

Statement

- MR CHARLES BUNKER

The Chairman
Cllr. David Leal-Bennett Disciplinary Hearing Panel
North Herts District Council
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28th December 2015

Dear Sirs and Mesdames,

**Cllr. David Leal-Bennett - Disciplinary Hearing
Statement of Charles Bunker**

1. Introduction

1.1. Cllr. David Leal-Bennett has informed me that, in February 2016, he is required to attend a Disciplinary Hearing which is to consider certain complaints that have been made against him. He asked me to read a copy of the complaints, a copy of the report prepared by Olwen Dutton of Bevan Brittan dated October 2015 ('the Bevan Brittan Report'), which purports to investigate these alleged complaints, plus other supporting papers; and he enquired whether I would be prepared to make a statement on his behalf.

1.2. Having read the complaints against Cllr. David Leal-Bennett, the Bevan Brittan Report and considered other papers, I decided that I would be pleased to write to the Disciplinary Hearing Panel in support of Cllr. Leal-Bennett.

1.3. I ask that those persons who comprise the Disciplinary Hearing Panel take this letter into account when making their determination.

2. Public Domain

2.1. I understand the Disciplinary Meeting will be held in public. I confirm that I am happy for this letter to be read out at that meeting and for it to enter the public domain.

3. Disclosure

3.1. I have known Cllr. Leal-Bennett for nearly fifty years. In our youth, we shared a flat together in London. Much later in our careers, when my firm was appointed to act for National Westminster Bank plc, Mr. Leal-Bennett was the appointed client liaison executive. As a result, I worked very closely with him for a period of about 18 months. Therefore, it is fair to say that I know Cllr. Leal-Bennett well.

- 3.2. My diary shows that from 1st January 2015 to 10th December 2015, when I learned of the complaints levelled against him, we met on no more than 4 or 5 occasions.
- 3.3. I used to be Chairman of Hitchin and Harpenden Conservative Association and was its President for many years after that. For several years, I sat on the Disciplinary Committee of the Board of the Conservative Party dealing with, inter alia, complaints against Party members, including councillors. I am, therefore, familiar with appraising and dealing with disputes between councillors, and complaints about councillors made by council officers, which involved members of the Conservative Party.
- 3.4. Knowing of Cllr. and Mrs. Leal-Bennett's passionate interest in Hitchin, I actively encouraged Cllr. Leal-Bennett to stand for election to North Herts District Council ('NHDC') in Highbury Ward which is where I live.
- 3.5. I resigned my membership of the Conservative Party in November 2013. Since then, I have had no involvement with any political party.
- 3.6. I am a Fellow of the Institute of Chartered Accountants of over 30 years standing. I have had considerable experience in dealing with Companies Limited by Guarantee and Charities.
- 3.7. I have not been paid or rewarded, and will not be paid or rewarded, for writing this letter.

4. Independence

- 4.1. Given the importance of this matter, as it goes to the very heart of our democracy for the reasons I mention below, I wish to state that if any of you sitting on this Disciplinary Hearing Panel are NHDC councillors or former councillors, then you should recuse yourself immediately, as you cannot be independent. Any NHDC councillors or former councillors who sit on the Panel will risk the whole process being challenged by way of a Judicial Review which will add further and unnecessary costs on the NHDC taxpayers.

5. Standing of North Herts District Council

- 5.1. Mr. John Robinson says in his Witness Statement: *"I regard myself as a good Project manager with an excellent track record in completing projects which do not have either cost or time over-runs and meet their objectives."* Cllr. Lynda Needham says in her Witness Statement: *"In recent consultation exercises almost 80% of the population of the district are satisfied with the way in which the Council is conducting itself"*, and Steve Crowley in his Witness Statement says: *"I live locally and I find people pulling my leg and saying "what are you doing" when they have read local press coverage about Hitchin Town Hall"*.
- 5.2. I live locally, too. I can assure NHDC that, for its council taxpayers, the Hitchin Town Hall is far from 'a leg-pulling' matter. In respect of large-scale projects in Hitchin, I can advise the Disciplinary Hearing that NHDC is completely and utterly deluded if it thinks that the people of Hitchin are remotely satisfied with the way in which the Council conducts itself. The Churchgate Redevelopment Scheme, the Hitchin Town Hall and Museum Redevelopment Scheme, the Bancroft Recreation Ground Improvement Scheme and the extension of the Archer's Gym at Hitchin Indoor Swimming Pool, each comprises a litany of disasters at the tax payers' expense. I was so concerned at the catalogue of recurring serious problems that, on 1st February 2015, and being free from any political constraints, I wrote to the Editor of the Comet Newspaper to express my worries, suggesting that the Leader of the Council and certain Officers should seriously consider their positions. A copy of this letter is attached at Appendix 1.

- 5.3. Please be assured that my letter to the Comet Newspaper had nothing to do with Cllr. Leal-Bennett. He did not suggest, prompt or promote it in any way. It arose solely from the very many conversations I had over the 2014 Christmas Break, including those with numerous NHDC councillors, members of the Hitchin Society and Hitchin Historical Society, members of the Hitchin Tennis Club and others who had been intimately involved in the Hitchin Town Hall community project, but were not on the Board of Hitchin Town Hall Limited (HTH Limited). It is worth remembering that the current Hitchin Town Hall initiative only arose as an immediate and passionate response to NHDC's unwarranted and hostile plans to rent out this listed building (which is highly valued by the people of Hitchin) for commercial hospitality purposes.
- 5.4. An example of poor project management is the £1 million of taxpayers' money spent by NHDC on plans to redevelop Churchgate with no successful outcome. The local objection to NHDC's Officer proposals to grant Simons a further extension of their contract was highly vociferous for reasons which were well-publicised and too numerous to repeat here.
- 5.5. It is now coming into the public domain that the Development Agreement between HTH Limited and NHDC required that the roof of the Town Hall be substantially repaired and replaced. I am being told that the construction contract between NHDC and Borrás Construction Limited omitted any repair or replacement work on the roof so it has not been done. Whatever the arguments which there may be over building a brick wall across the Town Hall stage, this material omission of building works to the roof means that the Development Agreement between HTH Limited and NHDC must fail for non-performance by NHDC. As a result, the charitable and other contributions, which HTH Limited was making to Hitchin Town Hall and Museum Redevelopment Scheme, and amounting to over £1,000,000, will now not be available to the project. This means that these costs will have to be picked up by the NHDC taxpayers, together with a potentially huge legal bill in sorting out the mess. One can only feel sorry for those public spirited members of HTH Limited who put so much time and effort into this community project only to see it fail through no fault of their own.
- 5.6. Sadly, the Officers of NHDC have no appreciation of the upset they cause locally, particularly with the several members of the Hitchin Historical Society or Hitchin Society I have spoken to, as a result of the disdain they have shown, and continue to show, for the Hitchin Town Hall building. This disdain not only manifested itself in the very unpopular proposal they first brought forward for its commercial use, but also in their total disregard for the proper legal processes when dealing with this important and much loved listed building. It is completely and utterly unacceptable for NHDC to retrospectively grant themselves listed building consent and planning permission when everyone else with a listed building has to spend an enormous amount of time and cost wrestling with the vagaries of the opinions of planning officers. I mention this as another example of the high-handed approach with which the Officers of NHDC attend to their tasks. Further, it highlights the hypocrisy of NHDC to the extent that it chooses to ignore hugely important issues regarding the fabric of Hitchin Town Hall, which are protected by its listing, and yet it can spend an inordinate amount of time and cost investigating an elected member for alleged complaints.
- 5.7. It is now clear that there has been a catastrophic failure in the project management of the Hitchin Town Hall and Museum Redevelopment Scheme. The reports that I have received from members of the HTH Community Project (other than Cllr. Leal-Bennett) who were in the meetings with NHDC Officers, put the blame firmly on those Officers, telling me that these people did not see the project as one of a joint venture, or partnership, between the

