

I am writing to you in connection with a formal complaint that Town Councillor David Watson, by his deeds and actions, has breached the Code of Conduct adopted by Saffron Walden Town Council in that he failed to treat an employee with respect, contrary to paragraph 1 of the adopted Code.

At the Town Council's Property, Services, Personnel and Finance meeting held on 12th January 2015, during debate on the Town Hall, the locum Town Clerk advised that lettings income was reduced owing to the former Town Clerk and former Finance Officer having agreed discounted hire rates with certain groups and individuals. Councillor Watson, in a manner which was both intimidating and rude, claimed that the locum Town Clerk was misrepresenting information and had no evidence to support the allegations. This was during the public session when a member of the public was present.

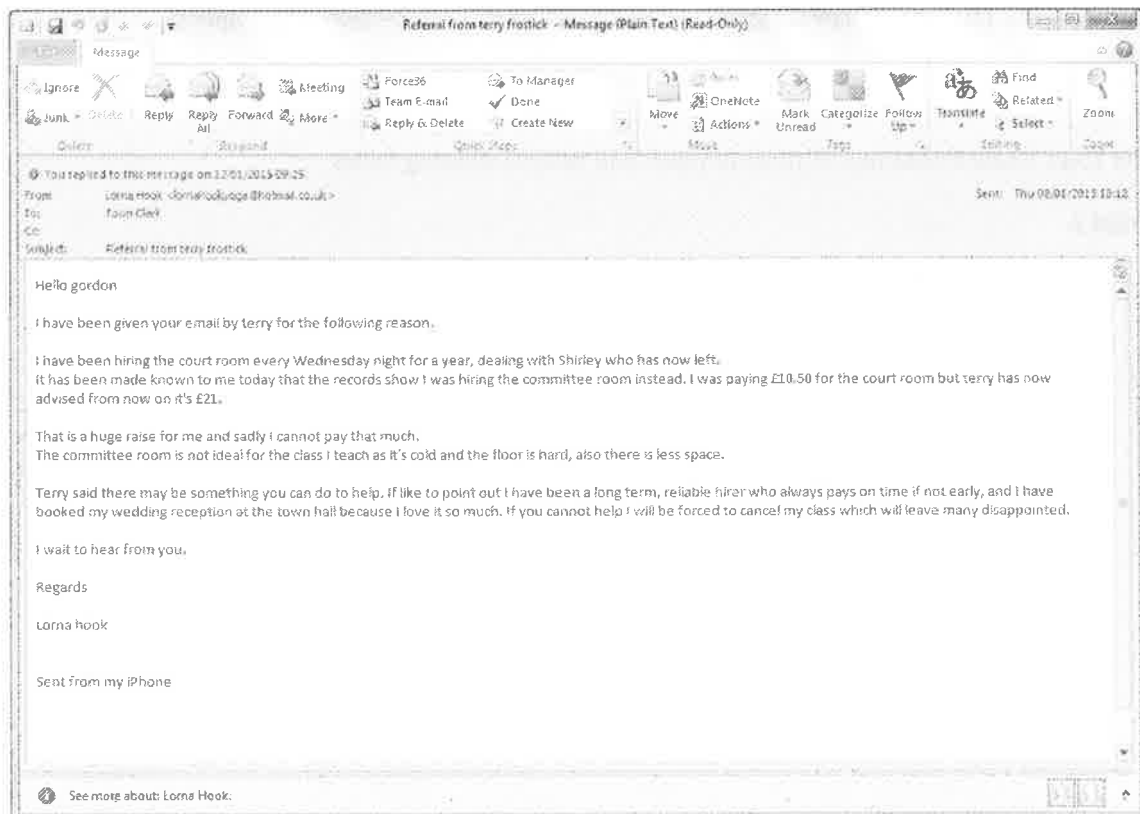
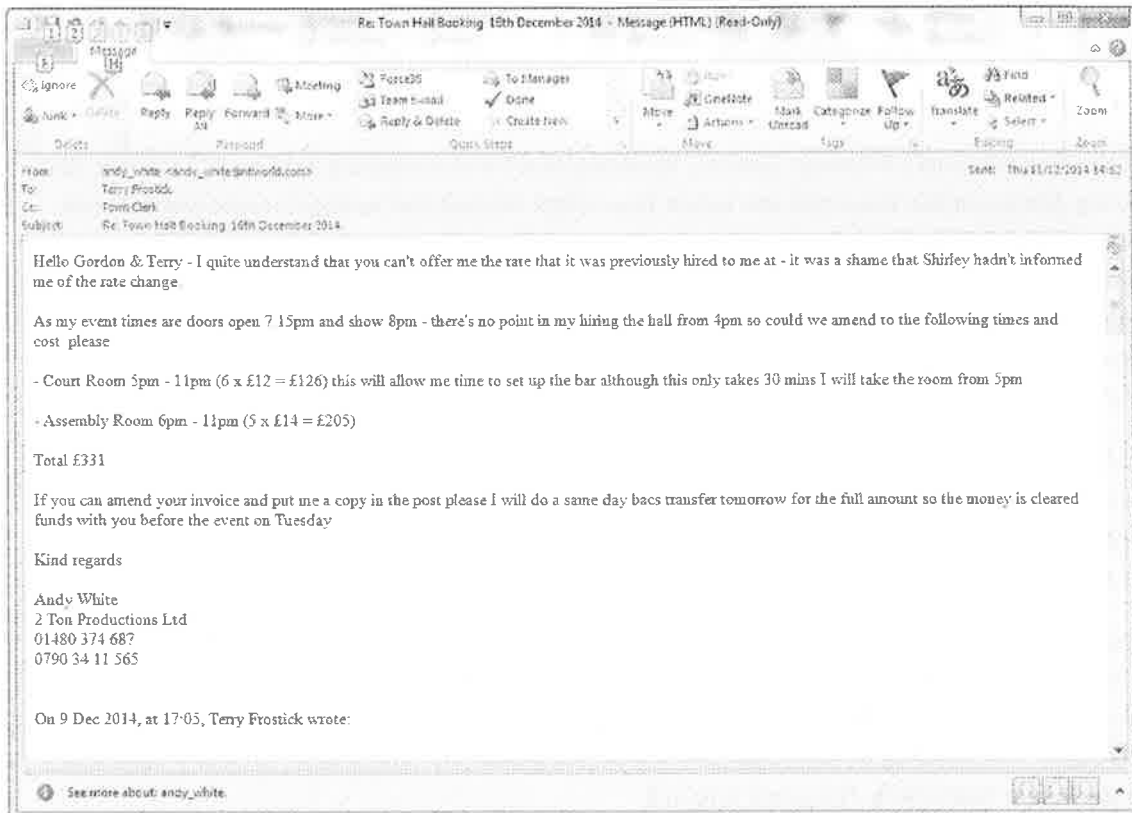
Subsequently the locum Town Clerk sent, to all Councillors, as confirmation of his statement made the previous evening, emails received from hirers querying why they were now being charged a higher rate than "that agreed with Shirley" (the former Finance Officer). Two of these emails are shown as item A

