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Councillor Conduct Committee

Monday, 11 December 2017 at 6.30 pm
Room 2, Civic Centre, Silver Street, Enfield,
EN1 3XA

Contact: Penelope Williams
Secretary
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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 – Councillor Conduct Committee (11 December 2017)

Please find attached a copy of the complainant's response to the complaint report.

This is in relation to item 4 on the agenda – the Appeal Hearing.

Please bring these papers with you to the meeting next Monday.

Thank you

Yours faithfully

Penelope Williams

Penelope Williams
Governance and Scrutiny

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Mrs Kathleen Leach
98 Warwick Rd
New Southgate N11 2ST

01-12-17

Jayne Middleton-Albooye
Legal Dept
London Borough
Civic Centre
Silver St
Enfield

Dear Ms Middleton-Albooye

I know that you have had some difficulties opening my e-mails so please find enclosed a hard copy of the appeal form regarding my complaint against Cllr Anderson.

Please note that in my 42 year residency in Enfield I have never made a complaint against a councillor or a member of staff at Enfield Council, and I have found this procedure very upsetting, from the initial encounter at Garfield School to the appeal.

The procedure appears to favour Councillors, especially ones who refuse to comment, and I feel very disappointed and let down by the way this has been conducted.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Kathleen Leach', written in a cursive style.

Mrs Kathleen Leach



London Borough of Enfield Councillor Conduct Appeal Form

This form is to be completed in full if you wish to appeal against a Monitoring Officer decision regarding a complaint against a councillor.

Complaint	
Name of Complainant	Mrs Kathleen Leach
Councillor(s) Involved	Cllr Daniel Anderson
Finding of Monitoring Officer	
Complaint not upheld	
Complainant notified of Monitoring Officer decision	Date:
Reason(s) for Appeal (Please list below and attach any supporting evidence) Please add more reasons if you need to.	
1. Cllr Anderson has not addressed or apologised for his extremely rude comments to a member of the public.	
2. Cllr Anderson to date has not been in contact with, or accountable to myself or any Warwick Rd residents.	
3	

I feel the monitoring officer has paid too much attention to the background of the issue itself, rather than the behaviour of a councillor.

Date appeal submitted (within 10 working days of receipt of decision)

Yes/No Yes

Date 31-10-17

What are the relevant matters that you feel should be taken into account?

I wish to emphasize that both my own and Mr Dunnion's actions and words were **reactions** to the behaviour of Cllr D Anderson, which set the tone – Shouting, standing up and rude rhetoric. We had gone hoping for a much more civilised discussion. I **did not stand** until the end when I got up to leave the room.

I must stress that I feel the monitoring officer has paid too much attention to the background of the issue itself, rather than the **behaviour** of a councillor that evening and his **accountability & openness about a delegated decision**. It shouldn't matter what the issue is.

I wish to know how Cllr Anderson can be said to have been accountable and open, if he had not communicated in any way with residents. Why was the consultation letter not sent in his name, if he was the Cabinet Member with delegated responsibility, who was involved in drafting the letter? Why did Bowes councillors consistently advise residents to contact Cllr Anderson, without him ever responding? There is a consistent pattern of not wanting to be accountable.

I disagree completely with the monitoring officers account of Cllr Anderson not following us to my car, he may have been going home but there was no need to leave with us, walk with us, cross the road at the same time as us or indeed stand outside my car continuing to harangue us.

It is also very clear that whenever there are contrasting views, it appears that the monitoring officer has consistently attached greater credence to Daniel Anderson rather than me as a complainant. Why? On what basis is my evidence to be considered less creditable or less truthful? It would be more honest if the monitoring officer recorded contrary views and declared no conclusion could therefore be drawn.

This report appears to exonerate Cllr Anderson therefore it sets a precedent and condones this sort of behaviour for all LBE councillors towards residents.

I wish to re-affirm my complete truthfulness in this matter, I did not refuse to engage or answer any questions put to me, the reason being I have nothing to hide or be ashamed of in my dealings with Cllr Anderson. My confidence in the elected officers has been badly shaken by this experience.

Details of any new evidence to support your appeal

Comments/Advice from Independent Person (where appropriate)

Please return to Jayne Middleton-Albooye, Monitoring Officer, London Borough of Enfield, PO Box 54, Civic Centre, Silver Street, Enfield, Middlesex, EN1 3XF or email: jayne.middleton-albooye@enfield.gov.uk

Dear Ms Bayley

I write in response to your draft report regarding my complaint against Cllr Daniel Anderson.

I have some points that I would like to make and I will take them in the order of your report; I would like if possible for these to be recorded as an addendum for councillors to see even if you do not want incorporate them into your final actual report.

3.1: I would like to stress that Mr Dunion and I went to see Cllr D Anderson in a personal capacity not as delegates of a group, even though it had been discussed at a meeting of neighbours.

3.2: Would you please change that I had had difficulty getting hold of him to it had proved impossible to contact him even through the Council itself.

5.1: I agree with the first sentence, but then the report appears to stray into a discussion about Warwick Rd rather than the evening in question. I would therefore ask that you strike out the second sentence as Cllr Anderson is attempting make this complaint be about Warwick Rd rather than his behaviour on that night; he also holds strong views, e.g. describing residents as a "lynch mob waiting to ambush him".

6.1: I do not wish to be described as "an active community member" I am one of many residents *who have been very badly affected by the blighting of our road and surrounding area* I would again ask you to strike it out.

6.2: Although the meeting did become heated after Cllr D Anderson's comments the word conceded implies that we had some responsibility for causing this we did not, could I suggest you change this to "noted."