Community and the Council but one where the Officers were the masters, and in charge, with those from the Hitchin Community being merely the servants who would provide some of the money and then run the Town Hall afterwards.

- 5.8. If what I am told, in Paragraph 5.7 is true (and I have no reason to believe it is not) then this comprises appalling behaviour on the part of NHDC Officers, given the experience, professionalism and generosity of those who were part of HTH community project and fund-raising team. I am sure that other people will be writing to the members of the Disciplinary Hearing Panel to make it very clear that the responsibility for the failure of the Hitchin Town Hall Community Project falls fairly and squarely with the Officers of NHDC. Accordingly, it is the Officers who have brought NHDC into disrepute in respect of this project and not Cllr. Leal-Bennett.
- 5.9. I can assure the Disciplinary Hearing that the overwhelming feeling in the Court of Hitchin Public Opinion is that Hitchin Councillors work incredibly hard to represent the interests of Hitchin, and they have, for the most part, followed the conventions of our (unwritten) constitution and been prepared to support their Officers and shoulder the blame; even when the blame lies with the Officers who have a track record of making horrendous errors and mistakes. The question, which has still to be answered, is when are the elected Members of NHDC going to hold its Officers accountable for their series of very costly blunders?
- 5.10. It is hard to see how Cllr. Leal-Bennett can be accused of bringing NHDC in to disrepute when, by its own conduct and behaviour, it has achieved it without any help from anyone outside.

6. Summary of the Complaints and Responses

- 6.1. The Bevan Brittan Report comprises some 28 pages. There are 18 further pages of formal complaints, one from Cllr. Cowley and another from Mr. David Scholes, both of which are undated. In addition, there are 11 witness statements comprising 48 pages of which the statement by Mr. Scholes is undated and that of Cllr. Ray Shakespeare-Smith is both unsigned and undated. I have read all these documents. I understand there are a further 447 pages of ancillary supporting papers provided by NHDC to Bevan Brittan which have also been given to Cllr. Leal-Bennett. I have not read these ancillary supporting papers, albeit Cllr. Leal-Bennett has furnished me with additional papers from this bundle upon my request. There is considerable repetition. Therefore, for my own edification, I have re-ordered and summarised the complaints against Cllr. Leal-Bennett upon which I comment as follows:

6.2. Allegation of failing to disclose a Disclosable Pecuniary Interest

- 6.2.1. Cllr. Leal-Bennett's interest in Hitchin Town Hall is very well-known to all Members and Officers of NHDC. As a constituent, I am delighted that he takes an interest in this important historical asset and the way in which this community project has and is being managed by the Council. It is also true that, as a result of his former position as a trustee and director of HTH Limited, he has detailed knowledge of the contractual position which would enable him to speak on this matter with some authority.
- 6.2.2. The question before NHDC was whether Cllr. Leal-Bennett's trustee directorship of HTH Limited comprised a Disclosable Pecuniary Interest both when he was a trustee director and afterwards and, if it did, then should he have declared it and then recused himself from Council Meetings when the Town Hall was discussed.

6.2.3. From the witness statements, it is very clear that it was the view of Katie White, Corporate Legal Manager and Monitoring Officer, and Anthony Roche, Acting Monitoring Officer, that, during such time as Cllr. Leal-Bennett was a trustee director of HTH Limited, he had a Disclosable Pecuniary Interest and should therefore absent himself from the meetings at the appropriate time.

6.2.4. It is noted that Katie White and Anthony Roche were supported in their view by Timothy Straker QC in his opinion dated October 2013. I have read this opinion and have the following comments.

6.2.4.1. It is evident from Clause 24 of Timothy Straker QC's opinion that he is not familiar with the law surrounding Companies Limited by Guarantee, for he says: *"It is not clear that there are shares or securities in the company given it is a company limited by guarantee"*. It is a fundamental point of Company Law that a company limited by guarantee does not have shares or securities. They are typically not owned by anyone in particular, being formed and controlled by its members for 'the public good'. His ignorance of this aspect of the law is further demonstrated when he goes on to say that *"One can test the proposition of the likely beneficial interest by asking what would happen to assets on a distribution or winding up of the Company. They would go to the members."* Please note that, in the words underlined, Timothy Straker QC's is not giving an opinion. He is making a statement of fact which, as I prove later in this letter, is wrong.

6.2.4.2. It appears that neither Katie White, a solicitor, nor Timothy Straker, a Senior Barrister, have checked the Articles of Association of HTH Limited, adopted on 12th July 2012, which are in the public domain and readily available. If they had done so, they would have discovered that :

6.2.4.2.1. HTH Limited is a charity. A further search with the Charity Commission would have shown HTH Limited as a registered charity with charity number 114892.

6.2.4.2.2. The Articles make it very clear that a trustee director of HTH Limited may not receive any payment, other than a refund of his expenses, and may not benefit other than from an indemnity for the risks he or she takes as a trustee director, and the benefit of a Directors and Officers Insurance policy (all provisions readily accepted by the Charities Commission).

6.2.4.2.3. The Articles make it very clear that none of the property of the Charity may be paid or transferred directly or indirectly by way of dividend bonus or otherwise by way of profit to any member of the Charity. There can be no debate on this matter. Categorically, it means that on a winding-up of HTH Limited, the assets cannot go the members.

6.2.4.3. Timothy Straker QC at Clause 12 of his opinion says: *"the vast bulk of directors would not contemplate undertaking the task without some expectation of profit or gain"*. The ignorance shown by this statement in the context of companies limited by guarantee is staggering. Whilst his

statement might be true of ordinary companies, it is certainly not true where companies limited by guarantee are concerned, particularly when those companies have charitable objectives. Throughout the UK, there are thousands of people who act as directors of charities, whose legal form is a company limited by guarantee, and they do so as trustees acting only for public benefit purposes and getting no remuneration whatsoever.