Councillor Watson replied with an email, circulated to all Councillors, claiming that both the former Town Clerk and former Finance Officer had denied that there had been any increase in hire charges since 2009, and that the locum Town Clerk was wrong to assert that the hire charges had been increased. The wording of this email claiming the allegations as "unfounded" is clearly defamatory to the locum Town Clerk. This email is item B

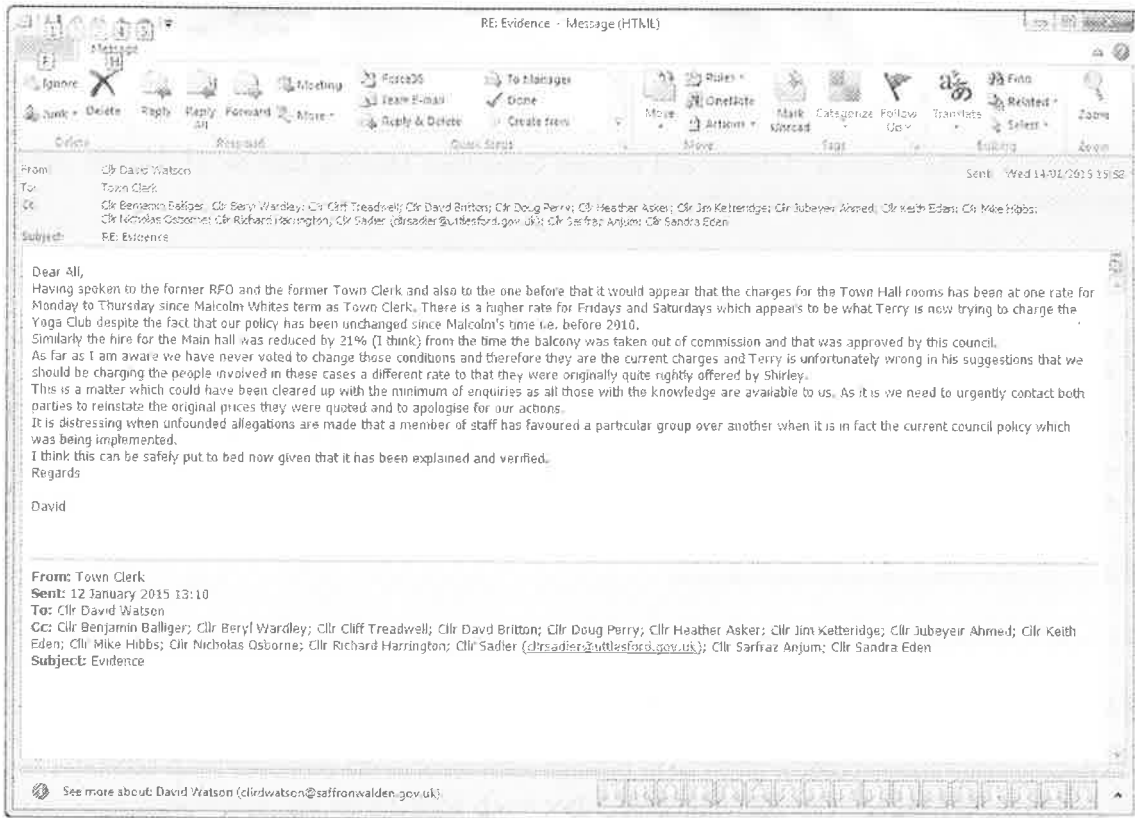
However the Town Council minutes show that Councillor Watson seconded (a proposal – 164 (3) which was accepted) that the hire rates be increased in January 2012. This minute is item C.

In addition to his failure to treat the locum Town Clerk with respect Councillor Watson has breached the Town Council's Member/Officer Protocol and Whistle-Blowing Policy.

ITEM A



ITEM B



ITEM C

PROPERTY, SERVICES AND FINANCE COMMITTEE

MINUTES of the PROPERTY, SERVICES AND FINANCE COMMITTEE MEETING held in the COUNCIL CHAMBER of the TOWN HALL on **THURSDAY 24 NOVEMBER 2011** at 7.30pm

Present: Councillors Asker (Chairman), Balliger, S Eden, Hibbs, Osborne, Treadwell, Watson and Wardley

Apologies: Councillor Perry

358. APOLOGIES FOR ABSENCE

Councillor Perry gave his apologies owing to a prior engagement. This was accepted by the Committee.

