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Ms Sandy Hopkins
Chief Executive
East Hampshire District Council
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BY HAND

STRICTLY PRIVATE AND CONFIDENTIAL

Dear Ms Hopkins

Complaints of electoral offences, offences under s.34 of the Localism Act 2011 and breaches of the Code of Conduct by Councillor Rebecca Standish

For the reasons set out below you, as Chief Executive of the Council, must deal with this matter personally and not pass it for reply by Mrs Lydia Morrison as the S.151 Officer. The main reason for that is this letter includes some formal complaints about the conduct of Mrs Morrison. I shall be providing a copy of this letter to Mrs Morrison and I should say again that I am prepared to meet with you and Mrs Morrison at any time to see if these complex and difficult matters can be resolved amicably.

I am enclosing a copy of a letter dated 1 October 2018 which was sent to you in your capacity of Electoral Registration Officer by email on 3 October 2018. That letter was passed to Mrs Morrison in her capacity as S.151 Officer. Mrs Morrison sent a reply to that letter dated 11 October together with another letter also dated 11 October 2018 which purported to respond to my complaint that Cllr Standish had committed a number of offences under S.34 of the Localism Act 2011.

Copies of those two letters dated 11 October 2018 are enclosed, together with a copy of another letter from Mrs Morrison dated 15 October 2018. That letter concerns the complaints under the Code of Conduct made against me arising from the meeting of the BLPC NDP Steering Group on 23 January 2018.

The reasons why you personally have to deal with the matters raised in those letters are that:-

- (i) In respect of the complaint concerning electoral offences your position as Electoral Registration Officer must be kept separate and independent from your position as Chief Executive of the Council. Electoral matters are dealt with independently of the Council by the Electoral Services Department where Lianne Richards is the Elections Manager. That does not preclude liaison with Mrs Morrison as the S.151 Officer but the reply on these issues should come from you or Ms Richards.
- (ii) In respect of the allegations of offences under S.34 of the Localism Act 2011 I regret that I have to complain that Mrs Morrison is in breach of her statutory duties as S.151 Officer and has not carried out properly or at all her obligations under the Council's Anti-Fraud and Corruption Policy.
- (iii) In respect of the complaints against me which have been referred to the Governance, Audit and Scrutiny Sub-Committee, I regret that I have to complain that Mrs Morrison has failed to ensure that there has been due process in accordance with the principles of natural justice. Furthermore the most recent letter dated 15 October 2018 constitutes an act of bullying designed to cause me upset and distress particularly when the Council has been put on express notice of my current state of ill health which I believe has been caused or exacerbated by the actions of the Council.

The background facts are the same for all three of these matters. In summary I made complaints to Hampshire Constabulary on 21 April 2017 that Cllr Standish had committed a series of offences against S.34 of the Localism Act 2011. At the same time I made complaints of planning fraud against Caroline Nokes MP, now the Immigration Minister, and Cllr Roy Perry, then and still now the Leader of Hampshire County Council. Cllrs Standish and Perry and Mrs Nokes are all members of the Conservative Party (as was my father, a former Leader of Fareham Borough Council and member of Hampshire County Council). All of these matters were referred to the Economic Crime Unit where I believe the senior officer is Inspector Lloyd Tobin.

I met with Inspector Tobin on 16 May 2017 at Fareham Police Station to provide him with the evidence then in my possession concerning the alleged offences by Cllr Standish. I was told a few days later that Hampshire Constabulary considered it disproportionate to take any action against Cllr Standish at that time. It was reported to me a year later, that is in May 2018, that the investigating officer had spoken to Mr Leach, Cllr Standish, Cllr Ives and Cllr Kirby during the investigation in April and May 2017. From what I know now I believe that Mr Leach and the three councillors ensured that the full facts were kept from the investigating officer.

