

**AGENDA ITEM NO.8**
**CONDUCT COMMITTEE**

<b>Date</b>	<b>12 DECEMBER 2012</b>
<b>Title</b>	<b>MEMBER CONDUCT COMPLAINT – COUNCILLORS FRENCH, OWEN AND PUGH</b>

**1. PURPOSE/SUMMARY**

To consider a complaint under the member code of Conduct against Councillors French Owen and Pugh of March Town Council.

**2. KEY ISSUES**

- A complaint has been raised by Mr Kemp, a resident of March about the Conduct of Councillors French Owen and Pugh.
- The Councillors French Owen and Pugh have been offered the opportunity to provide an initial written response to the complaint; this is attached.
- The Conduct Committee is asked to consider the complaint and determine if it discloses a likely breach of the member code of conduct.

**3. RECOMMENDATION(S)**

Members consider the complaint and response and determine the initial consideration of the complaint.

<b>Wards Affected</b>	All
<b>Forward Plan Reference No.</b> (if applicable)	NA
<b>Portfolio Holder(s)</b>	
<b>Report Originator</b>	Ian Hunt, Chief Solicitor
<b>Contact Officer(s)</b>	Alan Pain, Corporate Director and Monitoring Officer Ian Hunt, Chief Solicitor and Deputy Monitoring Officer
<b>Background Paper(s)</b>	

## **1. BACKGROUND/INTRODUCTION**

On the 5 July a complaint was received by Mr Kemp in respect of the conduct of Councillors French Owen and Pugh. A copy of the complaint is attached.

Councillors French Owen and Pugh were offered the opportunity of responding to the complaint. The complaint was also forwarded to the Town Clerk for information. The Town Clerk provided a detailed response on behalf of the three Councillors setting out the background to the matter and providing relevant records of the Town Council, Councillors French, Owen and Pugh submitted personal responses all these are attached.

## **2. CONSIDERATIONS**

Members must consider the complaint against the member code of conduct.

Members must consider whether or not there is a reasonable prospect of the complaint being proven based on the information held. In considering this members are to be aware of the fact that should an investigation occur further evidence or detail can be sought.

Members are advised that where a complaint contains a number of elements they may chose to consider each element separately or take the whole complaint together.

Where members consider that there is a reasonable prospect that a breach of the code of conduct has occurred they should give consideration as to whether or not there should be an investigation of the complaint. Members should consider the following points in determining whether an investigation should occur:

- Has the Complaint already been investigated, or is it already the subject of investigation?
- Is the Complaint more appropriately dealt with through another regulatory channel?
- Is the complaint about something which happened so long ago that there would be little benefit in taking action now?
- Is the complaint too trivial to warrant further action?
- Does the compliant appear to be malicious or simply tit for tat?

Where members consider that an investigation is appropriate the Monitoring Officer will be asked to make suitable arrangements for such an investigation. Members are asked to give any particular comments on the scope or direction of the investigation.

If members do not consider that there is a potential breach of the code of conduct or that there is no reasonable prospect of any breach being disclosed or that the complaint does not merit further investigation then no further action is taken in respect of the complaint save for notifying the member and the complainant.

Email of 5<sup>th</sup> July 2012

Dear Ian.

further to my original copy email to Mr Pain the FDC monitoring officer dated 4th May regarding the above and our subsequent emails. This is to give notice that i wish to make a formal complaint under the Model Code of Conduct for Parish Councils against the following members of March Town Council: Cllr C Owen, Cllr J French and Cllr A Pugh

The basis of my complaint is that they breached the code in two respects when dealing with the recruitment and appointment of the Town Crier for March the categories of which were set out in my original email and which are:

**(a) that they conducted themselves in their official capacity in a manner which could be reasonably regarded as bringing their office or authority into disrepute and**

**(b) they used their position in their official capacity to confer on one of their fellow councillors (namely Cllr Keane) to secure an advantage**

It is my contention that these councillors, with the knowledge of Cllr Keane and the Clerk to the Council, colluded in ensuring that Cllr Keane one of their fellow councillors, was offered the position of Town Crier for March to the exclusion of a non council candidate with demonstrably better experience, expertise and capabilities to do the job (namely Mr Robert Freeman) Further, i have reason to believe that this collusion was principally driven by an unwritten understanding between Cllr French, the incoming Mayor and the chosen candidate Cllr Keane, the outgoing Mayor, that all proceeds from non civic activities of the Town Crier (shop openings, talks, anniversaries etc) which are normally considered to be 'perks of the job' and would be retained by the town crier performing those duties (Ref Loyal Company of Town Criers) would instead in this case, be donated by Cllr Keane to Cllr French's Mayoral Fund.

