

Appendix 2

Erbie Murat
Stuart Lodge
High Road
Guyhirn
Wisbech
PE13 4EAS

Alan Pain
Corporate Director and
Monitoring Officer
Fenland District Council
Fenland Hall
County Road
March
Cambs
PE15 8NQ

5 March 2013

Dear Mr Pain

Conduct of Councillors Conduct Complaint

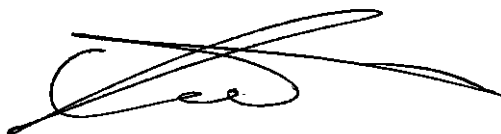
This is a formal complaint about the actions of Cllr David Oliver and Cllr Jonathan Farmer. It is my contention that on Monday 7 January 2013, Cllr Oliver acted in breach of Section 101 of the Local Government Act 1972 in that he suspended me without the authority of the Wisbech Town Council, making this an Ultra Vires action. I further contend that Cllr Farmer was complicit in this action implied by his conduct.

These behaviours have sought to embarrass, intimidate, and humiliate me in a very public way and had an extremely deleterious effect on me in a variety of ways including my health:

The Remedies that I am seeking are that they:

- a) Are censured
- b) Asked to submit a public written apology as specified by the Conduct Committee
- c) Asked to undertake training as specified by the Conduct Committee
- d) Asked to participate in such conciliation as the Conduct Committee specifies

Yours sincerely

A handwritten signature in black ink, appearing to read 'Erbie Murat', with a long horizontal stroke extending to the right.

Erbie Murat, Town Clerk for Wisbech.

Appendix 2
Ian Hunt

From: Ian Hunt
Sent: 20 March 2013 16:12
To: 'd.murat833@btinternet.com'
Subject: Conduct Matters Mr E Murat
Attachments: Murat.pdf

Dear Mr Murat

I write further to your recent letters to Mr Pain and having discussed these in detail with him.

Please find attached a copy of the committee decision confirming the outcome.

In terms of your recent additional comment in respect of the potential ultra vires activity undertaken by members of the Town Council. It appears that the actions concerned are the same actions as detailed in the original complaint before the committee. Accordingly from the letter it appears that this is a further layer of detail on your complaint rather than a new issue, accordingly we intend to treat this as additional information at this time.

Please note that the Conduct process does not of itself have the formal power to consider the vires of actions and resolve any matter which is ultra vires. Although it may from time to time take a view on such issues if relevant. If you wish to seek direct remedy for actions which are ultra vires in your view you are directed to your own private law remedies.

If you have any further questions please do not hesitate to contact either Alan or myself.

Ian

Ian Hunt
Chief Solicitor
Fenland District Council
Tel: 01354 622214

20/03/2013