359. DECLARATIONS OF INTERESTS

Councillors Asker and Watson declared a personal non-prejudicial interest due to the presence of other District Councillors.

Councillor Hibbs declared a personal interest in the Grant section of the Agenda as it was his charity that had applied for a Grant.

Councillor Osborne declared a personal and prejudicial interest in a decision concerning the Market Place.

360. MINUTES OF THE PREVIOUS MEETING

The Minutes of the Property, Services and Finance Committee Meeting held on 27 October 2011 were taken as read and after verification signed by the Chairman.

361. TOWN CLERK'S REPORT ON ITEMS FROM THE PREVIOUS MEETING

The Town Clerk stated that he had spoken to those Market Stallholders who insisted on remaining after 6pm.

The Town Clerk also reiterated the importance of identifying possible locations where salt could be stored and explained Councillor Ketteridge's plan for his Ward. The Town Clerk also indicated that he would be going to the Press to identify Salt Marshalls for the town.

362. PUBLIC OR PRESS PARTICIPATION

There were no questions from the public or press at the meeting.

363. TO CONSIDER THE DRAFT ESTIMATES

The Responsible Financial Officer (RFO) went through each serial of the proposed Draft Estimates for the Property, Services and Finance Committee. After much deliberation the figures were eventually agreed and would be taken to the Special Town Council meeting to be held on 1 December 2011.

364. FINANCE

[1] Accounts

The RFO presented the Accounts for October 2011.

It was

RESOLVED

that these Accounts amounting to £23,300.08p be approved and paid.

[2] Grants

Three requests for Grants were considered:

1. The Goldie Youth Club had requested a £250 Grant for projects. It was **PROPOSED** by Councillor Osborne and **SECONDED** by Councillor Watson that the Goldie Youth Club be given a Grant of £250. This was unanimously

CARRIED

2. The Saffron Seniors Club had requested a Grant for £150 for club activities. It was

RESOLVED

that a Grant of £150 be awarded.

3. The Goldie Youth Club had requested a further Grant of approximately £3,000 per annum to offset the rent of the Golden Acre Community Centre for the Youth Club. This application was rejected and the Town Clerk was asked to write to the Goldie Youth Club with a view to encouraging them to apply later in the year when the situation with the Grant fund was better known. This was unanimously

CARRIED

[3] Hire Charges

It was **PROPOSED** by Councillor Osborne and **SECONDED** by Councillor Watson that a 5% increase of hire charges for the Town Hall was to take effect from 1 January 2012. This was unanimously

CARRIED

It was **PROPOSED** by Councillor Watson and **SECONDED** by Councillor S Eden that a new charge for weddings and one-off events be increased to £500 per event from 1 January 2012. This was unanimously

SAFFRON WALDEN TOWN HALL HIRE CHARGES AS FROM 1 JANUARY 2012

Rate 1			
	Assembly Room	Court Room	Committee Room
Per Hour Mon - Thurs	£20.50	£10.50	£6.00
Per Day Mon - Thurs	£164.00	£84.00	£48.00
Per Hour Fri or Sat	£31.50	£16.50	£6.50
Per Day Fri or Sat	£252.00	£132.00	£52.00
Major Functions	£500.00	n/a	n/a

Rate 2			
	Assembly Room	Court Room	Committee Room

Per Hour Mon - Thurs	£41.00	£21.00	£12.00
Per Day Mon - Thurs	£328.00	£168.00	£96.00
Per Hour Fri or Sat	£63.00	£33.00	£13.00
Per Day Fri or Sat	£504.00	£264.00	£104.00

Rate 1 = Private, Non-Commercial and Non-Profit Making

Rate 2 = Commercial and Profit Making

Long Term Rates (5 consecutive days or more)

Assembly Room	£130.00
Court Room	£81.00
Scrivener Room	£61.00
Committee Room	£30.00

Michael Perry

From:
Sent: 08 January 2015 18:18
To: Clerk to Saffron Walden TC
Subject: Referral from terry frostick

Hello gordon

I have been given your email by terry for the following reason.

I have been hiring the court room every Wednesday night for a year, dealing with [redacted] who has now left. It has been made known to me today that the records show I was hiring the committee room instead. I was paying £10.50 for the court room but terry has now advised from now on it's £21.

That is a huge raise for me and sadly I cannot pay that much.
The committee room is not ideal for the class I teach as it's cold and the floor is hard, also there is less space.

Terry said there may be something you can do to help. I like to point out I have been a long term, reliable hirer who always pays on time if not early, and I have booked my wedding reception at the town hall because I love it so much. If you cannot help I will be forced to cancel my class which will leave many disappointed.

I wait to hear from you.

Regards

Sent from my iPhone

[REDACTED]

[REDACTED]

[REDACTED]

Michael Perry

From:
Sent: 11 December 2014 14:52
To: Terry Frostick
Cc: Clerk to Saffron Walden TC
Subject: Re: Town Hall Booking 16th December 2014

Hello Gordon & Terry - I quite understand that you can't offer me the rate that it was previously hired to me at - it was a shame that Shirley hadn't informed me of the rate change.

As my event times are doors open 7.15pm and show 8pm - there's no point in my hiring the hall from 4pm so could we amend to the following times and cost please

- Court Room 5pm - 11pm (6 x £12 = £126) this will allow me time to set up the bar although this only takes 30 mins I will take the room from 5pm

- Assembly Room 6pm - 11pm (5 x £14 = £205)

Total £331

If you can amend your invoice and put me a copy in the post please I will do a same day bacs transfer tomorrow for the full amount so the money is cleared funds with you before the event on Tuesday

Kind regards

On 9 Dec 2014, at 17:05, Terry Frostick wrote:

Hello
This will have to go to the Town Clerk who is back on Thursday.
Kind regards

Terry

Terry Frostick
Operations Manager

Saffron Walden Town Council
11 Emson Close
Saffron Walden
Essex CB10 1HL
Tel: 01799 516 501

<http://www.saffronwalden.gov.uk>

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From: [REDACTED]
Sent: 09 December 2014 16:52
To: Terry Frostick
Cc: Town Clerk
Subject: Re: Town Hall Booking 16th December 2014

Hello - this reduced rate was applied to all my events and even for Comedy Club as recent as this October gone - as my event is only next week it's too short notice for me to amend things at my end to take this additional charge into account - If I had known about it earlier I would have added a little bit onto the ticket price and the deal with Alan Carr's agent.