An indication of this is given by comment in the extremely brief minutes which refers to Mr Freeman 'having a conflict of interest between the Town Criers post and his professional commitments' (Ref Personnel & Admin sub-committee meeting minutes of meeting held 24th April 2012)

Reference is also made in those minutes to 'both candidates performing well in a crying test' Mr Freeman however, contends that the so called crying test was held in an alleyway at the side of the council building with no members of the public present and no equitable method of judging the respective merits of the two candidates.

As regards the specific categories of my complaint: there has been considerable public disquiet about the way this whole recruitment and interview process was handled. Initially the impression was given that it would be advertised to the public and if there were more than one candidate the judging of applicants would be held in public. In the event, two other candidates besides Mr Freeman put their names forward initially but both of them withdrew ultimately. Cllr Keane was at that time still carrying out his function as Mayor and could hardly put his name forward as Town Crier as well! I believe the process was engineered so that other candidates were

found in order to delay the selection process until such time as Cllr Keane was able to put his name forward.

This public disquiet has manifested itself in letters to the local papers and comment elsewhere (Twitter etc) which clearly brings the councillors concerned and the council itself into disrepute. The fact that three councillors were conducting interviews on two candidates one of whom was a fellow councillor and the other a member of the public has been seen as almost laughable by most people and must surely indicate a clear prejudice in favour of the councillor concerned. The interviewing panel if it was to be conducted 'behind closed doors', rather than in public, should surely have included at least two independent members.

Finally my own role in this has been to press the council over a period of 3 years to consider appointing a town crier - not because of any personal advantage but simply because i considered it would be good for the town and the image it portrays to visitors, tourists and people who may be thinking of coming to live in March. I have no previous connection with Robert Freeman who was totally unknown to me until he put his name forward as a gesture of public spiritedness, to act as the Town Crier for March at official functions on a free of charge basis and for which job he has very impressive credentials. It was his offer of course, that triggered off the whole process and led to what i and a lot of other people, consider to be a totally unacceptable recruitment and interview procedure.

I look forward to further information from you in due course. Mr Freeman has said he would be happy to provide any further information or substantiations you may require.

Sincerely  
Reg Kemp

**Response for the attention of the Conduct Committee in relation to the Ian Hunt (FDC Chief Solicitor) e-mail dated 13<sup>th</sup> July 2012.**

A. The possibility of March Town Council appointing a Town Crier was initially raised by Reg Kemp in April 2010. See following extract from minutes:

**20      *Resolution received from Reg Kemp that “The Council take steps to appoint an official Town Crier by means of an open competition. The person appointed to be responsible to the Council via the Clerk and Mayor in respect of official Council and civic duties. An honorarium of £500 p.a. to be paid in respect of those duties”***

*Following discussions, which included (a) the history and original purpose of town criers, (b) the fact that this Council had only one more year to serve and (c) the costs involved, it was proposed by Councillor J French and seconded by Councillor Owen, with unanimous agreement, that this resolution be rejected at this point in time.*

B. It was raised again on 4<sup>th</sup> July 2011. See following extract from minutes:

**62                      *March Town Crier***

*Councillor French raised the question of an official Town Crier.*

*An official Town Crier was requested by a member of the electorate at the 2010 Annual Meeting but, with elections due to be held in May 2011, a decision was delayed until such time as a new Council was inducted.*

*It was noted that an e-mail had been received from Reg Kemp dated 2<sup>nd</sup> July 2011 stating that he was confident he could raise sponsorship to cover the cost of the outfit (it should be borne in mind that Michael’s Civic Robes price would be £1825.00 + VAT) but that an honorarium in the region of £400.00 per annum would need to be funded by March Town Council.*

*Following a lengthy discussion, and bearing in mind the costs involved, it was agreed that the idea should be shelved and that it would be more financially viable to hire in a Town Crier as and when needed.*

C. An agreement to appoint a Town Crier was eventually reached on 5<sup>th</sup> March 2012. See following extract from minutes:

**162                      *March Town Crier***

*It was agreed that Standing Orders be suspended to allow Reg Kemp and Robert Freeman to present their case for the appointment of a Town Crier, and the following points were made:*