I received various other pieces of information during the period from May until July 2018 and carried out further enquiries which revealed the true extent of what had happened. This is set out in my Report dated 29 July 2018 which was included with my letter dated 1 October 2018. A summary of the most important facts is that:-

- (i) Mr Richard Northcott, or the Northcott Trust controlled by him, have proposed major development on Weavers Down including what is known as the Northcott Trust or Western Relief Road in the Liphook corner of the South Downs National Park. This proposal has been and continues to be discussed at the regular meetings of the BLPC NDP Steering Group of which Cllr Standish is a member.
- (ii) Cllr Standish has worked as a chef at the Deers Hut pub which is wholly owned by Mr Northcott for several years, probably since before she was elected as a councillor in May 2015. She did not declare her employment at the Deers Hut until April 2017 when she was (according to the police) told to do so by Cllr Ives.
- (iii) Cllr Standish and members of her family have lived in “The Lodge” or “Foley Lodge”, to the Foley Manor Estate, which is also wholly owned by Mr Northcott, since around the time she was elected as a councillor in May 2015. Cllr Standish has never declared The Lodge as her home address or that she has a rental agreement or licence to live there. She has also not put herself or her family on the electoral roll at that address.
- (iv) Throughout the entire period of her time as a councillor, Cllr Standish and her family members have been on the electoral roll and she has declared as her home address the property known as “Sweet Briar Farm, Weavers Down, Liphook” even though it has been used for letting for holidays and events throughout this time.
- (v) Cllr Standish had failed to register her beneficial interest on another property in Weavers Down, owned by her and her Husband since August 2004 despite making a planning application to develop that property in 2016, shortly after she became a councillor.

The response from Mrs Morrison has been as follows:-

- (i) In her first letter of 11 October 2018 in respect of the electoral offences Mrs Morrison has said that “any such allegations are not investigated by the Council”, referring to the Electoral Commission website. However that website says that “The police do not work alone; the cooperation of local authorities is vital in detecting and preventing electoral fraud”. There is no

evidence to suggest that Electoral Services have been asked to do any enquiries about any of the matters raised above. Unless you tell me immediately what is being done I shall have no alternative to complaining to the Electoral Commission that you have failed to carry out your duties as Electoral Registration Officer.

- (ii) In her second letter of 11 October 2018 Mrs Morrison states that the Council “cannot currently undertake a (sic) investigation into your complaint as you had referred the matter to the police”. With respect that is complete nonsense and is just being used as an excuse for inaction. The Council is expected to work in partnership with the police and in any event is obliged to make enquiries in accordance with its Anti-Fraud and Corruption Policy which may reveal matters which are not criminal offences but are breaches of the Code of Conduct.

Specifically the Anti-Fraud and Corruption Policy states that the Council will maintain a register of interests, which must of course be accurate. It also states that “the Council maintains a culture that will not tolerate fraud or corruption” and “the Council will fully investigate any councillor or officer who appears to act outside these principles and will take appropriate action, which may involve criminal prosecution under legislation including, but not limited to, the Fraud Act 2006 and the Bribery Act 2010”.

Mrs Morrison has also asked me to advise when the police have completed their investigation. I have already informed the Council several times that the police have not responded to my requests for action and copied in my beat officer, PC Lucy Ryan, who has forwarded all my Reports to the Economic Crime Unit, but with no response. I shall copy PC Ryan with this letter and ask her to make further enquiries to the Economic Crime Unit. However the Anti-Fraud and Corruption Policy states that “The Chief Financial Officer is the focal point for promoting the anti-fraud message and the key point to refer concerns of fraudulent and/or corrupt activity”.

It is therefore Mrs Morrison’s duty to contact the police herself, not mine, and please accept this as a formal complaint that Mrs Morrison is in breach of her statutory duty as the S.151 Officer.

- (iii) With respect to Mrs Morrison’s letter of 15 October 2018 I have already pointed out that due process had not been followed on the complaints against me in accordance with the usual rules of natural justice. This is complicated but particular points to make are that: –

1. The matter was not referred to independent investigation at the outset as it should have been.
2. There has been no attempt at amicable resolution at any stage.
3. The incident, the subject of the complaint, was a conversation between me (the Chairman of BLPC's Planning Committee) and the Chairman of the BLPC NDP Steering Group **before** the meeting of the Committee on 23 January 2018. I have a recording of the conversation which lasted just a few minutes and which shows that there was no truth in the allegations. However the Council has never agreed to listen to the recording which I have offered repeatedly.
4. Mrs Morrison referred the matter to an independent Monitoring Officer, but I was never told her name (I have just discovered for myself who it was) nor were I or my witnesses contacted by her as promised.
5. The independent Monitoring Officer provided a report to the GAS Sub-Committee but I have not been provided with a copy.
6. There has been no disclosure at all of the advice allegedly given by Mr Leach to then Cllr Ives at the time of my initial complaint about Cllr Standish or of the advice she said he gave her after the short conversation on 23 January 2018.