Hopefully on this occasion you may be able to honour our original deal for hire price please and then any future bookings apply the revised pricing structure?

Kind regards

On 9 Dec 2014, at 16:43, Terry Frostick wrote:

Hello [REDACTED]

This was right when the balcony was put out of action which was over 2 years ago and it was done as a gesture to those who had booked the Hall at that time but it certainly would not apply now as it was expected any future hirer would have accounted for this and indeed any new hirer would not know about this situation.

If you would like to discuss this with our new Town Clerk then you have a right to and I have included him in to this reply but unless I hear to the contrary the rate charged is as per the booking request.

Kind regards

Terry

Terry Frostick
Operations Manager

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From: [REDACTED]
Sent: 09 December 2014 16:05
To: Terry Frostick
Subject: Re: Town Hall Booking 16th December 2014
Importance: High

Hello Terry all the paper work relating to your questions was sent to Shirley some time ago.
Yes we are selling alcohol - I was going to apply for a TEN but Keith said he was DM that night so happy for us to use his license.
We've not sold more than 227 in fact we've only 220 I keep 7 back to give us some breathing space if required for late comers etc.
Also this invoice is for more than normal?

Kind regards

On 9 Dec 2014, at 15:54, Terry Frostick wrote:

Hello [REDACTED]
Please find attached your invoice for the hire of the Town Hall as per the details on the booking form any times in addition to these will be invoiced for separately after the event.
The Councils policy is any booking is paid for before the event takes place I have also sent you a copy by post.
Please can you let us have a copy of your public liability insurance and any electrical test certificates for any equipment you will bring on site.
Can you please confirm in writing if you will be selling alcohol and who will be your licence holder for this event.
Can you please let me know what stewarding arrangements you will have in place for this event and can you please confirm you will have no more than the 227 permitted number of persons in the main hall.
Please do not hesitate to contact me if you require any further help.
Kind regards

Terry

Terry Frostick
Operations Manager

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From: [REDACTED]
Sent: 09 December 2014 16:21
To: Terry Frostick
Subject: Re: Town Hall Booking 16th December 2014

Oh I didn't realise Shirley had left - re invoice we've never been charged for the Court Room this was because the balcony was unavailable and the overall venue capacity considerably reduced which made it unviable, therefore as a courtesy gesture as i'm a regular booker she removed the hire charge for the Court Room.

Kind regards

On 9 Dec 2014, at 16:13, Terry Frostick wrote:

Hello [REDACTED]

Thanks for your quick reply as you will appreciate Shirley has left the Town Council and I have checked the bookings folder and Shirley's emails and can only find the booking form.
So would appreciate an answer to my questions.

Yes we are selling alcohol - I was going to apply for a TEN but Keith said he was DM that night so happy for us to use his license. Have asked Keith and this is fine thank you.

We've not sold more than 227 in fact we've only 220 I keep 7 back to give us some breathing space if required for late comers etc. Great

Also this invoice is for more than normal? I would have no idea what a normal invoice is I have used the details on the booking form.

Kind regards

Terry

Terry Frostick
Operations Manager

Saffron Walden Town Council
11 Emson Close
Saffron Walden
Essex CB10 1HL

PROPERTY, SERVICES, PERSONNEL AND FINANCE COMMITTEE

MINUTES of the PROPERTY, SERVICES, PERSONNEL AND FINANCE COMMITTEE MEETING held in the COUNCIL CHAMBER of the TOWN HALL on **Monday 12th January 2015** at 7.30pm.

Present: Councillors Ahmed, Balliger, S Eden, Hibbs (except items 1-4), Osborne, Perry (chair), Wardley and Watson

Also present: One member of the public (except items 1-5).

AGENDA

495. Apologies for absence.

There were no apologies for absence.

496. To accept Members' Declarations of Interest.

No Members declared any interest in matters on the agenda.

497. To Adjourn the Meeting to Enable the Public or Press to Participate

There were no members of the public present so the Chairman moved to the next item..

498. To Confirm the Minutes of the Meeting held on 8th December 2014 as a True Record.

Subject to the substitution of "18" for "8" in minute 471, the minutes of the meeting held on 8th December 2014 were agreed and signed as a true record.

Councillor Hibbs joined the meeting at this point.

499. To Approve the Payment of Accounts – attached

The Committee approved the following payment of accounts:-

<i>Date</i>	<i>Cheque No.s</i>	<i>Amount</i>
11/11/12	4727-4756	£17,432.13
5/1/15	4757-4770	£3,809.04

500. To Note the Financial Statement to 31st December 2014

The Town Clerk advised that owing to the non-arrival of the Bank Statement the Financial Statement to 31st December 2014 was not available.

501. To Note the Receipt of the Independent Internal Auditor's Report and Agree Action on Matters Raised – attached

The Committee noted the receipt of the Independent Internal Auditor's report and the matters raised.

502. To Agree to Implement the Works Identified in the December 2012 Report on the Town Hall Which Are Not Contained Within the Heritage Lottery Bid

The Committee considered the works identified in the December 2012 report on the Town Hall which are not contained within the heritage lottery bid and remain outstanding and agreed to have an urgent meeting of the Town Hall Working Party to prioritise the remaining works. The Town Clerk raised the matter of VAT on these works and it was agreed to seek an independent review of the Council's VAT position.