- 1. Councillor D Connor of Doddington had agreed to sponsor the cost of an appropriate outfit.*
- 2. The St. Neots Town Crier had offered to donate a good-quality bell.*
- 3. Robert Freeman was prepared to undertake the task free-of-charge.*
- 4. Costs to be incurred by March Town Council were limited to the Membership Fees of the Town Criers Guild at approximately £35 (which includes insurance cover), travelling expenses and subsistence allowances.*
- 5. Any Town Crier must work in accordance with the Standard Town Criers Contract as provided by the Town Criers Guild.*

*Following discussions, it was agreed that:*

- 1. A Town Crier should initially be appointed for a one year period ending in May 2013, to coincide with the Mayor’s Term of Office.*
- 2. The Town Crier would come under the auspices of March Town Council, and no activities could be undertaken without its express permission.*

*3. A competition / publicity would be arranged forthwith to determine whether any other persons wished to apply for the post. This decision was not taken because of any criticisms of Robert Freeman, merely to allow all interested parties to be given an equal opportunity.*

D. An advertising process was initiated via the press and radio that resulted in four applications as follows: Robert Freeman, Bernard Keane, James Carney and Alan Choat.

E. Subsequently, James Carney withdrew his application because of a possible conflict between his duties as a Chatteris Town Councillor and Chatteris Town Crier and the possible demands of the March Town Council position.

F. Interviews were eventually arranged for 24<sup>th</sup> April 2012. This was the first available date that suited the interviewers and was in no way geared to favour any one particular candidate.

G. On the day of the interviews, Alan Choat rang to say that he could not attend due to transport difficulties (he lives in the Cottenham area).

H. There can be no doubting that Robert Freeman was the “hot favourite” to get the post of Town Crier up until the time of the actual interview. I have to say that I have been heavily involved with interviewing people during my “pre-Council” life, and I have never sat through a more embarrassing encounter. Notes were written following the interviews to highlight the reasons for Robert Freeman’s failure to be awarded the post. It was not deemed appropriate to include all those details within the minutes of the 24<sup>th</sup> April 2012 meeting because the Committee did not want to be seen to publicly criticize his attitude or character.

I. Copies of the following have all been handed in to the One-Stop Shop for Ian Hunt’s attention on 17<sup>th</sup> July 2012:

- a. Minutes of 24<sup>th</sup> April 2012 meeting.
- b. Notes relating to the above meeting.
- c. Copy of the pre-prepared document for the “crying” test.
- d. Copies of e-mails passing between Robert Freeman and the Clerk / Jan French.
- e. Copies of e-mails passing between Reg Kemp and the Clerk / other interested Councillors (in particular, please note exchanges regarding procedures adopted by the Council and procedures required by Reg Kemp).

J. I believe the procedures adopted were fair, and that none of the Councillors acted in a manner that was discriminatory or brought this Council into disrepute

K. I also believe that the complaint is vindictive and deliberately sets out to undermine anything that this Council attempts to achieve.

Clive Lemmon.  
Town Clerk.  
17<sup>th</sup> July 2012.

A.

**Personnel & Administrative Sub-Committee Meeting held  
from 9.00am on Tuesday 24<sup>th</sup> April 2012 in The Council  
Offices at March Town Hall.**

Present: CC Owen                      Chairman  
          J French  
          A Pugh  
          C Lemmon                      Town Clerk

The Committee had agreed to meet to discuss the vacancy of March Town Crier and interview the candidates for such post.

Two candidates were interviewed as follows:

Robert Freeman.

Bernard Keane.

(A third candidate, Alan Choat, belatedly cancelled his interview due to travelling problems).

Both candidates performed exceptionally well on the "crying test" where they were given a pre-prepared script to read from.

During the interviews, however, Bernard Keane was deemed to be the most suitable candidate since it was felt that Robert Freeman could possibly have a conflict of interest between the Town Criers post and his professional commitments.

It was, therefore, unanimously agreed to recommend Bernard Keane for this vacancy and that he be enrolled in the Loyal Company of Town Criers.

It was agreed that **Kit Owen** would report back to the Main March Town Council Meeting of 14<sup>th</sup> May 2012 to obtain ratification for the decision made.

There being no further business, the meeting closed at 10.40am.

Councillor J French .....  
Mayor of March.

14<sup>th</sup> May 2012.

B.

Notes re 24<sup>th</sup> April 2012 Personnel & Admin Meeting.

1. Since Councillor Keane is normally a member of this Committee, it was deemed appropriate that a third Councillor should sit thereon in his place.
2. It was previously agreed that that person should be Councillor Pugh, the incumbent Deputy Mayor.

