

FINAL REPORT

October 2010

REF 009/RVH

To Anne Davies BA (Hons) Solicitor

Head of Legal and Democratic Services and Monitoring Officer

Buckinghamshire County Council

By David Lunn OBE LLB (Hons)

Into the investigation of a complaint against Councillor Bill Lidgate

Member of Buckinghamshire County Council.

This investigation was conducted under:-

- The Local Government Act 1972 as amended
- The Local Government Act 2000
- The Standards Committee (England) Regulations 2008
- The Local Authorities (Model Code of Conduct) Order 2007

(Adopted by the Council on 27th September 2007)

- Guidance issued by the Standards Board for England

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The Complaint

- 1) On the 21st January 2010 Councillor Ruth Vigor-Hedderly, a Member of Buckinghamshire County Council submitted a formal complaint to Anne Davies, Head of Legal and Democratic Services and Monitoring Officer, against Councillor Bill Lidgate, a Member of Buckinghamshire County Council asking that it be referred for formal consideration to the County Council's Standards Committee.
- 2) The nature of the complaint was that Councillor Lidgate had bullied, threatened and abused her both verbally and by emails, many of which had been circulated to other Parish, District or County Councillors.
- 3) She also complained about Councillor Lidgate's behaviour towards County Council Officers at the Iver Parish Council Meeting on 4th January 2010, which has also been the subject of 2 separate complaints from the officers in question.

The Referrals Sub-Committee

- 4) Under the procedure adopted by Buckinghamshire County Council, the complaint was considered by the Referrals Sub-Committee, set up by Buckinghamshire Standards Committee, at a meeting on 5th February 2010.
- 5) The Referrals Sub-Committee decided that the allegation warranted further investigation and therefore referred the matter to the Monitoring Officer (Head of Legal and Democratic Services) for full investigation.

Independent Investigator

- 6) On the 17th February 2010, I was appointed by the Head of Legal and Democratic Services to conduct the investigation. I was a solicitor by profession and had a 40

year career as a Local Government Lawyer, with extensive experience of Member Codes of Conduct, from which I retired as Chief Executive of the Royal Borough of Windsor and Maidenhead at the end of February 2008. Since retiring I have conducted several such investigations.

The Investigation

- 7) I agreed a list of individuals to be interviewed with the Head of Legal and Democratic Services. The list comprises of five County Council Officers, a former County Council Officer and a significant number of County, District and Parish Councillors, and several individuals many of whom were drawn from lists proposed by Councillor Lidgate and Councillor Ruth Vigor-Hedderly in respect of her complaint. The full list is to be found at Appendix 1.
- 8) During the course of all interviews I was accompanied and ably assisted by Elizabeth Wheaton, a Democratic Services Officer of the County Council, who took extensive notes of the interviews.
- 9) At the commencement of each interview, I explained who I was, why the interview was taking place and to whom I would submit a report. With the Councillors I established how long they had been a Councillor, their roles in the Council, and what training they had received on the Code of Conduct.
- 10) Before undertaking the interview I was supplied with and read copies of:-
 - The Revised Code of Conduct adopted by the Council on 27th September 2007
 - The Standards Committee Procedure Rules adopted by the Council
 - The Complaint Form

- The Minutes of the Referrals Sub-Committee
- The Emails sent by Councillor Lidgate and Councillor Vigor-Hedderly
- Correspondence between the Head of Legal and Democratic Services and Councillor Lidgate relating to the process
- The County Council's Protocol on Member/Officer Relations
- The County Council's Officers Code of Conduct
- The Minutes of the Meeting of Iver Parish Council 4/1/2010
- The Report and Minutes on GC2C from the Buckinghamshire County Council meeting of 10th July 2008
- The Report and Minutes of the Future shape of Joint Working in South Bucks from the South Bucks Joint Local Committee 1/12/2008

The Relevant Provisions of the Code and Policy

11) Three paragraphs of the Code are relevant to this Complaint. They are:-

- Para 3 (1) *'You must treat others with respect'*
- Para 3 (2) *'You must not –*
- (b) *'bully any person'*
- Para 5 *'You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute'*

The Background

12) Buckinghamshire is a large County with a mix of rural and urban communities with a range of needs. The County Council is Conservative controlled, the four constituent District Councils – Aylesbury Vale, Chiltern, Wycombe and South Bucks are also Conservative controlled. Each District Council contains a number of Parish Councils, in the north of Buckinghamshire there are a significant number of smaller Parish Councils, whilst in the south of the County the Parishes are generally larger, so in South Bucks there are 12 Parish Councils, one of which is Iver which is also Conservative controlled.