- 6.2.4.4. It is clear that some of the presumptions and statements behind Timothy Straker QC's opinion, i.e. that HTH Limited is owned by its members, the assets go to the members on a winding-up, and the directors are involved for personal benefit from any profit or gain of the company, are so fundamentally wrong that his opinion is not worthy of a Queen's Counsel.
- 6.2.4.5. Timothy Straker QC, in Clause 28 of his opinion, says: "*the Monitoring Officer should take steps to secure further information about the Company, its structure and membership.*" In the absence of any other evidence to the contrary, it is my contention that both Katie White, in failing to provide these important constitutional documents of HTH Limited as part of her brief to counsel, and Timothy Straker QC for not having read such documents before issuing his opinion, have fallen far below the standards expected of them. As a result of these material failings, one can only conclude that they have been instrumental in giving effect to a series of events which have been totally disproportionate to the issue and must have been highly distressing for Cllr. Leal Bennett and his family.
- 6.2.5. On 10th March 2015, The Rt. Hon. Eric Pickles MP, ('Mr. Pickles'), Secretary of State for Communities and Local Government, wrote to the Rt. Hon. Peter Lilley MP and said:
- "The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 requires a disclosable pecuniary interest to be declared in cases where [there is] "Any employment, office trade profession or vocation carried on for profit or gain (emphasis added)." In the same letter, Mr. Pickles also wrote: "If a councillor stops having such a beneficial interest, then by definition, it is not a disclosable pecuniary interest."*
- 6.2.6. As has already been stated, HTH Limited was and is a registered charity. It does not carry on a business for profit or gain. Even if it did, there was certainly no benefit which Cllr. Leal-Bennett could have derived from it, as it is illegal for Trustees to benefit from their appointment. Accordingly, the letter from Mr. Pickles clearly supports Cllr. Leal-Bennett's view that he did not have a disclosable pecuniary interest.
- 6.2.7. Whilst Mr. Pickles' letter does not comprise a judicial interpretation, it is a fact that, in interpreting the law, judges are able to consult Hansard to see what was in the mind of the legislators. Given that this letter came from the Secretary of State for Communities and Local Government, which is the department responsible for the legislation, it is highly authoritative. It certainly should have had the effect of bringing into question the accuracy of the earlier opinions of Katie White, Anthony

Roche and Timothy Straker QC and should therefore have acted as a brake, stopping any further action being taken against Cllr. Leal-Bennett.

- 6.2.8. Clause 5.5 of the Bevan Brittan report says: *"Mr Straker agreed with Mrs White, saying that "under the circumstances under consideration [that Cllr. Leal-Bennett was a director with HTHL] ... it seems virtually inconceivable that there is not a pecuniary interest".* I have read Timothy Straker QC's opinion dated October 2013 and the words underlined are not contained in that formal opinion. On enquiry, I discovered that these words are taken from an email from Timothy Straker QC to Katie White dated 13th November 2013 in which he explains his use of the word 'likely' in Paragraph 27 of his Opinion to cover circumstances where there may be a derogation from the rule by reason of a *"small shareholding in a large concern"*. This shows that Timothy Straker QC considered whether there was a de minimis argument and he concluded that there was not.
- 6.2.9. Bevan Brittan have held, at Paragraph 5.14, that *"it is beyond question that Cllr. Leal-Bennet was advised correctly about the position in relation to his role as a director with HTH Limited being a Disclosable Pecuniary Interest which he should have declared."*
- 6.2.10. Bevan Brittan are solicitors. They should know the law. The letter from Mr. Pickles should have put them on notice regarding the charitable status of HTH Limited and what this meant in respect of their investigation. They also knew of the opinion of Hertfordshire Police. Yet neither of these two things caused them to review the Counsel's Opinion with specific reference to Companies Limited by Guarantee where a fundamental mistake had been made. Instead they chose to endorse it. Why?
- 6.2.11. In English criminal law, for a person to be found guilty, the burden of proof is beyond reasonable doubt. In civil cases, the burden of proof is less onerous. It is on the balance of probabilities. The letter from Mr. Pickles means that the case against Cllr. Leal-Bennett for non-disclosure is certainly not proven beyond reasonable doubt, nor beyond reasonable probability. In fact, the Hertfordshire police accepted that *"in the absence of some judicial interpretation"* there is doubt as to the law.
- 6.2.12. It is the case that Bevan Brittan are materially wrong when they say that *"it is beyond question that Cllr. Leal-Bennet was advised correctly"* when they knew that both Mr. Pickles and the Hertfordshire Police (on two separate occasions) had justifiably questioned NHDC's contention that Cllr. Leal-Bennett had a Disclosable Pecuniary Interest. One has to ask why Bevan Brittan included the words underlined other than from a failure to do their work properly.
- 6.2.13. I believe the Bevan Brittan statement, as set out in Paragraphs 6.2.9 above, brings into question the independence and objectivity of the whole of their report. The Panel should consider very carefully the weight that they should give to this report in reaching their determination.
- 6.2.14. I am certain, from my reading of the law, and from my experience of Companies Limited by Guarantee, that Cllr. Leal-Bennett does not have a Disclosable Pecuniary Interest in HTH Limited. However, I am not a lawyer and am prepared to accept, as does the Hertfordshire Police, that without further legislation or judicial interpretation, the precise interpretation of the governing statutes might be

arguable, but it is a marginal argument at the extreme. It is, however, clear that Cllr. Leal-Bennett's contention that he does not have a Disclosable Pecuniary Interest in HTH Limited is one which is very valid for him to hold.

6.2.15. The Rt. Hon. Peter Lilley has written, in an email to Cllr. Leal-Bennett dated 16th December 2015: *"I believe when Parliament enacted the powers under which the rules [NHDC Standards Rules] were established it intended to stop financial corruption and abuse of office. None of the complaints against you in any way relate to the sort of thing that parliament meant to bear down on."*

6.2.16. It would be quite wrong of the Disciplinary Hearing to find that Cllr. Leal-Bennett has breached the Council's Code of Conduct in respect of a Disclosable Pecuniary Interest for there is no evidence that he has done so!

6.3. Allegation of failing to disclose an interest

6.3.1. The second complaint by Cllr. Cowley is that, at the Hitchin Area Committee meeting on Thursday 29th January 2015, Cllr. Leal-Bennett did not declare 'an interest' in HTH Limited. It is evident that the sole purpose of seeking to get Cllr. Leal-Bennett to declare 'an interest' was so that he would be excluded from the discussions on Hitchin Town Hall.

6.3.2. It should be noted that, as at the date of this committee meeting, Cllr. Leal-Bennett was not a director of HTH Limited. He therefore had no Disclosable Pecuniary Interest. There was nothing for him to declare.