After the interview process had concluded the following points were unanimously agreed:

1. It was not deemed appropriate that the Clerk should provide great detail within the Minutes since, because these became a public document, the Committee did not want to publicly criticize the attitude or character of Robert Freeman.
2. Bernard Keane was deemed the most appropriate candidate.

The reasons for Robert Freeman's failure to secure the post are as follows:

1. He claims that the Town Crier position was his idea, but all and sundry know that Reg Kemp first mooted this suggestion.
2. Robert Freeman was employed by FDC for the 2011 Chatteris Festival but did not meet its expectations. A member of FDC staff had notified the Clerk that they would never employ him again.
3. On 10<sup>th</sup> April 2012 Robert Freeman sent an e-mail to Councillor French which to all intent and purposes appeared to pressurise her into choosing him for the vacant post. It included the comment that Mrs Hamps (the costume maker) would only make the costume for him.
4. Robert Freeman had attended St Georges Fayre dressed as a Town Crier even though he knew that an Official Town Crier had been employed by FDC. He initially claimed that he was invited to do so by March Rotary Club but, during the interview, intimated that it had actually been his idea. This was felt to be extremely bad etiquette.
5. The Town Crier is a Civic Post and, as such, instructions to that person and agreed duties must be made via the Offices of the Town Council (in practice, the Mayor or Town Clerk). This was explained in great detail to Robert Freeman. However, upon being asked later what he would do if a shop or business approached him directly about performing Town Crier duties, he stated quite openly that he would negotiate a fee for himself and perform whatever tasks were asked. He did not appear to appreciate the difference between civic duty and commercial gain.
6. It was agreed by all members present that the best way to describe Robert Freeman would be "uncontrollable".





**OYEZ, OYEZ, OYEZ.**

**I HEREBY PROCLAIM THE  
TAKING PLACE OF THE  
INTERVIEWS FOR THE POSITION  
OF MARCH TOWN CRIER.  
ATTENDANCE AT ALL NECESSARY  
PRE-DETERMINED EVENTS IS A  
VIRTUE.**

**I BELIEVE I CAN DUTIFULLY  
PERFORM ALL NECESSARY TASKS  
TO YOUR TOTAL SATISFACTION  
AND AWAIT YOUR FINAL  
VERDICT.**

**GOD SAVE THE QUEEN.**

> Subject: Town Crier Update Please?  
> Date: Tue, 10 Apr 2012 20:00:19 +0100  
>  
> Dear Clr. French, Dep. Mayor, Jan ?  
>  
> Which ever you prefer me to address you by:  
>  
> May I have an update on the March Town Crier please.?  
>  
> Having attended the meeting last week where March Town Council were  
> presented with a 'Bell', as I understand, there are 3 other candidates for

E-MAIL FROM  
ROBERT FREEMAN  
TO JAN FRENCH  
ON 10.4.12.

1

DI

> the position, may I request, what is happening, and if there is to be a  
> 'Contest' ??? ;  
>  
> When ?  
>  
> Could this be the St George's Fest on Sunday 22 April?  
>  
> Johnny Dee, the local BBC Radio Cambs reporter, said , 'If there is a  
> contest? it would be newsworthy, for Anglia TV  
>  
>  
> As you know, I am still actively performing, so I cannot be availably at  
> say, 2 days notice.  
>  
> Mrs Hamps, at Doddington, who knows Reg Kemp, and Clr.David Connor??? who  
> has put up the money ( £350.00 ) for the costume , told me, she would not,  
> '  
> Make a Costume' for any one else'.  
>  
> Information please.  
>  
> Robert  
>

\_\_\_\_\_ NOD32 7044 (20120411) Information \_\_\_\_\_

This message was checked by NOD32 antivirus system.  
<http://www.eset.com>  
No virus found in this message.  
Checked by AVG - [www.avg.com](http://www.avg.com)  
Version: 2012.0.1913 / Virus Database: 2411/4927 - Release Date: 04/10/12

\_\_\_\_\_ NOD32 7044 (20120411) Information \_\_\_\_\_

This message was checked by NOD32 antivirus system.  
<http://www.eset.com>

E-MAIL FROM CL TO RF  
OF 11.4.12. & RESPONSE  
OF SAME DATE. DZ

Clive Lemmon

From: thejollyjester.dslw@oneteldsl8.net [thejollyjester@onetel.com]  
Sent: 11 April 2012 11:50  
To: clive.mtc@btconnect.com  
Subject: Re: Town Crier Update Please?