13) South Bucks District Council is located in the south east of Buckinghamshire, and Iver Parish Council is in the most south easterly corner of South Bucks. Inevitably its residents have much greater affinity with the towns outside the County, like Slough, Hillingdon, Maidenhead which are much closer to it, and from which most local residents get their primary services such as employment, shopping and healthcare. County Hall in Aylesbury is a long way away, not a simple journey or one most locals would feel the need to make. Councillor Lidgate and others describe it as the forgotten corner of Buckinghamshire and claim it is not as generously resourced or assisted as other areas of the County, especially those close to Aylesbury.

14) All 7 of the County Councillors who represent County wards in the South Bucks District Council Area are also South Bucks District Councillors (twin hatters) and many including Councillors Lidgate and Vigor-Hedderly are Parish Councillors of their local area (triple hatters). There is nothing improper in this but it can lead to split loyalties when the policies of the various tiers of Local Government are not aligned, and that is the situation in this case.

- 15) It is not unknown for individuals elected to one tier of Local Government who are fiercely opposed to the ambitions or actions of another tier, to seek election to that other tier with the intention of actively seeking to thwart that ambition or activity, which was my experience in Berkshire.
- 16) In July 2005 the County Council approved its 'Getting Closer to Communities Strategy (GC2C) with a view to enabling all Councils in Buckinghamshire to work in Partnership to tailor services to local areas, increase engagement and influence for residents, improve access for services and strengthen local leadership across the 3 tiers. Initially the delivery mechanism had been 4 Local Area Committees, one for each of the District Council Areas. These were found to be unwieldy, and in July 2008 after an extensive consultation exercise the County Council adopted a revised GC2C strategy, the key provision of which for this case, was the replacement of the 4 Area Committees with 19 Local Area Forums (LAFs), 4 of which would be combinations of Parishes in the South Bucks District Area.
- 17) The Parishes in South Bucks objected to this plan as they felt their sovereignty was at risk, and South Bucks District Council objected in support of their Parishes.
- 18) A compromise was agreed at political level in the County Council, and the final decision of the County Council included an agreement to defer the introduction of LAFs in South Bucks to see if agreement on a revised basis could be reached.
- 19) The Summary of Recommendations in the detailed report expected at Para 11.5 that Local Area Forums would be rolled out across all 19 Local Community areas in the next 12 months.

20) In the section of the report entitled 'Culture Change and Leadership' it defined the role of County Councillors in this process to include inter-alia:-

- Lead and Promote Local Area Forums
- Meet regularly with Area Co-ordinators and liaise with Lead Area Officers
- Promote GC2C within the Council and its district and local Councils

21) The proposal was passed by 41 votes to nil, with 2 abstentions. Councillor Lidgate tells me he voted in favour of the resolutions. Whilst it is agreed that 2 meetings took place between the Leader and Chief Executive of South Bucks and the Deputy Leader (Councillor Chapple) and the appropriate Strategic Director, Dean Taylor, of Buckinghamshire County Council no alternative basis could be identified. Several South Bucks sources spoke of a meeting between Councillor Chapple and Parish Chairmen in which it is claimed he said there would be no change in the plans and the Parishes would have to put up with it. Councillor Chapple does not recall saying this.

22) What can be established is that Chris Furness (Chief Executive, South Bucks District Council) and Dean Taylor (former Strategic Director of Buckinghamshire County Council) collaborated in producing a report for the South Bucks Joint Local Committee which met on 1st December 2008. The paper reviewed the various approaches that had been proposed to move forward, but accepted that the 4 LAFs would proceed. The report was accepted by the Joint Local Committee by 15 votes to 3. The minutes record that as a result of discussions with the Deputy Leader of Buckinghamshire County Council (Councillor Chapple) proposals have been made for a workable way forward with LAF minutes being reported to the newly constituted South Bucks Partnership. The minutes of the meeting also record both the

current leader of South Bucks District Council and Councillor Lidgate as being present at this meeting.