6.3: This is not a relevant statement for the behaviour of Cllr Anderson on that night, you have already said that it is not part of your remit to consider the rights and wrongs of Warwick Rd, please delete it, if you insist it remains please also record that the 'solution' proposed was one that was presented to residents as jointly devised by LBE and TFL.

6.4 & 6.5: I don't think his these are credible, for example our Bowes ward councillors never complain about having to face contrary views at ward forums. Is it not also true that Cllr Anderson had cancelled an earlier Southgate ward forum because protestors against cycle lanes might turn up? I think this might suggest that Cllr Anderson has history of being reluctant to face contrary views. I am concerned that he is exaggerating to deflect from unacceptable behaviour by an elected official.

6.8: It is not Cllr Anderson's understanding or knowledge of the Warwick Rd issue that is at issue. *It is his openness and transparency in communicating and explaining the matters that supposedly became his responsibility to the residents that they affect.*

6.9: He claims we did not follow "proper process" but what is proper process when he does not communicate, offer to meet, respond to ward councillors, urgers or reply to e mails?

6.10: This statement clearly shows that Cllr Anderson was unwilling to discharge the responsibilities for openness and transparency his office.

6.11: As above. Ward councillors consistently said that the decision was taken by Daniel Anderson.

6.13: I do not think this a logical conclusion to points 6.9-6.12 this is not about internal communication within LBE; it is about transparency to the public, and Cllr Anderson is still clearly trying to say that the decision was not really his. See 6.15 where he says that he owed no one an explanation.

6.16: As you are aware Cllr Anderson was also involved in the drafting of the letter as the Councillor with delegated responsibility why was it not signed by him?

6.19: These statements are all “after the fact” about intensions. The evidence leading up to the Garfield meeting was that there was no communication or engagement.

6.20: Is it “over-entitlement” to expect an elected councillor with delegated responsibility to communicate with residents, as ward councillors clearly expected him to do? Is it “disrespectful” to arrive at the end of a ward meeting to allow ward business to be dealt with first?

6.22: If refusing to communicate with residents is not a lack of openness what is? The “decision” given to residents was not from Daniel Anderson it was signed by David Taylor. At this stage, residents had had zero response from Cabinet Member for Environment.

6.25: People from the floor frequently stand up when they want to talk in ward forums and public meetings. And in ward forums people frequently have strong feelings. It is vastly over-egged. To imply that this is threatening or abnormal behaviour is an exaggeration. It is part and parcel of an elected, accountable politician’s routine.

6.28: I totally reject the accusation that I became overheated, I had firm views that I would have liked the opportunity to communicate but remained seated until we all left the building, there would have been no reason for tensions to rise as they did had Cllr Anderson engaged with the issues for which he had delegated responsibility.

6.29: Do you not find it strange that Cllr Anderson having previously told us to “get out” of the building, chose to stick close to us as we walked down the street, even crossing the road to my car. He then remained outside the car where he continued to harangue us? Not the actions of *someone under threat*.

6.30: I disagree with this statement Cllr Anderson may well have been going home, but it was not necessary for him to cross the road and stand outside my car, he chose to.

7.1.1: You have chosen not to uphold this complaint, but surely isn’t this complaint about being accountable to Enfield residents not about internal workings of LBE? is or isn’t Cllr Anderson responsible for the decision. “Agreeing to take the flak” is not the same as responsibility.

7.1.3: I totally reject that Mr Dunion or myself acted aggressively, and I would ask if it is acceptable for an elected official to behave in an aggressive manner as you have concluded?

I would like to summarise my response to this draft report in a more personal way.

I am not an activist I am a resident who has lived for 42 years in the Borough of Enfield without complaint, but now has legitimate concerns along with many of my neighbours for the environment I live in.

I have been open and honest in my response to Ms Bayley’s questions I have not refused to answer anything.

The reason for my complaint was made because of the rude and arrogant way Cllr Anderson treated Mr Dunion and myself at our first and only meeting, it was not about the outcome of his decision on Warwick Road which this report appears to assert.

Much has been made of the fact that people involved stood up, to clarify this point I must make it clear that I did not stand up, but at the mention of where we live Cllr Anderson was on his feet putting his coat on, not asking us to leave but shouting for us to get out. The first time I stood was

to leave the building having heard enough of Cllr Anderson's insulting rhetoric. The use of language like "Ambushed by a lynch mob and coming armed with a folder" was uncalled for, he later said "he was prepared to take the flak" this is a combative attitude not displayed by myself but by Cllr Anderson, and not appropriate for public office.

This rude and bullying behaviour has not been addressed at all; Cllr Anderson uses what happened to the MP Jo Cox as an excuse for his reaction, I find this distasteful and insulting; after his complete refusal to discuss anything in a calm manner I felt unnerved but didn't react in such a disrespectful way, I just left.

I would also like to stress that Mr Dunion and I did not follow Cllr Anderson into the street he followed us, he purposely crossed the road to stand outside my car where he continued to shout. I think that his threat to report us to security was because by then he realised how badly he had behaved and needed to cover his actions. We were left so shocked by his reaction that we had to sit for a while in the car before driving.

I note that Cllr Anderson said that "he was on his way home" but if he was as he asserts so unnerved by us would he have left at the same time and deliberately crossed the road with us? I think not.

Lastly I must express my complete disappointment at Enfield Council and its legal dept for supporting the kind of behaviour that is so unbecoming to a Councillor and elected member. The ability to control ones temper is essential especially if you represent an authority, anyone who stands for public office must be prepared to deal politely with issues raised and the people who come before them whether they are in agreement or not.

Yours sincerely



Mrs Kathleen Leach

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