Dear Clive

Thank you for the info, now we know where we are.

Robert

----- Original Message -----

From: Clive Lemmon  
To: thejollyjester@onetel.com  
Cc: 'Councillor J French' ; 'Councillor CC Owen'  
Sent: Wednesday, April 11, 2012 11:16 AM  
Subject: FW: Town Crier Update Please?

Dear Robert,

I can inform you that the March Town Council Personnel and Administrative Committee are meeting this coming Monday, 16th April, 2012, to discuss, amongst other things, the position of March Town Crier.

I am afraid that until this Committee has made its recommendations, no further information can be provided.

Kind regards,

Clive Lemmon.

Town Clerk.

E-MAILS BETWEEN CL  
& RF of 16.4.12.

D3

Clive Lemmon

**From:** Clive Lemmon [clive.mtc@btconnect.com]  
**Sent:** 16 April 2012 14:23  
**To:** 'thejollyjester.dslw@oneteldsl8.net'  
**Subject:** RE: Town Crier Update Please?

You are correct, Robert.  
Normal venue where Council Meetings are held.  
Kind regards,  
Clive.

-----Original Message-----

**From:** thejollyjester.dslw@oneteldsl8.net [mailto:thejollyjester@onetel.com]  
**Sent:** 16 April 2012 12:59  
**To:** clive.mtc@btconnect.com  
**Subject:** Re: Town Crier Update Please?

Dear Clive

Yes, that is OK. The Town Hall is in the Market Place, with the tower?

If that is correct, no need to answer

Robert

----- Original Message -----

**From:** "Clive Lemmon" <clive.mtc@btconnect.com>  
**To:** "'thejollyjester.dslw@oneteldsl8.net'" <thejollyjester@onetel.com>  
**Sent:** Monday, April 16, 2012 12:23 PM  
**Subject:** RE: Town Crier Update Please?

Dear Robert,  
Would you please confirm your availability to attend an interview at March Town Hall at 9am on Tuesday 24th April 2012?  
The Personnel and Admin Committee are hoping to meet all interested parties during that morning to discuss the Town Crier vacancy and, hopefully, come to a decision later that same day.  
Kind regards,  
Clive.

Clive Lemmon

E-MAILS BETWEEN CL &  
RF OF 24.4.12.

From: Clive Lemmon [marchtowncouncil@btconnect.com]  
Sent: 24 April 2012 11:00  
To: 'thejollyjester.dslw@oneteldsl8.net'  
Subject: RE: Town Crier

D4

Dear Robert,  
An official announcement will be made after the Sub-Committee's recommendation has been ratified by Full Council.  
Kind regards,  
Clive.

-----Original Message-----

From: thejollyjester.dslw@oneteldsl8.net [mailto:thejollyjester@onetel.com]  
Sent: 24 April 2012 10:51  
To: marchtowncouncil@btconnect.com  
Subject: Re: Town Crier

Dear Clive

Thank you for the reply. and good luck to who ever.

May I ask who ever is please?

Robert

----- Original Message -----

From: Clive Lemmon  
To: 'thejollyjester.dslw@oneteldsl8.net'  
Cc: 'Frenchies A.S.C' ; 'Kit (Cllr) Owen' ; 'Andrew Pugh'  
Sent: Tuesday, April 24, 2012 10:39 AM  
Subject: Town Crier

Dear Robert,  
It is with regret that I have to inform you that the recommendation of the Personnel & Admin Sub-Committee to March Town Council is that your application for the post of March Town Crier has been unsuccessful.  
Many thanks for the interest you have shown in this position and best wishes for the future.  
Kind regards,  
Clive Lemmon.

No virus found in this message.

Checked by AVG - [www.avg.com](http://www.avg.com)

Version: 2012.0.1913 / Virus Database: 2411/4955 - Release Date: 04/23/12

\_\_\_\_\_ NOD32 7081 (20120424) Information \_\_\_\_\_

This message was checked by NOD32 antivirus system.  
<http://www.eset.com>

Clive Lemmon

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From: Clive Lemmon [clive.mtc@btconnect.com]  
Sent: 24 April 2012 14:26  
To: 'Reg Kemp'  
Subject: RE: Big Lunch Cheque

E1

Hi Reg,  
£100 cash just given to Gina from Robert.  
Last weekend's Town Crier (the official one) was from Chatteris (James Carney).  
An official announcement about the March Town Crier will be made after the Committee's  
decision is ratified by Full Council.  
Will have a chat though when you're next in the café.  
Kind regards,  
Clive.