503. Approve Leave of Absence for an Employee to Participate as an "Expert Patient" on an Addenbrookes' Patient Programme

The Committee approved leave of absence for an employee to participate as an "Expert Patient" on an Addenbrookes' Patient Programme and asked that the Town Clerk write to the employee concerned acknowledging the Council's thanks for being involved in the Programme.

504. To Note the Intention of Essex County Council to sell Faircroft House, Audley Road which was listed as an Asset of Community Value

The Committee noted the intention of Essex County Council to sell Faircroft House, Audley Road which was listed as an Asset of Community Value.

505. To Agree to Redefine Assets for Accounting Purposes

The Committee agreed to redefine Assets for accounting purposes as any single item with a net value exceeding £500.

506. Agree a Future Vehicle/Plant Replacement Policy and the Future Financing Thereof

The Committee agreed to establish a future Vehicle/Plant Replacement Policy and the future financing thereof by an annual contribution.

507. To Agree to Revise the Allotment Tenancy Agreement in Line with the NALC Model

The Committee decided to reconsider revising the Allotment Tenancy Agreement in line with the NALC Model after consultation with the Allotment Society.

508. To Consider and Agree Matters Related to the Management and Organisation of the Market

The Committee considered and agreed the following matters related to the management and organisation of the Market:-

- a) a longer period of road closure be applied for in respect of Market Hill, Market Square and Butchers Row, to cover the period 7.00 a.m. to 6.00 p.m. Tuesdays and Saturdays
- b) that market rents remain frozen with a review to take place in January 2016
- c) that the clause in the market agreement, of charging for electricity, be removed from the agreement.
- d) that these additional markets are approved
 - a. Sunday 29th November 2015 – In connection with Christmas Light switches on event.
 - b. Friday 4th December 2015 – In connection with late night shopping evening

- c. 24th December 2015 and that no Market is held on the 26th December 2015 (those Saturday traders to have first refusal to trade on the 24th in lieu of the 26th provide they have booked by the end of November 2015).

In respect of the Policy for Commercial/Promotional, Charity and Political/Campaigning Stalls, the Committee agreed that:-

- a Commercial Promotional pitches will be accommodated if capacity exists. Application must be made at least one week in advance, and accompanied by a copy of the organisation's Public Liability Insurance Certificate. Hirers will be held responsible (including additional charges for litter clearance) for picking up/removing any litter directly attributable to their promotion (e.g. leaflets, handouts, etc). The charge is to be the minimum market fee.
- b Charities will be accommodated if capacity exists. Application must be made at least one week in advance, and accompanied by a copy of the organisation's Public Liability Insurance Certificate and evidence by way of a copy of the Charity's aims or other documentation demonstrating that Saffron Walden residents benefit from the charity. There will be no charge made to charities.
- c Political/Campaign stalls will be accommodated if capacity exists. Application must be made at least one week in advance. Hirers will be held responsible (including additional charges for litter clearance) for picking up/removing any litter directly attributable to their promotion (e.g. leaflets, handouts, etc). There will be no charge made to charities.

509. To Consider The Grant Application from Dig It

The Committee considered and approved the Grant Application for £265 from Dig It.

510. In accord with the Public Bodies (Admissions to Meetings) Act 1960, in view of the confidential nature of the business about to be transacted, it is advisable in the public interest that the press and public be temporarily excluded and they are instructed to withdraw

The Committee agreed that, in accord with the Public Bodies (Admissions to Meetings) Act 1960, in view of the confidential nature of the business about to be transacted, it is advisable in the public interest that the press and public be temporarily excluded and they are instructed to withdraw.

511. To Agree the Implementation of Salary-Related Matters

The Committee considered the confidential report and agreed the implementation of salary-related matters as follows:-

- a) To refer to Full Council the matter related to the 1.5% enhancement on National Joint Council salaries for Town Council staff
- b) The backpay to the named individual be made as soon as possible and a revised contract with the correct salary and grade be issued
- c) To refer to Full Council the matter of recovery of overpayments to staff

512. To Recommend the Approval of the Staffing Budget for 2015/2016 and Other Matters

The Committee considered the staffing budget for 2015/2016 and other matters and agreed:-

- a) To recommend to Full Council that the staffing budget for 2015/2016 be £555,000
- b) To review the staffing structure with a report back to Committee, including reviewing the creation/appointment of a part-time employee to cover duties at the Town Hall and the creation of "supervisor" positions
- c) The sum of £10,000 be included in the budget to provide for an earmarked staffing reserve
- d) The same sum be included in the budget for 2016/2017 and a further sum of £5,000 in the 2017/2018 budget
- e) To defer to Full Council any decision regarding continued enforcement action by Town Council staff
- f) To cease with the services of the current Independent Internal Auditor and appoint a more robust service
- g) To give thanks to the former Independent Internal Auditor
- h) that the Suffolk Association of Local Councils be engaged to offer an Independent Internal Audit service of bi-monthly visits and reports commencing 1st February 2015 at an initial cost of £1,800 per annum, with a review at May 2016

Councillor Watson asked for a recorded vote on the decision to appoint the Suffolk Association of Local Councils, and the voting was:-

FOR – Councillors Balliger, S Eden, Hibbs, Perry and Wardley

AGAINST – Ahmed, Osborne and Watson

- i) that minor corrections of payment for casual staff holidays, weekend working, be undertaken by the Town Clerk as soon as possible within the existing budget

At this point, with the agreement of the Committee, the Chair closed the meeting and deferred all further business to the next meeting

513. Closure

The meeting was closed at 10.40 p.m.