6.3.3. The Localism Act makes it very clear that the pre-existing interest should not be considered. Section 25 states:

(2) A decision-maker is not to be taken to have had, or to have appeared to have had, a closed mind when making the decision just because—

(a) the decision-maker had previously done anything that directly or indirectly indicated what view the decision-maker took, or would or might take, in relation to a matter.

6.3.4. According to The Localism Act Section 25, once Cllr. Leal-Bennett had resigned his trustee directorship of HTH Limited, he had no interest (pecuniary or otherwise) to declare and he had, and continues to have, the right to attend meetings and partake in discussions and votes, however much the Officers of NHDC dislike it.

6.3.5. Mr. Pickles' letter of 10th March 2015 is also very clear on this matter. He says: *"Council monitoring officers can offer advice to councillors. But the final decision about whether it is right to participate in discussion or voting remains one for elected members."*

6.3.6. The argument put forward in Cllr. Cowley's second complaint is that Cllr. Leal-Bennett had 'an interest' because the dispute between NHDC and HTH Limited might result in litigation and he may be involved. This argument is perverse. Cllr. Leal-Bennett is not the potential litigant, nor is he a director of the possible litigant. His only involvement in such litigation might be as a witness, as well might the Officers of NHDC, where any witness statement they both make, or evidence they both give under cross-examination, would be under the duty to tell the whole truth. These are

not sufficient grounds for Cllr. Cowley to demand that Cllr. Leal-Bennett declare 'an interest' and leave the meeting. .

6.3.7. There is a real threat to democracy if paid officials can use the power of "their advice" (whether erroneously, as in this case, or not) to impede councillors from doing their job of scrutinising the work of the Officers who have given the advice to exclude them. It is why the Localism Act is specific on this point.

6.3.8. The advice that the Officers gave Cllr. Cowley and Cllr. Leal-Bennett about disclosing 'an interest' and leaving the meeting, while Hitchin Town Hall was discussed, was wrong in law. For the above reasons, not only must this complaint fail, but the Officers involved should apologise to Cllr. Cowley and Cllr. Leal-Bennett for mistakenly advising them and the distress this whole sorry saga has caused both parties.

6.4. Allegations of failing to take due regard of the opinion of the Head of Paid Services and the Council's Monitoring Officer in respect of Cllr. Leal-Bennett's alleged disclosable pecuniary interest

6.4.1. It is clear from the evidence, that Cllr. Leal-Bennett did not take the advice of the Council's Monitoring Officer. However, there is no evidence whatsoever to show that he did not give "due regard to their opinion". In fact, the evidence shows that he left the meeting involved, albeit in protest, which proves to the contrary. He did, in fact, accede to their advice.

6.4.2. Cllr. Leal-Bennett is absolutely entitled to hear the opinion of the Council's Monitoring Officer and then make up his own mind, ignoring that advice if he chooses to do so.

6.4.3. As Edmund Burke famously said: *"Your elected representative has to offer "his unbiased opinion, his mature judgment, his enlightened conscience, he ought not to sacrifice it to you, to any man, or to any set of men living. Your representative owes you, not his industry only, but his judgment; and he betrays, instead of serving you, if he sacrifices it to your opinion."*

6.4.4. I would also refer you to Paragraphs 6.2.2 to 6.2.15 and 6.3.2 to 6.3.6 above which establish that the advice the Officers gave to Cllr. Cowley and Cllr. Leal-Bennett was wrong.

6.4.5. It is impossible for a person to take account of something, such as a Disclosable Pecuniary Interest, which does not exist. For this and the above reasons this complaint must fail.

6.4.6. It seems that, rather than failing in his duties, Cllr. Leal-Bennett considered his responsibility to his constituents (i.e. to represent them on the Council and continue in his scrutiny role) outweighed the efforts of the Officers to silence him and, for that, he has to be applauded.

6.5. Allegations that Cllr. Leal-Bennett has sought to use his position to advance the position of HTH Limited.

6.5.1. This complaint is made by David Scholes, Chief Executive of NHDC. It reads: *"Cllr Leal-Bennett has used his position to seek to influence the progression of the Hitchin*

Town Hall project ... to the advantage of HTHL. This has involved the lobbying of officers and Members to seek to exert influence and the use of the Council resources (access to building and officers in a preferential manner - See Appendix B4)".

- 6.5.2. I fail to see how lobbying Members regarding the Hitchin Town Hall project can be a cause of complaint. Interaction between fellow councillors on such an important matter as Hitchin Town Hall, and lobbying on behalf of his constituents, is exactly what Cllr. Leal-Bennett should be doing.
- 6.5.3. I have studied Appendix B4 to David Scholes' complaint and I can find no examples of the actions under complaint.
- 6.5.4. I have studied David Scholes' Witness Statement for the evidence which appears to be missing from his original complaint. The substance of this complaint is made at Clause 28. John Robinson makes similar complaints in Clauses 11 to 14 of his Witness Statement.
- 6.5.5. I can fully understand Cllr. Leal-Bennett's interest in Hitchin Town Hall and I am in no doubt that he would seek to ensure that Hitchin Area Committee, which he chairs, is kept fully informed and up-to-date on this very important and expensive project.
- 6.5.6. Sadly, this complaint, once again, suggests that NHDC does not understand, nor does it appreciate, the nature of HTH Limited. As a charity, HTH Limited is defacto a public body working for the public good; just as NHDC is a public body supposedly working for the public good. Both public bodies came together in a community project to redevelop the Town Hall for the public benefit. Accordingly, these two public bodies should have had aligned interests. If they fall out, as it appears they have done, it is the public which loses. It is either the public's left hand pocket or its right hand pocket but it is certainly one of those public pockets. There can be no doubt that HTH Limited would want to achieve the best for itself as it was ending up with a 125 year lease liability on the building. But surely, NHDC wanted the best for HTH Limited too, as in this way Hitchin Town, and the much wider community of North Hertfordshire District, would benefit. There are, of course, degrees in this matter. Should one public body benefit excessively to the detriment of another, then that would be a cause for concern. It is where an examination of the evidence becomes important.
- 6.5.7. The only example I can find in the Witness Statement where Cllr. Leal-Bennett might have used the resources of NHDC for the benefit of HTH Limited is in use of the car park. Is NHDC really saying that, because Cllr. Leal-Bennett took members of HTH Limited to a meeting in NHDC Offices, he was abusing his position by using the car park in which he was allowed to park? This is ridiculous! NHDC and HTH Limited, both public bodies, were in a joint venture together. Surely, it is only polite and courteous to provide your joint venture partners, who are guests in your building, with parking spaces if they are available.
- 6.5.8. Given that no corroborative evidence has been provided which supports Messrs. Scholes and Robinson's contention that Cllr. Leal-Bennett has sought to advance the position of HTH Limited in an untoward or inappropriate manner, and certainly not in any meaningful way, this complaint must fail.