-----Original Message-----

From: Reg Kemp [mailto:regkemp@talktalk.net]  
Sent: 24 April 2012 13:57  
To: Clive Lemmon  
Subject: Big Lunch Cheque

Hi clive.  
Gina is going to be on her way to the bank shortly and I've asked her to call in for  
that cheque from Robert.  
Who got the Town Crier job?  
Have you any idea who the TC was that was invited to the St George Fayre and is  
featured in the Cambs Times online today?  
Regards  
Reg

\_\_\_\_\_ NOD32 7081 (20120424) Information \_\_\_\_\_

This message was checked by NOD32 antivirus system.  
<http://www.eset.com>

E-MAILS BETWEEN CL

& REG KEMP 24/25. 4. 12.

Clive Lemmon

From: Clive Lemmon [clive.mtc@btconnect.com]  
Sent: 25 April 2012 08:23  
To: 'Reg Kemp'  
Cc: 'frenchies@hotmail.com'; 'Kit (Cllr) Owen'; 'Andrew Pugh'  
Subject: RE: Big Lunch Cheque

E2

Dear Reg,

- A. Acknowledgement for the £100 should be made directly to Robert Skoulding.
  - B. I don't know about the workings of Chatteris Town Council. All I can say is that he has been appointed by Chatteris Town Council and was officially invited to the St.Georges Fayre by the St.Georges Committee.
  - C. Robert Freeman attended St.Georges Fayre without the official invitation of the Committee.
  - D. Robert Freeman attended St.Georges Fayre, in his words, at the invitation of March Rotary Club (of which he is a member), but without consulting the organising Committee.
  - E. All interviews are conducted in private. Would you go for a job interview in the midst of a public meeting?
  - F. People can always look for skulduggery and conspiracy theories if an appointment does not go there way. Would your opinion have been the same if Robert Freeman had been appointed?
- Kind regards,  
Clive.

-----Original Message-----

From: Reg Kemp [mailto:regkemp@talktalk.net]  
Sent: 24 April 2012 19:49  
To: clive.mtc@btconnect.com  
Cc: frenchies@hotmail.com  
Subject: Re: Big Lunch Cheque

thanks I'll ask the Secretary to acknowledge it but would that be direct to Robert? This so called Chatteris Town Crier. How come no one has ever heard of him before and when was he officially appointed by Chatteris Town Council? He's obviously not known to the Loyal Company. It was very embarrassing for Robert Freeman on Sunday and I think he's been treated badly over this I smell some skulduggery with the March appointment, otherwise why do it behind closed doors? Don't like these clandestine machinations.  
councils are supposed to be open and transparent in their dealings with the public. It's a bit like the Jubilee arch business Reg



Clive Lemmon

E-MAILS BETWEEN CL  
& REG KEMP OF 25.4.12.

From: Clive Lemmon [clive.mtc@btconnect.com]  
Sent: 25 April 2012 09:26  
To: 'Reg Kemp'; 'frenchies@hotmail.com'; 'KIT OWEN'; 'Andrew Pugh'  
Subject: RE: Big Lunch Cheque

E3

Dear Reg,

We are all entitled to our opinions and points of view.  
I can only assure you that all procedures relating to the appointment of the Town Crier were meticulously fair.  
If we employ a Town Crier, are you saying that anyone else can still come along and act as a Town Crier in his own right and convey his own personal messages?  
An open and public competition proves that the applicants are able to articulate in a loud and professional manner - we did in fact have our contestants "crying" outside and they performed the task admirably.  
However, taking your point to the extreme, and this was certainly not our situation, and no points relating to it should be construed to have any relevance to this situation (IT'S AN EXAMPLE ONLY), you could have a public competition where an applicant was brilliant at speaking but was, at the same time, a convicted felon, a convicted paedophile, or not able to meet the Council's requirements. What position would that put the town in? I think, in that scenario, YOU would have immediately stated that such person should not be appointed and yet he would fully meet the requirements of YOUR suggestion.  
No system is perfect, no suggestion is perfect and nobody has all the answers.  
It is the Town Council's responsibility to appoint a Town Crier and we have aimed to act in the fairest way possible, and I believe that was achieved.  
No further correspondence relating to this matter will be entered into.  
Kind regards,  
Clive.

-----Original Message-----

From: Reg Kemp [mailto:regkemp@talktalk.net]  
Sent: 25 April 2012 08:49  
To: clive.mtc@btconnect.com; frenchies@hotmail.com; KIT OWEN; Andrew Pugh  
Subject: Re: Big Lunch Cheque

A. OK

B. I will find out about his 'appointment' never seen or heard him mentioned before and i take a pretty close interest in these things.

