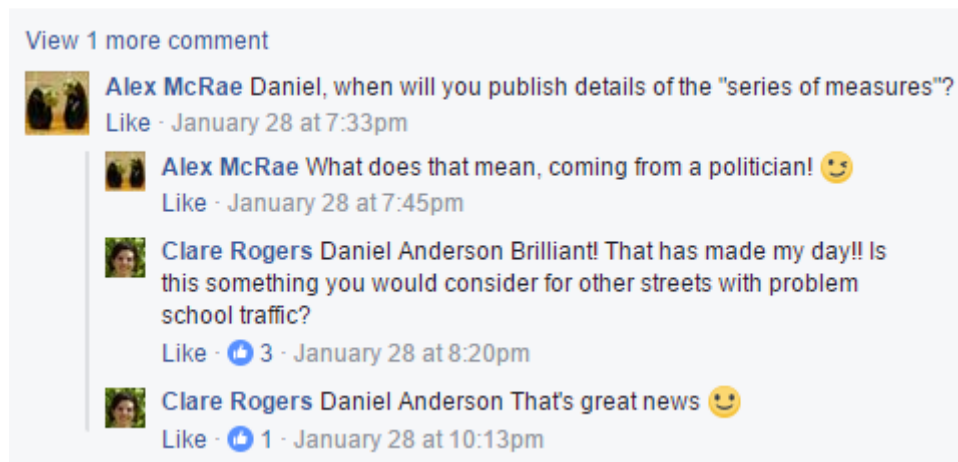
However, Cllr Anderson was posting on the Facebook page precisely because he is leading the Cycle Enfield project and was widely referred to as such by members of this group as Councillor Daniel Anderson, Daniel Anderson and even Daniel.

Indeed he has posed with members of this group for photographs.




How can he possibly be considered to be posing in a private capacity?

This post on the Facebook page relates specifically to his role as Cabinet member.



There are numerous examples on posts on this Facebook page and others associated with this group that demonstrates his support for the people who belong to this group. It is hard to conclude the claim that Cllr Anderson was not known to this community and that his posts were not related to his political role.

For example these recent posts in February 2017, including a post from Councillor Alan Sitkin, Cabinet Member for Regeneration and Business Development, whose remit covers local high streets. Cllr Anderson is been urged to take part in a flash cycle mob to demonstrate the support for the very same businesses who are currently losing thousands of pounds of business as a result of the cycle lane construction and whose long term future is uncertain.


  21

1 share

[View 17 more comments](#)

 **Alan Sitkin** Choose a Saturday in early March-ish....time enough to publicise..where late morning we all cycle to the shops wherever the road works are currently taking place, with our wallets in our hands. [Clare Rogers](#) Daniel Anderson Wanna suggest a date?
Like ·  1 · February 16 at 10:51am

  [Claire Brady](#) replied · 8 Replies

 **Gill Beadle** Great idea to show support for the Green Lanes traders. i already buy from a lot of shops along Green Lanes Winchmore hill section. Be great to see a more positive focus.
Like · February 17 at 8:19am · Edited

 **Ahmet Oykenner** I will join you guys, with my bike
Like ·  1 · 14 hrs

  [Ahmet Oykenner](#) replied · 2 Replies

 **Claire Brady** Hopefully I can make it. Love shopping, so spending a morning shopping should make me very happy ❤️
Like ·  1 · 13 hrs · Edited

 **Alan Sitkin** I'll be wearing my Enfield Big Bike Ride high viz jacket
Like ·  1 · 13 hrs

  [Claire Rogers](#) replied · 5 Replies · 4 hrs

 **Maggie Davis Westhead** Me and the girls and the boy will be there!
Like ·  1 · 13 hrs

 **Adrian Day** Away that weekend I'm afraid.
Like · 2 hrs

  [Claire Rogers](#) replied · 1 Reply

 **Alan Sitkin** What's our meeting place [Clare Rogers](#) ? Because I think Daniel Anderson and I might be able to help publicise this more widely...
Like ·  1 · 2 hrs

 **Clare Rogers** Where is the epicentre of the roadworks would you say? I was thinking the 'triangle' in Winchmore Hill which is where the Cycle cash mob met last time...
Like · 1 hr

 **Clare Rogers** Fantastic!
Like · 3 hrs



 **Clare Rogers** Daniel Anderson you could combine the environment and cycle lane bits of your portfolio with this bike for Enfield 😊
Like · 1 · 3 hrs
↳ 1 Reply


 **Calvin Tucker** I was in Ghana a few years ago visiting a major client 'Zoomlion'. The CEO was amazed when I asked to join the bin men on their early morning rubbish collection in one of the rougher parts of town.
<http://4.bp.blogspot.com/.../LpWkpOe5XZ0/s1600/DSCF5236.JPG>



4.BP.BLOGSPOT.COM

View 1 more comment

 **Alex McRae** Clare, we've also contacted Cllr Daniel Anderson to bring it to his attention viz-a-vis the 2 schools in Autmn Close, in Edmonton.
Like · 3 · February 8 at 10:40am
↳  Alex McRae replied · 2 Replies

 **Will Embliss** They could put some at the end of Tile Kiln Lane for the pupils at

It would seem that Cllr Anderson has even been endorsing Better Streets For Enfield in the Council's own magazine.

David Hilliard [▶ Better Streets for Enfield](#)
October 11, 2016 · London · 🌐

Good to see a very prominent piece on the start of Cycle Enfield work in the "Our Enfield" council magazine. I believe it is distributed to all households in the borough. Should start to help dispel the widespread impression that the the cycle lane proposals have hit the buffers. Interesting how the quote from Daniel Anderson includes our [Better Streets for Enfield](#) moniker!