6.6. Allegations that Cllr. Leal-Bennett has acted in a way which could be regarded as bringing his Office and reputation of the Council into disrepute.

- 6.6.1. As I have already indicated in Paragraph 5, the reputation of NHDC in respect of large scale building projects is already dismally low, and not just in the case of Hitchin Town Hall. It is difficult to see how the reported actions of Cllr. Leal-Bennett could have made it any lower.
- 6.6.2. I have considered the article in the Midweek Mercury of 7th January 2015 and Cllr. Leal-Bennett's letter to the Midweek Mercury of 21st January 2015 in the light of my experience in examining and adjudicating on disputes between councillors.
- 6.6.3. Whilst it is unpleasant for a Council to have its arguments debated in the press, the fact is that disputes between Members, and Officers and Members, are often reported, with people from both sides commenting and making their positions known publicly. In taking a senior job in local government, the Officers will have known, in advance, that their work will come under public scrutiny.
- 6.6.4. In itself, press coverage of a dispute is not sufficient grounds for finding that a person has brought a Council into disrepute. Charges of bringing a council into disrepute are normally reserved for such things as criminal matters. They are usually inappropriate for local inter-party disputes of this kind. In my experience, the Panel needs to take extreme care before disciplining any elected member under this charge, particularly where the evidence is press articles and letters. This is because it puts at risk the ability to have genuine open debates, without which our democratic freedom would be threatened.
- 6.6.5. A Councillor not being able to attend a debate on the advice of an Officer (as happened to Cllr. Leal-Bennett) is a matter of public interest as that Councillor has been elected to represent their constituents and they are thus being prevented from doing that job. Therefore, when the story is being covered by the press, it is fair and reasonable to expect both sides to comment.

6.6.5.1. I now examine Cllr. Leal-Bennett's press comments:

6.6.5.1.1. He said: *"In a coordinated effort to ensure I did not attend, the Chief Executive told me that if you don't take the monitoring officer's advice, you are at risk with regard to the council insurance."* This statement cannot be held to bring NHDC into disrepute.

6.6.5.1.2. He said: *"This was just another attempt to intimidate and bar me. In the circumstances I felt the best thing to do was reluctantly leave the room"*. It is clear, from an examination of all the evidence, that there has been a prolonged and concerted effort by certain Officers, supported by certain Members, to stop Cllr. Leal-Bennett from doing his elected job. Further, it is now beyond doubt that the Officers gave the wrong advice in respect of this specific meeting and therefore the dispute was caused by them. It is therefore very hard to see this remark as anything other than fair comment.

- 6.6.5.1.3. He said: *"Unfortunately we have a leadership that does not support a democratic process, nor will it sit down to discuss the real issues"*. This is not a remark which criticises NHDC. It is therefore not an issue for your Disciplinary Hearing. It does criticise the Leader of Council but democracy permits this.
- 6.6.5.1.4. He said: *"Yet again within NHDC we have autocracy and confrontation when we should have democracy and consultation."* It is evident that Cllr. Leal-Bennett is pursuing a case for transparency and open discussion, whereas it appears that his opponents are trying to shut him down. Therefore, whilst it can be argued that, prima facie, Cllr. Leal-Bennett's comment brings NHDC into disrepute, it only arises in response to NHDC attempting to curtail Cllr. Leal-Bennett's democratic freedom. Consequently, the comment is fairly made. As a result it cannot, per se, bring the Council into disrepute.
- 6.6.5.1.5. Cllr. Leal-Bennett's letter, published on 21st January 2015, is highly critical of NHDC. In this case, the defence is one of fair comment, as it is NHDC's own behaviour which has brought it into disrepute. NHDC cannot be brought into disrepute by remarks which are both true and fairly made.
- 6.6.6. On 3rd December 2015 the Comet Newspaper reported on a specially convened meeting of the Standards Sub-Committee to consider and resolve issues relating to the conduct of Cllr. Leal-Bennett. This matter could have quite easily been dealt with in private, under Part 2, but instead it appears that NHDC have chosen to make it public and in the process have brought Cllr. Leal-Bennett's character into serious disrepute, particularly as his name has been associated with costs of at least £40,000. This seems to me to be a case of double standards. Whilst two wrongs do not make a right, it does add to my serious concerns as to whether certain Members and Officers are working together, and using public resources, in a nasty and prolonged campaign against him.
- 6.6.7. Finally, in mitigation, albeit that no mitigation is necessary, Cllr. Leal-Bennett was one of the driving forces in the Hitchin Town Hall community project. He was passionate that it should remain a community asset and as a result he, along with many others, has put a huge amount of effort into carefully preparing the business case and in helping to raise the funds. The fact that the project has failed is not of his making. Democracy allows him to be highly critical of those at fault; noting that not once has Cllr. Leal-Bennett referred to these people by name, only their titles, in any press coverage which I have read.
- 6.7. Allegations that Cllr. Leal-Bennett failed to show respect and consideration of others using behaviour that would be characterised as bullying and harassment.
- 6.7.1. Cllr. Leal-Bennett will readily admit that, on occasions, he is not the easiest of people to deal with. His career in investment and corporate banking, where he was involved in very many high profile business transactions, taught him the importance of

accurate information and precision in contracts. Cllr. Leal-Bennet was not chosen by NatWest Bank to look after some of their biggest clients because he was a light-weight. He takes every job he does very seriously and sets himself high standards, which he expects from others too.

- 6.7.2. As I can testify, woe betide you if you are not up to speed with your brief as Cllr. Leal-Bennet cannot, and does not, suffer fools gladly. This can result in him candidly voicing his disapproval. There is no doubt he speaks frankly, and on occasions can be intolerant and outspoken, which some people might find as being blunt or offensive, but this is only because he wants to see a job well done and resources properly applied.
- 6.7.3. You can guarantee that, in an argument, Cllr. Leal-Bennett will stand his corner but from a politician you should expect tough debate.
- 6.7.4. It might reasonably be said that Cllr. Leal Bennett does not practise the art of euphemism which is commonplace amongst politicians and, on occasions, he could be more diplomatic when expressing his view. His style, developed from many years of commercial negotiations, is to be very direct. This means his whole approach is different from most other councillors with whom Officers have to deal. The problem with being different is that you stand out and can become a victim of the thinking of the crowd. I believe that Cllr. Leal Bennett's difference of manner has quite probably resulted in him being picked upon by some Members and Officers who are used to different ways, don't like his manner of doing business and feel under threat from a man used to working in a more commercially aggressive culture.
- 6.7.5. Interestingly, the complainants do not accuse Cllr. Leal-Bennett directly of bullying or harassment but of behaviour that would be characterised as bullying and harassment.
- 6.7.6. One would have reasonably expected that a law firm, asked to investigate a case of involving a complaint 'characterised by bullying and harassment', would have defined what each of these words actually meant so that there was a benchmark against which they could have measured the alleged behaviour. For some inexplicable reason Bevan Brittan have not done this.
- 6.7.7. To help the Panel, I have looked for definitions of bullying and harassment on the web. There are number of definitions of bullying and these include:
- 6.7.7.1. Conduct whose likely or actual cumulative effect is to threaten, undermine, constrain, humiliate or harm another person, or their property, or their reputation, self-esteem, self-confidence, or their ability to perform.
- 6.7.7.2. Conduct involving repeated and persistent verbal, physical or psychological aggressive behaviour, by a person or group of persons, directed towards a less powerful person or group which results in a life changing from being tolerable to being exceptionally unpleasant or intolerable.
- 6.7.7.3. The persistent use of a real, or perceived, power imbalance, enabling one person, whether deliberately or not, to dominate another through aggressive, offensive, abusive, intimidating or insulting behaviour, or to give unfair punishment, which upsets, threatens or hurts.