C. Robert Freeman was perfectly entitled as a member of the public, to do what he likes. I was wandering around in My Union Jack outfit. Do I need permission to do that? Time the committee stopped it's Gestapo tactics E. it wasn't a job interview - no salary was on offer or proper contract of employment. I didn't get interviewed by anyone when i was asked to take on the organising of the Band Concerts!  
F. The council leaves itself open to suggestions of skullduggery by the devious way it goes about these things. A public competition should have been held. I would have been OK with the decision if that had been done.

As for Robert Freeman, you may be interested to know that I didn't even know him before he put his name forward initially and made his generous offer to do the job free of charge.

Nevertheless, natural justice has not been applied to him despite his public spirited gesture and i think he has been 'used' disgracefully over this. If I'd known the way the council were going to go about things, I would have advised him to withdraw some time ago and wouldn't have involved the Chair of the Loyal Company on behalf of the council.

Finally, the members involved may think they've been very clever with all these machinations behind closed doors but i can assure them they will be brought to account in due course, particularly over the far too cosy relations with a particular employee of the local media who doesn't even live in the county never mind the town!

Reg



E-MAIL FROM REG  
KEMP TO CL 25.4.12.

Clive Lemmon

From: Reg Kemp [regkemp@talktalk.net]  
Sent: 25 April 2012 10:16  
To: clive.mtc@btconnect.com  
Cc: frenchies@hotmail.com; 'KIT OWEN'; 'Andrew Pugh'  
Subject: Re: Big Lunch Cheque

You say no further correspondence will be entered into (that's a nice democratic way of treating a local elector) but at the same time you ask a question. The answer to which is: Yes as long as that person isn't purporting to act in any official capacity. I hear the person appointed is Bernard Keane Surprise! surprise!

Reg

E-MAILS BETWEEN CL &

REG KEMP OF 4/6.5.12.

Clive Lemmon

From: Clive Lemmon [clive.mtc@btconnect.com]  
Sent: 06 May 2012 10:27  
To: 'Reg Kemp'  
Cc: 'frenchies@hotmail.com'; 'Kit (Cllr) Owen'; 'Andrew Pugh'  
Subject: RE: Councillors Code of Conduct

E5

Dear Mr Kemp,  
I hereby acknowledge receipt of your intention to raise complaints with the Monitoring Officer at FDC.  
However, please note, that the all such charges will be strenuously defended.  
Yours sincerely,  
Clive Lemmon.  
Town Clerk.

-----Original Message-----

From: Reg Kemp [mailto:regkemp@talktalk.net]  
Sent: 04 May 2012 17:05  
To: Clive Lemmon  
Subject: Councillors Code of Conduct

Dear Mr Lemmon

I understand from the office of the monitoring officer for FDC, Allan Pain, that the correct procedure for raising a complaint to the standards board is to notify the Clerk of the Council concerned in the first place.  
This is to give formal notice therefore, that I intend to make a complaint about the way the selection process for the appointment of the March Town Crier was carried out as I believe it contravenes the rules in at least two categories of the Model Code of Conduct for Parish Councils (General Provisions) as follows:

1. A member or members must not in his official capacity conduct himself in a manner which could reasonably be regarded as bringing his office or authority into disrepute.
2. A member must not in his official capacity, or any other circumstances, use his position as a member improperly to confer on or secure for himself or any other person, an advantage.

I will present my full submission of the facts as I see them to Mr Pain when requested.

A hard copy of this email will be sent to Mr Pain at Fenland Hall

Yours etc  
Reg Kemp  
Orchard Lodge  
Scargells lane  
March  
PE15 9LR

\_\_\_\_\_ NOD32 7114 (20120505) Information \_\_\_\_\_

This message was checked by NOD32 antivirus system.  
<http://www.eset.com>

## Complaint from Mr R Kemp

Ian,

As far as I am concerned Kit, Andrew , Clive and I carried out the interview for Town crier in a fair and appropriate way.

We were all of the opinion that after interview that if none of the candidates were acceptable we would re advertise and re interview.

We were all surprised how well Bernard came across and by far was the best candidate.

Mr Freeman was asked how he would promote March, his reply was I will negotiate a fee from who wants something done.

He was informed the Mayor does not charged a fee and that no way would we allow the Town Crier to do so. The position of Crier was no fee or allowance for the post. We would only pay out of pocket expenses and refreshments if out of Town.