It has been clear throughout and is obvious from the witness statements provided by Cllrs Easton and Trotter to the Monitoring Group in April 2018 that the complaints against me were malicious and a vindictive response to my complaints of corruption by Rebecca Standish and members of the Conservative Party in Romsey and Southampton North, and in East Hampshire. In that context I found the statement in Mrs Morrison's letter that "if neither you nor your Advocate are able to attend on the 9th November 2018 I will be asking the GAS Sub-Committee to proceed to hear the case in your absence", extremely distressing. I had already informed Mrs Morrison that my medical advice was that "to go through any such procedure [i.e. a Code of Conduct Hearing] at present will be positively inimical to his [my] mental health".

Mrs Morrison was informed and provided with a copy of the appointment letter stating that my mental health position would be reviewed on 24 October 2018. Despite that Mrs Morrison arranged for a hearing to proceed this Friday 9 November at 10am. The Council had already been informed that one of my medical conditions (I have MS) leaves me debilitated in the early mornings and therefore unable to defend myself. When I received the papers for the hearing on Friday I then found that the Council proposed to hold the hearing in exempt session, clearly with the

intention that the public would be unable to hear the direct evidence of corruption by Cllr Standish and the others promoting development in the Liphook corner of the National Park.

I must therefore make a formal complaint to you as Chief Executive that I have been relentlessly bullied by the Council's Monitoring Team and its S.151 Officer for which the Council is vicariously liable.

This bullying behaviour has now gone on for nearly a year and has made me quite ill. As I have stated the Council is well aware that I suffer from both physical and mental illness. I have had relapse/remission MS for about 15 years and have ongoing treatment for depression, which has been exacerbated by the Council's treatment of me. It is also no secret that I was diagnosed with prostate cancer in June and with Type 2 diabetes in August. Due to this I am on a cocktail of drugs for these various ailments which sometimes leaves me ill and debilitated until the evening. I have a full day at the diabetes clinic this coming Wednesday 7 November and a series of MRI scans to review my MS next Tuesday 13 November.

As evidence of my medical conditions I enclose copies of the reports from my consultant psychiatrists dated 21/9/18 and 24/10/18. I also enclose a letter typed on 1 November and received today from the Urology Department of the Royal Surrey Hospital. I shall provide a copy of these to Mrs Morrison, but they are obviously highly sensitive and confidential and you must not take any further copies or show them to any other person without my permission.

I am afraid that Mrs Morrison has been persuaded, perhaps by some other EHDC councillors who are friends of Cllr Standish, to arrange what is effectively a secret kangaroo court to discredit me. You must understand that it is extremely serious for the Council to act in this manner. The Council has a duty to care for me as a vulnerable adult, not to persecute me for raising such serious matters involving fraud and corruption. I am quite simply not medically fit to prepare for and attend a Hearing this Friday, and it is because of the Council's actions that I am in this state.

Please will you confirm immediately that the GAS Sub-Committee Hearing fixed for this Friday 9 November has been cancelled. As I stated at the beginning of this letter I would like to meet with you as soon as possible in an attempt to resolve these matters. I will not object to Mrs Morrison or the Deputy Monitoring Officer being present at such a meeting.

I shall telephone tomorrow to see if a meeting can be arranged. Regrettably I must inform you that if the Hearing on Friday 9 November is not cancelled and if you make no attempt to resolve matters with me I will have no alternative to making an immediate complaint to the Local Government Ombudsman. I would also have to

reserve my right to bring legal proceedings for substantial and exemplary damages if so advised.

However let us both hope that it will not be necessary and I look forward to hearing from you. I can be contacted on my mobile number to arrange a meeting.

Yours sincerely

Cllr Don Jerrard
Encs