- 6.7.7.4. The coercion, by one person on another, to do something which they do not want to do, or not do something which they want to do.
- 6.7.8. It should be noted that making a complaint, holding someone to account for substandard work or conduct, reporting malpractice, done with honest and fair justification and in good faith, is not bullying.
- 6.7.9. Harassment is commonly understood as being the repetitive, targeted and unreasonable course of conduct of an individual of an offensive or violent nature (whether written or spoken) which is deliberately designed to threaten, alarm, disturb, distress or violate another individual's dignity, or their property, or create a threatening, oppressive, intimidating, hostile, degrading, humiliating or offensive environment, which is calculated to result in the physical injury, mental stress, anxiety, or insecurity of that other individual.
- 6.7.10. Whilst the words bullying and harassment are commonly used together, as they have many of the same features, the Panel should be aware that harassment is different from bullying in that it is targeted and deliberately designed. It carries with it knowledge (or reasonably presumed knowledge) of doing wrong, which is absent from bullying.
- 6.7.11. There is not a single example of harassment by Cllr. Leal-Bennett in either of the complaints or witness statements, i.e. where his actions were knowingly calculated to result in physical injury, mental stress, anxiety or insecurity of the person he was speaking to or of. This means that the charge of behaviour characterised as harassment must fail.
- 6.7.12. For behaviour to be characterised as bullying it needs to pass certain tests.
- 6.7.12.1. The exercise of power by the strong over the weak. Cllr. Leal-Bennett, as a mere Member has no power. Any power which he might have resides, and is shared, with the Conservative controlling group. The power in NHDC resides with the Chief Executive and his fellow Officers.
- 6.7.12.2. The behaviour has to be persistent. It is impossible for a Councillor, who only attends part-time, to provide any kind of persistency which makes life unbearable.
- 6.7.12.3. The behaviour has to result in the life of any one Officer becoming exceptionally unpleasant or intolerable. There is no evidence that Cllr. Leal-Bennett has caused any of this.
- 6.7.12.4. The behaviour has to create a threatening, oppressive, intimidating, hostile, degrading, humiliating or offensive environment. It is hard to believe that a Councillor, who only attends part-time, and mostly in meetings, can create such an environment.
- 6.7.13. It might well be that Cllr. Leal-Bennett failed to show the level of respect that certain Officers expected. However, given their appalling track record in the administration of large building contracts (see Paragraph 5), other contracts not covered by this letter, their continuous erroneous advice on his disclosure requirements, their attempt to stop him from carrying out his democratic duties, and then their actions in complaining about the performance of the police investigation in to him, I am

absolutely certain that I would find it hard to be civil! Respect goes both ways, and it is very clear that the Leadership of the Council and certain Officers of NHDC have not respected Cllr. Leal-Bennett for a very long time.

- 6.7.14. If I stand back and look at the evidence it seems far more likely that Cllr. Leal-Bennett has been and is being bullied by NHDC, in as much as they have used their power and resources to repeatedly and persistently threaten, intimidate undermine and humiliate him, in most cases, wrongly. (The Comet Press Article on 3rd December 2015 being the latest attempt at humiliation). Certainly, NHDC's behaviour provides Cllr. Leal-Bennett with a strong defense against any criticism levelled at him for not having cooperated with the Bevan Brittan investigation.

7. Involvement of the Police

- 7.1. In Kate White's instruction to Counsel, she says at Clause 14 that she *"is of the view that if the member continues to refuse to declare his directorship as a DPI, this is a matter that needs to be reported to the police. Before taking that step Counsel's Advice is requested."*
- 7.2. Timothy Straker QC, in his fundamentally flawed opinion of 29th October 2013, does not go so far as to say that the matter should be reported to the police; instead he says: *"A draft letter to the police should be prepared. This should be shown to the Councillor so that he can provide any comments he wishes on the facts in the letter."* I do not know whether this happened.
- 7.3. Katie White, as the responsible Monitoring Officer, had a functional duty under the Localism Act 2011, to report to the police any councillor who she had reasonable grounds for believing had committed an offence under that act.
- 7.4. On 4th March 2014, on behalf of NHDC, Katie White reported Cllr. Leal-Bennett to the police for alleged criminal behaviour under Section 34 of the Localism Act 2011. For this, she was relying on her questionable interpretation of the law and the mistaken opinion of Timothy Straker QC. Accordingly, Ms White cannot be criticised for reporting Cllr. Leal-Bennett, as this was her duty. Further, she had taken the wise precaution of getting counsel's advice beforehand. It should also be noted that, on this date, Katie White did not have the benefit of the opinions contained in Mr. Pickles' letter of 10th March 2014 which might have caused her to revise her interpretation of the law.
- 7.5. In a letter to Katie White dated 8th March 2014, Detective Chief Superintendent Michael Campbell of Hertfordshire Constabulary wrote: *"Whilst it is clear that a breach may have been committed under the Localism Act 2011 the explanation and circumstances makes a prosecution inappropriate."* In essence, the police decided that there was no case to answer.
- 7.6. Not satisfied with this outcome, David Scholes and Anthony Roche wrote on 4th December 2014 to the Chief Constable of Hertfordshire to make a formal complaint about the handling of NHDC's reporting of Cllr. Leal-Bennett to the police under the Localism Act 2011.
- 7.7. On 20th February 2015 Detective Superintendent Dr Nathan Briant, Head of the Serious and Organised Crime Department of Hertfordshire Constabulary, wrote to David Scholes and said: *"in the absence of some judicial interpretation [as to whether the term pecuniary interest included the directorship of a not-for-profit limited company] we were not prepared to bring charges and expend public money to ascertain this position, particularly as the offence is only triable at a Magistrate's Court which, due to its position within the legal system, is incapable of making legal precedent for future cases."*