QUESTIONNAIRE

<p>1. Were you present at the meeting of the Property, Services, Personnel and Finance Committee Meeting of Saffron Walden Town Council on Monday 12th January 2015?</p>	<p>YES</p>
<p>2. Unfortunately the agenda for that meeting is no longer available on line but the minutes show that there was an item considered in the absence of the press and public. I am informed that this item was the consideration of a confidential report recommending the replacement of the external auditor. Please would you;-</p> <p style="margin-left: 40px;">a. Inform me if you were present for this item</p> <p style="margin-left: 40px;">b. Confirm that this was the item considered or, if it was not, inform me what was discussed</p>	<p>YES: AGENDA ITEM 512 F)</p>

3. I am informed that during the discussion the locum town clerk said that the former Finance Officer had been agreeing "mates rates" for the hire of the Town Hall and that the Internal Auditor should have picked this up. Do you recall this being said? If not please would you tell me so far as you are able what you recall the locum town clerk saying about the rates charged for Town Hall Hire

I REMEMBER THE ITEM. THE MEMBERS WERE TOLD THAT THE FULL RATES WERE NOT APPLIED. I WAS TOLD THAT A LOWER RATE WAS CHARGED SOMETIMES. The charites were given lower rates but the council agreed rates were not applied. I think maybe this has been going on for some time but I have no way of knowing for sure.

4. I am further informed that in response to the locum town clerks comments on the hire rates for the Town Hall Cllr Watson, accused him of making statements that were downright untrue, and of making things up. Do you recall Cllr Watson saying words to this effect? So far as you can remember please would you let me know what Cllr Watson did say on this subject at the time.

I RECALL THERE WAS SOME HARSH WORDS DELIVERED. WATSON IS KNOWN FOR HIS SHORT TEMPER AND HIS TESTOSTERONE LEVELS ARE HIGH. He did say words to that effect but I cannot remember the exact wording. He doesn't like Gordon and it shows. He is rude and unapologetic in his dealings with the Town Clerk. He is at the moment, defending the case we have with the last TC acting as a "friend" which doesn't sit well. A foot in both camps and his manner with Gordon is difficult to say the least. My number is.

5. Do you consider that Cllr Watson's behaviour towards the Town Clerk was all or any of the following:-

- a. Threatening
- b. Overbearing
- c. Rude
- d. Intimidating
- e. Disrespectful

If the answer to any of the above is "yes" please explain why you consider this to be the case.

b, c, d and e inclusive.

See above answer.

QUESTIONNAIRE

<p>1. Were you present at the meeting of the Property, Services, Personnel and Finance Committee Meeting of Saffron Walden Town Council on Monday 12th January 2015?</p>	<p style="text-align: center;">Yes</p>
<p>2. Unfortunately the agenda for that meeting is no longer available on line but the minutes show that there was an item considered in the absence of the press and public. I am informed that this item was the consideration of a confidential report recommending the replacement of the external auditor. Please would you;-</p> <p style="margin-left: 40px;">a. Inform me if you were present for this item</p> <p style="margin-left: 40px;">b. Confirm that this was the item considered or, if it was not, inform me what was discussed</p>	<p>Yes I was present for the confidential items discussed at this meeting. The recommendation to replace the external auditor was one of a number of confidential items discussed. I do not believe any members of press or public were in attendance for these items.</p>

3. I am informed that during the discussion the locum town clerk said that the former Finance Officer had been agreeing "mates rates" for the hire of the Town Hall and that the Internal Auditor should have picked this up. Do you recall this being said? If not please would you tell me so far as you are able what you recall the locum town clerk saying about the rates charged for Town Hall Hire

I recall the locum town clerk advising the committee of a number of issues not picked up by the Internal Auditor. I could not be sure of the exact words used by the town clerk but we were advised that town hall hire rates agreed by PSPF committee some time previously were not being applied to all hirers.

<p>4. I am further informed that in response to the locum town clerks comments on the hire rates for the Town Hall Cllr Watson, accused him of making statements that were downright untrue, and of making things up. Do you recall Cllr Watson saying words to this effect? So far as you can remember please would you let me know what Cllr Watson did say on this subject at the time.</p>	<p>Cllr Watson was extremely annoyed by the town clerk's comments and suggested that there was no evidence to back up his statements regarding town hall charges not being applied correctly. I believe Cllr Watson did actually accuse the town clerk of making statements which were "downright untrue".</p>
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<p>5. Do you consider that Cllr Watson's behaviour towards the Town Clerk was all or any of the following:-</p> <ul style="list-style-type: none"> a. Threatening b. Overbearing c. Rude d. Intimidating e. Disrespectful <p>If the answer to any of the above is "yes" please explain why you consider this to be the case.</p>	<p>I would say that Cllr Watson behaved aggressively towards the town clerk. All of the suggested words apply. Cllr Watson has consistently been disrespectful towards the locum town clerk, in my opinion. I have observed the chair of several meetings having to remind Cllr Watson to allow the town clerk to speak.</p>
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QUESTIONNAIRE

<p>1. Were you present at the meeting of the Property, Services, Personnel and Finance Committee Meeting of Saffron Walden Town Council on Monday 12th January 2015?</p>	<p>Yes</p>
<p>2. Unfortunately the agenda for that meeting is no longer available on line but the minutes show that there was an item considered in the absence of the press and public. I am informed that this item was the consideration of a confidential report recommending the replacement of the external auditor. Please would you;-</p> <p style="padding-left: 40px;">a. Inform me if you were present for this item</p> <p style="padding-left: 40px;">b. Confirm that this was the item considered or, if it was not, inform me what was discussed</p>	<p>I don't think it was the external auditor. I do remember discussing the internal auditor's position</p>