16 1 Comment

Posts by Daniel Anderson have been deleted from this Facebook group, including the ones which form the basis of this complaint. Here are further examples on Better Streets For Enfield that make clear reference to his role in Cycle Enfield.

Clare Rogers shared a Page to the group: [Better Streets for Enfield](#)
January 19 at 11:58am · 🌐

The Guardian article that Daniel Anderson and I were interviewed for is being discussed over at the Cycle [Enfield](#) Facebook page. It's descended into a general whinge about cycle lanes. Some views from [Better Streets](#) members would be welcome! (Just click on the image below to get to the Facebook page)





This post, which was made shortly after the altercation at the Palmers Green Library between Maxine Spencer of Pounds and Cllr Anderson. He was clearly recognised as the responsibility holder by Keith Hepburn, who could clearly see that this was an unwise post. Whether he knows Mr Hepburn or not is irrelevant.

In these posts Cllr Anderson is referred to sometimes just by his name and sometimes using his full title, interchangeably.

I note in Cllr Anderson's statement that he is denying the incident at Palmers Green Library ever took place. However, there were numerous witnesses who can provide a statement. Indeed it was almost certainly this incident that prompted Cllr Anderson to mention Pounds in this Facebook post.



References to Helen Osman

By rejecting this complaint implies support for Cllr Anderson's suggestion that I am misleading local people.

This is troubling. I would like him to provide ONE example of where I am supposed to have 'mislead' people.

One among many critics of Cycle Enfield

I am just one of many thousands of people who have expressed alarm at this project; the congestion it would cause, the extra pollution, disadvantaging the elderly, creating greater danger for all road users and damaging our businesses.

The Council Conduct Committee is invited to view the document **'The residents of Enfield speak out against Enfield Mini Holland'**, containing over 1600 comments and statements from people in the local area who are disgusted by the undemocratic way in which this cycle lane has been imposed on local people.

This is roughly the same number of people who submitted objections in the three week statutory consultation, which were summarily dismissed by Cllr Anderson as offering "nothing new under the sun".

Support for local businesses

Having come from a marketing/management consultancy background, it was not difficult for me to see the serious flaws in the Regeneris methodology and modelling used in the economic risk reports commissioned by Enfield Council.

I have examined in detail three reports, on the A105, Enfield Town and Ponders End schemes. The reports are available for the committee to read.

Please note that the A105 report was written over one weekend as the full report was not released until Friday afternoon, ahead of submissions to be made to the A105 Partnership Board by noon on Monday

[Critique of the A105 economic risk assessment report](#)

[Critique of the Ponders End economic risk report](#)

[Critique of the Enfield Town economic risk report](#)

It now seems that the concerns about the validity of the modelling for the A105 was not misplaced. Here are the links to the snapshots of recent trading since the A105 construction work began. Business owners report losing around 25% - 35% of turnover, on average, with some businesses owners reporting that their sales are down by 70%. Please note I was not involved in this research

[Masons Corner to Compton Road survey](#)

[Church Street and Bush Hill Road junction](#)

I must also refute Cllr Anderson when he states that “the councils held public meetings with the residents and businesses and recognises that some had issues with the principles of the scheme”. Public exhibitions were held attended by a relatively small number of local people. Public meetings were organised by campaign groups, community groups and residents associations but perhaps Cllr Anderson could inform me when a public meeting was organised by the council?

Businesses along Green Lanes made numerous attempts to invite Cllr Anderson, Cllr Bambous Charalambous and Cllr Sitkin to meet with them but they all declined to do so

Cllr Anderson denies that he has refused to meet with business owners since he was appointed to the role. He dismissed all warnings from businesses and residents about the likely impact on the business community, both during and after the completion of the cycle lanes.

Cllr Anderson’s statement about preaching in the mosque

The circumstances leading up to the posting by Cllr Anderson against me personally are irrelevant, but even to have linked my name which has Middle Eastern connections in connection with a mosque is bizarre.

Numerous people have told me that it conjures up unsavoury images of Abu Hamza preaching in the Finsbury Park Mosque, seeking to radicalise people to commit heinous crimes. My husband’s family have traced back their ancestry in England for several generations.

Cllr Daniel Anderson is clearly not showing respect for others in his personal comment, whatever the background reasons behind this post, there are no mitigating circumstances. If he was alerted to a meeting at the Mosque by members concerned about loss of parking this was not anything to do with me. This accusatory post should not have been put on Facebook.

I was asked to review the Ponders End report undertaken by Regeneris by a local business owner, who was concerned about the proposals. I understand that a leaflet was produced and circulated to encourage people to take part on the Cycle Enfield consultations for the A1010, Hertford Road but I had no involvement in any aspect of this.

In conclusion, it is hard to conclude anything other than that Daniel Anderson was posting on this partisan Facebook page in direct connection with his role as the Cabinet Member with responsibility for Cycle Enfield and was seen by group members as such.

This is in clear contravention of the code of conduct. A senior councillor in this role must “adhere to the highest ethical standards of behaviour”. He has been charged to remain impartial and weigh up all the evidence, risks etc objectively, leading a full risk assessment and cost benefit analysis, this is a clear dereliction of his position.

There have been many hundreds of complaints lodged against the consultation process by local residents, businesses, charities and community groups. This is outside the remit of this complaint but confirms the total disrespect for the wishes of local residents.

Helen Osman

21.2.17

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