- 7.8. I cannot help but observe that if Katie White and Timothy Straker QC had properly investigated the status of HTH Limited and fully understood its purpose and by-laws, then they would have known the matter was not as clear-cut as they maintained and would have sensibly concluded that there was no public interest benefit in pursuing this matter from the outset, let alone reporting it to the police.
- 7.9. The first time an NHDC Officer reported Cllr. Leal-Bennett to the police, it can reasonably be argued that they were complying with their functional responsibility to do so. However, when David Scholes and Anthony Roche wrote to the Chief Constable complaining about the police investigation, they presumably did so with the objective of getting the earlier decision, not to prosecute, overturned. To make this complaint to the police was not a functional responsibility of the Monitoring Officer, as their duty had been fulfilled under the law when they first reported the matter to the police. It seems to me that Messrs. Scholes and Roche's complaint about the police handling of the matter provides prima facie evidence of a personal vendetta by certain Officers of NHDC against Cllr. Leal-Bennett. It supports the argument that Cllr. Leal-Bennett is a victim of institutional bullying by NHDC.
- 7.10. When this country faces serious security issues, and police resources are stretched to their fullest, to learn that, as a direct result of a complaint against the police by NHDC Officers, the Head of the Serious and Organised Crime Department of Hertfordshire Constabulary had to make time in his diary to investigate the matter in full yet again, meet with Cllr. Leal-Bennett and then write in depth to David Scholes to explain his decision, beggars belief!
- 7.11. The lack of judgment exercised by the officers of NHDC in this whole police complaint exercise is quite lamentable. They should be ashamed of themselves for wasting police time!
- 7.12. I cannot help but observe that it took NHDC 3½ months to report a potential breach of the Localism Act to the police. Then, it took a further 11 months from the date the police decided there was no case to answer before David Scholes and Anthony Roche made a complaint to the police about their investigation. This compares to 4 days which it took Detective Chief Superintendent Michael Campbell to investigate NHDC's report under the Localism Act and respond, and the 2½ months it took Detective Superintendent Dr Nathan Briant to investigate and report on Messrs. Scholes and Roche's complaint. The time delays do not show NHDC, or its motives, in a good light.

8. Purpose and Motive

- 8.1. It is apparent that a considerable sum of money has been spent by NHDC in investigating the complaints against Cllr. Leal-Bennett. I read in the newspaper an estimated cost of £40,000. Further, it is evident that NHDC has committed a huge amount of manpower to this matter. One can only conclude that the resources expended are hugely disproportionate to the issues in question. Very many residents of North Hertfordshire will be shocked and appalled at this irresponsible use of time and public money.
- 8.2. It is a simple fact that, if the complaints are upheld at the Disciplinary Hearing, the only possible sanction available to the Panel is to admonish Cllr. Leal-Bennett. This might, or might not, result in him being removed from certain council committees.
- 8.3. With the costs so high and yet with the sanction so low, one has to wonder what has motivated NHDC to behave in this way. The possible scenarios which I describe below are truly worrying:

- 8.3.1. The Complaints and the Disciplinary Hearing have been motivated to influence the outcome of the May 2016 election where Cllr. Leal-Bennett has already been selected as the Conservative Candidate for the Highbury Ward. One has to question whether certain Members and Officers of NHDC have not deliberately set out to use taxpayers' money for the purposes of bringing Cllr. Leal-Bennett into disrepute with the electorate, with the primary objective of making it harder for him to be re-elected. As a result, he would be stopped from carrying out the scrutiny of Officers which they clearly do not like. I cannot help but wonder if reporting Cllr. Leal-Bennett to the police and the follow-up complaint to them is not all part of this discrediting campaign.
- 8.3.2. The Complaints and the Disciplinary Hearing have been motivated as a side-show so as to detract from NHDC's apparent mismanagement of the contractual relationship between it and HTH Limited, for which, because it is well over budget and running very late, there is considerable public concern.
- 8.3.3. There has been a long and determined campaign by the Officers to exclude Cllr. Leal-Bennett from all meetings regarding the Town Hall as they find it both difficult and awkward to have him scrutinise what has become a large and embarrassing problem. The Complaints and this Disciplinary Hearing is a continuation of a long campaign to silence him.
- 8.3.4. It is another example of the mismanagement of an issue with the Officers having complete and utter disregard for public funds. It is clear that, having received a complaint, NHDC has a duty to investigate, but the disproportionality involved in this case shows a seriously worrying lack of judgment.
- 8.4. I think the Disciplinary Hearing Panel should consider very carefully the motives of the complainants before they issue their judgment for the implications are very far-reaching.

9. Conclusion

- 9.1. As has been established, there has been a litany of errors and mistakes by NHDC Officers and their legal advisers on matters of law which means that the complaints against Cllr. Leal-Bennett must fail.
- 9.2. I would be one of many Hitchin residents who share the feeling that the interests of Hitchin Town and NHDC Officers rarely align on large scale building projects as the latter attempts to impose their views on the Community. It is a source of constant friction.
- 9.3. It is my view that the complaints against Cllr. Leal-Bennett arise primarily because he is prepared to scrutinise the activity of NHDC Officers and challenge their decisions for the benefit of the community he serves. The Officers do not like the way he does this.
- 9.4. It unlikely to be coincidence that, as the Hitchin Town Hall and Museum Redevelopment Scheme has got into greater and greater difficulty so, NHDC has prolonged and intensified its campaign to silence Cllr. Leal-Bennett from talking on this subject.
- 9.5. I cannot help but conclude that certain Members and Officers of NHDC are involved in orchestrating a personal and prolonged witch-hunt against Cllr. Leal-Bennett which would cause a lesser man to buckle. It seems to me that NHDC is involved in a sustained case of institutional bullying, using all the resources at its disposal to further this cause.

- 9.6. It further seems to me that lawyers have been employed to say what NHDC wanted them to say. What these lawyers have said is sometimes simply wrong in law, but most importantly some of their opinions do not carry the certainty which they have ascribed to them. As a result, Cllr. Leal-Bennett has suffered a fundamental miscarriage of justice, resulting in a misjudged report to the police, a time-wasting complaint to the police, a biased and less than thorough investigation into complaints made by Cllr. Cowley and Mr. Scholes and now this disciplinary hearing.
- 9.7. It would have been advisable if Cllr. Leal-Bennett had co-operated with the Bevan Brittan investigation. However, having been investigated and cleared by the police, one has a certain amount of sympathy if he concluded that the complaints by Cllr. Cowley and Mr. Scholes were all part of the same orchestrated campaign against him. It has to be remembered that one of the signs of being bullied is an inability to perform, so who can blame Cllr. Leal-Bennett for not dealing with this issue sooner. Who amongst us, being chased by an angry mob, wouldn't run for the hills?
- 9.8. In my opinion it would be a travesty of natural justice if the Disciplinary Hearing Panel were to condone this apparent case of institutional bullying by finding against Cllr. Leal-Bennett on any of the complaints which have been made against him.