<p>3. I am informed that during the discussion the locum town clerk said that the former Finance Officer had been agreeing "mates rates" for the hire of the Town Hall and that the Internal Auditor should have picked this up. Do you recall this being said? If not please would you tell me so far as you are able what you recall the locum town clerk saying about the rates charged for Town Hall Hire</p>	<p>My recollection is that the locum town clerk informed us that the Town Hall bookings had not always been agreed correctly, and that some bookings to commercial organisations had been made at the rate agreed for charities and social organisations, and special rates had been agreed for repeat bookings. He did say that the Internal Auditor should have picked this up. I do not recall a comment about 'mates rates.'</p>
<p>4. I am further informed that in</p>	<p>I do not recollect this, but I</p>

<p>response to the locum town clerks comments on the hire rates for the Town Hall Cllr Watson, accused him of making statements that were downright untrue, and of making things up. Do you recall Cllr Watson saying words to this effect? So far as you can remember please would you let me know what Cllr Watson did say on this subject at the time.</p>	<p>would not have been surprised if it were to be the case. I think Cllr Watson objected to what he saw as unfounded criticism of the former finance officer's behaviour.</p>
<p>5. Do you consider that Cllr</p>	<p>I think there was a robust</p>

<p>Watson's behaviour towards the Town Clerk was all or any of the following:-</p> <ul style="list-style-type: none"> a. Threatening b. Overbearing c. Rude d. Intimidating e. Disrespectful <p>If the answer to any of the above is "yes" please explain why you consider this to be the case.</p>	<p>debate. Which is different from any of the categories listed.</p>
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QUESTIONNAIRE

<p>1. Were you present at the meeting of the Property, Services, Personnel and Finance Committee Meeting of Saffron Walden Town Council on Monday 12th January 2015?</p>	<p>Yes I chaired this meeting and was present throughout.</p>
<p>2. Unfortunately the agenda for that meeting is no longer available on line but the minutes show that there was an item considered in the absence of the press and public. I am informed that this item was the consideration of a confidential report recommending the replacement of the external auditor. Please would you;-</p> <p style="margin-left: 40px;">a. Inform me if you were present for this item</p> <p style="margin-left: 40px;">b. Confirm that this was the item considered or, if it was not, inform me what was discussed</p>	<p>This was a part two item that I was present throughout.</p> <p>This item was considered and a resolution agreed.</p>

3. I am informed that during the discussion the locum town clerk said that the former Finance Officer had been agreeing "mates rates" for the hire of the Town Hall and that the Internal Auditor should have picked this up. Do you recall this being said? If not please would you tell me so far as you are able what you recall the locum town clerk saying about the rates charged for Town Hall Hire

Yes this was stated along with the fact that the Auditor agreed

That this was happening and was asked by the then Town Clerk not to comment as it would get the RFO in trouble.

I took the view that along with the majority of my colleagues

That the Auditors first responsibility was to the Town and the Councillors and her actions put in doubt her reliability and honesty as to what else had been hidden from us.

Also her credibility being put in doubt the only reliable outcome was to dispence with her services.

Also I have been asking for a long time that the bookings must be updated and computerised but was refused by the then Town Clerk and the RFO. The RFO was allowed complete control over bookings

4. I am further informed that in response to the locum town clerks comments on the hire rates for the Town Hall Cllr Watson, accused him of making statements that were downright untrue, and of making things up. Do you recall Cllr Watson saying words to this effect? So far as you can remember please would you let me know what Cllr Watson did say on this subject at the time.

Cllr WATSON did state as you suggested and was asked if he could prove to the contrary and I put to him that why would the RFO have complete control over booking when I had a complaint that a cancellation had taken place and as the RFO was not available nobody knew and a lot of man hours wasted.

David unfortunately was not prepared to listern and instead

Took it personal and tried to question everything from this point and had to be warned as to his conduct as he chose to attack everything the Interim Town Clerk said and was not prepared to listern .

David unfortunately took a stance that he was correct but not prepared to expand on anything what he was saying.

He brought other matters in as to his support of the RFO and Then Town Clerk.

5. Do you consider that Cllr Watson's behaviour towards the Town Clerk was all or any of the following:-

- a. Threatening
- b. Overbearing
- c. Rude
- d. Intimidating
- e. Disrespectful

If the answer to any of the above is "yes" please explain why you consider this to be the case.

David is used to clicking his fingers and people jump he is not used to challenge and he took it badly. I spoke to the Town Clerk before hand and he said that he had long experience dealing WITH Councillors and leave it to him.

David in my opinion was bording on the following:- threatening, rude and intimidating.

If David didn't like the answer he had to resort to " You do this or else ,you wait and see".

I believe as Chair that I attempted to controlled David into sticking to facts and not prefabricating.

I challenged him as to his behaviour and made him allow all sides of the debate to take place ,with everybody taking part who wished.

I am satisfied that both David the Town Clerk and others had

a fair say and although David did not like it I believe that the Town Clerk (interim) gave a good account of himself.

I firmly believe that David did himself no favours and alienated himself from the Committee.

It was a difficult meeting to Chair but everybody had there say.

It should be noted that at the next full Council meeting that the Mayor chaired Davids behaviour was similar and he was voted down on a number of issues to which he was in the main the only objector.

Although David is not standing for re election his behaviour was poor and he appears to have lost his way, I therefore would not seek to see him pillered, as he has done some exceptional things for the Town and its people

Michael Perry

From:
Sent: 25 February 2015 16:51
To: Michael Perry
Subject: Re: Saffron Walden Town Hall

Hello Michael

Apologies. The purpose of the hiring was to provide a yoga class the public could attend and paid to attend. It was a profit making venture.

May I ask why this information is needed?