It became very clear that Mr Freeman was looking to use the position of Crier to enhance his own business.

We have over the years tried to work with Mr Kemp but no matter what we as a Town Council do it is never good enough for him.

All minutes I believe Clive has sent to you and that will give you the full picture.

Regards

Jan

## **Conduct Committee**

I have considered the allegations relating to me and my Council colleagues and my response is as follows.

### **Background Experience**

Having never on numerous interviews in the past carried out any interview for a job in public, I was therefore quite surprised that it was thought this particular interview should have been in public.

Despite that, there was an instance some ten years ago, my late wife and I were in Cathedral Square Peterborough and we participated in the public judgement of Town Criers from across the country. After displaying their crying skills and general performance, the winning crier was chosen in response to the applause of the assembled crowd.

The eventual winner was a gentleman from the Nottingham area who afterwards in conversation, conceded he spent most of the summer performing in Los Angeles near to the Kodak Theatre and the walk of Stars. He was therefore unavailable to his City or Borough Council for most of the year. That is significantly different being a competition, not a job interview and could well be the procedure the complainant was thinking of.

### **Reason for Town Crier**

For the past 3 years or so, the Town Clerk and members of the March Town Council have been pestered by Reg Kemp asking for a Town Crier. He originally offered his own services despite having given up numerous duties offered and carried out in the past.

On the 16<sup>th</sup> April preceding the Annual Council meeting it was conceded that a Town Crier would be sought. The post was advertised accordingly. Originally there were 3 applicants but one was not available for interview on the day and withdrew. As a consequence both Mr Freeman and Cllr. Keane were interviewed as requested by the Town Clerk, by me as The Council Leader, the nominated new

Mayor Cllr Mrs French and the nominated Deputy Mayor Cllr. Pugh in the presence of the Town Clerk at March Town Hall.

### **The Interview**

Having separately asked various questions as to the background, experience and intentions of each candidate they were individually asked to demonstrate a cry following their respective interview in the alleyway (ginnell) alongside the Town Hall.

We heard and interviewed both criers and I was aware having been told by Mrs Keane, she did not want her husband to take it on and would prefer him not to be chosen. However in our subsequent deliberations it was apparent and we were all of one mind that the intention of Mr Freeman was to give much of his time to perform a commercial role and hire out his services for his benefit. In that respect he could have commercial commitments which did not meet with the needs of the Town Council.

Both candidates had cried to a satisfactory standard and the final decision was the selection of Cllr Keane despite the misgivings of Mrs Keane. That was solely down to his skills as a crier and his performance and responses at interview.

### **Approval**

This choice was subsequently approved by full Council and is minuted accordingly.

### **Epilogue**

Since the appointment was made the Town Clerk has felt the wrath of Mr Kemp both verbally and in letters to the press and Shape your Place, criticising the choice. There have also been public comments from Mr Freeman most recently in the Letters to the Editor in the Cambs Times/Wisbech Standard of 13<sup>th</sup> July 2012.

We had also been "informed" by Reg Kemp and Robert Freeman prior to interview a local seamstress would make the criers outfit only for Robert Freeman so our hands appeared to be tied. That transpired to be untrue and the outfit for Cllr Keane was made by that lady and paid for by Cllr Connor.

## **Conclusion**

In conclusion neither Reg Kemp the accuser nor Robert Freeman the defeated candidate liked the outcome and continue not to do so. That's called sour grapes. Hardly magnanimous!

Cllr. Kit Owen  
Leader March Town Council

14<sup>th</sup> July 2012

Email 27/04/2012 13:33  
From Andrew Pugh

RE: Conduct Complaint

Dear Ian

I have been sat here thinking what you reply to the complaint but as before I can find nothing that I could have done wrong,  
The interviews were conducted in the Clerk's office and the town criers outside in the sidewalk between the buildings, all was conducted fairly and at no time did any favouritism take place.  
Both candidates were given the same questions and the same opportunities none were given any special treatment.  
It was felt that Mr Freeman during his answers to the questions would be putting his own business first and if a job came along on the same day as the criers job his business would need to take preference, whilst Mr Keane gave answers committing his time to the role.

My involvement was to replace Mr Keane during the interviews as he had applied for the role and quite obviously could not interview as well.  
I feel this is being blown out of the water by Mr Kemp as he didn't get his man into the role.

Apart from that there are minutes to back up what actually happened and I have nothing further to add

Many thanks

Andrew Pugh