Yours faithfully

Charles Bunker

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Join the debate: Email [news@thecomet](mailto:news@thecomet.co.uk) rimett Road, Stevenage SG1 3EE

Shambolic handling of key town projects

As a regular reader, I cannot help but notice the never ending shambolic way that large property projects in Hitchin are dealt with by North Herts District Council.

It seems that in every major project, whether it's the Churchgate shopping centre, the Town Hall or Bancroft Recreation Ground, the council's officers have an agenda which is often materially at odds with the wishes of the majority of Hitchin councillors, irrespective of political party.

For the council to behave in such a high-handed manner, so as to lose the important contribution of Hitchin Town Hall Charitable Trust from the Town Hall refurbishment project, is deeply upsetting.

So many volunteers made enormous efforts, willingly giving their time and money, to secure the best use of this building for the people of Hitchin, and all of this appears to have gone to waste.

Last week it was reported that this project will now go significantly over its initial budget.

It is now obvious that North Herts officers are incapable of managing any project in Hitchin with competence.

This makes me call for two things:

- An internal study of large building projects in Hitchin to establish whether there are any common mistakes from which lessons can be learned, and to consider whether there are common persons responsible for these strings of errors.

This study should also consider whether disciplinary action should result, or those involved be redeployed to tasks more suited to their skills.

Conservative councillors control the district council and it is now time for the members of that ruling group to carefully consider the position of their leaders as it is now clear that, over a very long period of time, this administration has failed in its duty to hold officers to account.

We need new leadership in North Herts District Council. Whether this

is accomplished through the ballot box, or by those who currently lead us taking the necessary internal actions, I care not.

I just know that the current state of affairs cannot continue. It has to be dealt with urgently.

I should point out that while some of your readers may remember me as a former chairman of Hitchin and Harpenden Conservative Association, it is important for me to let you know that I am no longer involved in the Conservative, or any other political party, in any capacity whatsoever.

**Charles Bunker,
Hitchin**

'Oligarchs' agent is nothing to celebrate

I was gobsmacked at your celebratory reporting (Comet, January 23) of the imminent arrival in Hitchin of estate agents Fine & Country, which you described as catering for 'sheikhs and oligarchs'.

This isn't something to be celebrated, but a matter of grave concern as the international wealthy continue to buy up property across the UK, purely as investment, pushing the rest of us from pillar to post.

Have you not heard of what's going on in London, as the appetite for high-end bricks and mortar is pushing the working and middle classes out?

Where the wealthy go, so go the developers.

People are worried about the Green Belt now? Wait until developers with endless stacks of cash start influencing local politicians to build properties that most of us won't even be able to afford, or have to rent at insane rates.

Do you honestly think we're going to start seeing Middle Eastern billionaires shopping on Hitchin's High Street, or that Roman Abramovich is going to show up at The Victoria and start buying everyone drinks? Get serious!

These billionaires don't live in the places that they buy, but keep them as investments. Again, look at London - countless luxury flats

or someone will overlook them the opportunity to carry on.

There is a shortage of trained light goods vehicle drivers so this business is a valuable asset to our town.

I truly hope John and Michelle find another home.

It seems to me that the Heritage Foundation and the council are on a mission of assured destruction of this town.

**Desiree Bromwich Hughes,
Icknield Way, Letchworth**

Thanks for all your seasonal support

The people of Baldock, Ashwell, Bygrave and Weston showed considerable generosity during the Christmas period when supporting Baldock Rotary Club when the sleigh and Father Christmas were taken around the streets.

The club would like to express their sincere thanks to everyone who contributed.

We know how much this event is looked forward to by children and adults alike.

Thanks are also expressed to all those who supported the Rotary club with their time and effort during this period.

The street collections together with collections made at Tesco, Radwell Services, Stotfold Co-op and Sainsbury's will enable the club to make considerable donations to its supported local, national and international charities.

The club recognises that people are donating money to charity at a difficult time and the club is extremely grateful for the generosity shown.

**Paul Luckett,
Baldock Rotary Club**

Please think about Lister parking issues

I hope that when Sir Oliver Heald debated the issue of a new satellite radiotherapy unit at the Lister Hospital in the House of Commons this week, he also drew attention to the need for additional long-term car parking on the hospital site both

Join the debate: Email news@thecomet.net or write to The Comet, Bank House, Primmet Road, Stevenage SG1 3EE.

Town has no voice on this crucial issue

Councillor Tony Hunter (Letters, December 3), who represents Royston, is a relatively new member of North Herts District Council's cabinet.

Hitchin Town Hall is one of his responsibilities, but he may well be unaware of the difficulty people in the town have had in trying to get officers and councillors to listen properly to their concerns on this important issue.

The whole project has been dogged with problems which date back to 2007, when local user groups were given notice to quit and the town hall put out to tender.

Publicans wanted to turn the building into a nightclub but this attempt to sell off the town hall failed because we presented the council with a 5,029 signature petition to save it.

The next step was to attempt to rip up the sprung dance floor of the Mountford Hall and install a mezzanine floor to house a district museum pushing the user groups into a modified gymnasium.

Lacklily we were able to get English Heritage to list the town hall which prevented this mutilation



■ Not long now: the Hitchin Town Hall roof is nearly complete, and soon the doors will be thrown open.

was a trustee of the Gymnasium and Workman's Hall Trust he was unable to speak, vote or make any decision on the Hitchin Town Hall and Museum and had to leave the council chamber when it was discussed.

Decisions instead were made by four councillors from Letchworth, two from Royston and one from Codicote.

Policy decisions relating to Hitchin Town Hall were therefore made by councillors from outside the town, which hardly appears democratic.

Councillor Hunter is intending to invite community organisations to a meeting to address questions like why the project is nine months late and 30 per cent over budget.

We understand he wants to hold this meeting on Monday, December 21.

How inconsiderate, giving short notice and proposing a date when people are busy preparing for Christmas. We suggest he makes this a public meeting, on a date in January or February.

Chris Parker,
Chairman, Keep Hitchin Special

want to put the blame on HTHL for what others see as the council's failures, including changing the specification for the refurbishment which now prevent the hall being let for local functions and to groups as envisaged.

The directors of HTHL have kept the community groups regularly updated as the project progressed and we thank them for this.

It seems there is something inherently wrong with the representation at council on matters affecting Hitchin projects like this.

We had a Hitchin representative, Councillor Bernard Lovewell, as a cabinet member but because he

from happening.

At this time we were fortunate to have a group of local professionals and business people who were prepared to work with the council, setting themselves up as a charity.

As far as we are concerned this body, Hitchin Town Hall Ltd, has had great difficulty getting the council to involve them in the decision making process of the project to refurbish the Mountford Hall and Lucas Room.

As a result, the building is considered not fit for purpose or suitable for groups to use as originally proposed.

Councillor Hunter appears to