Regards

Sent from my iPhone

> On 25 Feb 2015, at 16:48, "Michael Perry" <mperry@uttlesford.gov.uk> wrote:

>

> Thank you for your response. Please would you answer this question which I posed in my e-mail " please would you advise me what the hall was hired for and in particular if it was a profit making venture (regardless as to how small that profit may be) or whether the purpose of hire was private, non-commercial or non-profit making."

>

> Michael

>

> -----Original Message-----

> From: [REDACTED]

> Sent: 25 February 2015 16:03

> To: Michael Perry

> Subject: Re: Saffron Walden Town Hall

>

> Good afternoon Michael

>

> I was hiring the court room every Wednesday night for a yoga class and I was charged £10.50.

> When the member of staff at the council I was dealing with left, their replacement said I was not paying the correct amount and it was actually £21.

> I stopped hiring as I did not want to pay £21.

>

> If there is anything else I can help you with please let me know.

>

> Regards

>

>

>

>

> Sent from my iPhone

>

>> On 25 Feb 2015, at 15:39, "Michael Perry" <mperry@uttlesford.gov.uk> wrote:

>>

>

>>

>> I am conducting an investigation into an allegation that a member of Saffron Walden Town Council breached that council's Code of Conduct. Central to my investigation is the issue of hire rates for the Town Hall. I have seen an e-mail from you to the Town Clerk which indicates that you had been renting the Court Room in the Town Hall at a rate of £10.50 per hour and that you were then being asked to pay £21 per hour. Is this correct?

>>

>> On the basis that this is the case please would you advise me what the hall was hired for and in particular if it was a profit making venture (regardless as to how small that profit may be) or whether the purpose of hire was private, non-commercial or non-profit making.

>>

>> Regards

>>

>> Michael J. Perry LLB(Hons) Solicitor(Hons) Assistant Chief Executive

>> - Legal and Monitoring Officer Uttlesford District Council

>> 01799 510416

>>

>>

Michael Perry

From:
Sent: 26 February 2015 11:37
To: Michael Perry
Subject: Re: Saffron Walden Town Hall

Hello Michael, before I answer your questions and I appreciate you have Code of Conduct standards but I would just like to state for the record that I've always found Terry to be very helpful and professional in all my dealings that I have had with him over the years.

The problem arose when the details of my booking that had been made with Shirley was passed to Terry... previously I was given a flat rate hire fee which I presume came at a discounted rate as a regular booker and also discounted as the balcony was no longer available - I paid £395 - I'm not sure how this was calculated by Shirley but seem to recall that the Court Room was not charged for as a courtesy gesture for no use of the balcony.

However when the dates of my booking was passed to Terry and he sent me an invoice I noticed that my booking was now calculated on an hourly basis. Therefore I stated that I would only really require the hall from certain hours and the Court room less so - the difference in hire fee was a very small amount to be honest and was probably more a case of me being pedantically tight fisted!

I honoured the hire fee as I like your venue and hosting my events in your town, which the local people are always very supportive.

Please see my answers below...

On 25 Feb 2015, at 15:46, Michael Perry wrote:

> Dear

>

> I am conducting an investigation into an allegation that a member of
> Saffron Walden Town Council has breached that Council's Code of
> Conduct. Central to the investigation is the issue of hire rates for
> the Town Hall. I have seen an e-mail dated 11 December 2014 from you
> to Terry Frostick which indicates that you had hired the hall and that
> you were being asked to pay an increased charge. It would greatly
> assist me in my investigation if you would answer the following
> questions:-

>

> 1. How frequently did you hire rooms at the Town Hall?

On average 5 - 8 times per year. I run the Jesterlarf Comedy Club shows plus various big named touring comedian shows plus some live music shows.

> 2. What rate or rates were you charged prior to December 2014?

£395

> 3. What rates were you asked to pay after December 2014?

£434

> 4. What was the purpose of the hirings?

Alan Carr show

> 5. What was the purpose of the hirings?

> 6. Were the hirings for a profit (regardless as to how small the profit may have been) or on a commercial basis or were they private, non-commercial or non-profit making?

Commercial hire for profit - unfortunately not a lot of profit as Alan Carr's agent takes 80% of ticket sales!!

>

> I look forward to receiving your response.

>

> Regards

>

> Michael J. Perry LLB(Hons) Solicitor(Hons) Assistant Chief Executive -

> Legal and Monitoring Officer Uttlesford District Council

> 01799 510416

>

>

>

- Were you responsible for hall hire of Saffron Walden Town Council premises?

Yes, but with the ultimate responsibility lying with the Town Clerk. [REDACTED]

- Were you aware that there were 4 different rates for hall hire namely Monday to Thursday non-commercial organisations; Friday and Saturday non-commercial organisations; Monday to Thursday commercial organisations; Friday and Saturday commercial organisations?

Yes. Please note that the 'non-commercial' category included the community groups. There were many groups and societies that benefitted from this lower rate such as yoga, martial art groups, toddler groups, local singing or dramatic societies. etc. As a town council we encouraged participation from the local community.

- Did you deal with [REDACTED] and/or [REDACTED] with regard to hall hire?

Yes

- It appears from information I have seen that both of these individuals were charged non-commercial rates for the hire of halls. Do you agree that this was the case?

No. [REDACTED] was charged at the community rate and [REDACTED] at the commercial rate.

- Both [REDACTED] and [REDACTED] have confirmed to me that the purpose of their hirings was to make a profit i.e. they were commercial hirings. On that basis please would you explain why they were charged non-commercial rates?

[REDACTED] was charged at the commercial rate, however when the balcony was closed Council agreed and minuted a discount of 21.5% for users of the

main hall that had previously held events that used the seats in the balcony. The balcony had been deemed unsafe and therefore reduced the seating capacity within the main hall.

Mrs Hook used the court room and was charged the community rate. I had been instructed by Malcolm White, the previous Town Clerk that groups which served the community were to be charged at the community rate.