23) Some years previously in the latter part of the National Reorganisation of Local Government, Buckinghamshire County Council had prepared a bid for unitary status for the County, thus abolishing the District Councils. This was hotly opposed and I was told by witnesses that eventually the Conservative party machinery was brought into play to instruct Conservative County Councillors not to proceed with this bid, but instead to develop with the District Councils a Pathfinder Approach, which would deliver a greater degree of joined up services to the Public. This Approach was adopted but eventually failed when the District Councils and the Fire Authority withdrew before implementation.

24) The relevance of this is that the County Councils Unitary bid presaged the division of the County into 19 local areas, as the focus of service delivery, and those same 19 areas were chosen as the 19 Local Area Forums generating suspicion and mistrust in some District and Parish quarters that this was an attempt to introduce Unitary Government by the back door.

25) In 2007 round the time of the Annual Council of Buckinghamshire County Council there was a leadership challenge. The incumbent leader, Councillor David Shakespeare, was challenged by the then leader of South Bucks District Council, County Councillor Peter Hardy. Councillor Lidgate was Councillor Hardy's 'recruiter' encouraging County Councillors to support his bid. It was a fiercely fought campaign, in which it was widely understood that significant changes would be made if the leadership changed.

26) In political parties, at all levels, when one party is predominant in its control, its opposition tends to come from within. The events I have described above have led to such a polarisation within Buckinghamshire County Council, with LAFs being a particular flashpoint. This forms the backdrop to the meeting of the Iver Parish Council on 4th January 2010.

Councillor Vigor-Hedderly

27) Councillor Ruth Vigor-Hedderly has been a Member of Iver Parish Council since 1995; she became a Member of South Bucks District Council in 2007 and was elected to Buckinghamshire County Council in June 2009.

28) Her mentor, as a new Councillor at Buckinghamshire County Council, is Councillor Lin Hazell who is a member of Burnham Parish Council, South Bucks District Council and Buckinghamshire County Council and Chairs the Beeches LAF which includes Burnham.

29) Councillor Vigor-Hedderly lives at Bellswood Farm in Iver, and has received training on the Members Code of Conduct during her District and County inductions.

30) She has known Councillor Lidgate for about 10 years since he joined the Parish Council and has worked with him over Parish matters during that period. She describes Councillor Lidgate as the rowdy type who can be hot-headed. She also says he can be very polite and charming.

31) Councillor Lidgate has a track record of identifying individuals to stand for the Conservative Party for local seats on all 3 tiers of Councils.

32) Councillor Lidgate had originally identified Malcolm Bradford who is both a Parish and District Councillor to become a candidate, but he decided not to stand because he

couldn't make the necessary time commitment. Councillor Lidgate had then suggested to Councillor Vigor-Hedderly that she put herself forward for the party selection process to find a candidate for the County Council election in 2009.

33) Councillor Lidgate's wife, who is also a Parish Councillor sat on the Constituency Selection Panel, the other potential candidate was Kathie Webber a South Bucks District Councillor who had previously held the County seat but had lost it to a popular local Liberal Democrat Councillor, Alan Oxley. The Conservative Constituency hierarchy did not favour Kathie Webber feeling she had not been active or visible enough in the local area, so Ruth Vigor-Hedderly was selected at the Conservative candidate.

34) Many of the South Bucks and Iver Councillors I interviewed including Councillor Lidgate had worked hard to help Ruth get elected and were delighted when she succeeded by the narrow margin of 61 votes.

35) After she was elected she arranged to have a lunch at a local pub with Councillor Lidgate in order to get his advice and guidance on how to be a successful County Councillor. At that stage they had a good working relationship.

36) That relationship began to deteriorate because of their differing positions about LAFs. She recognised the reluctance of South Bucks District Councillors to support a LAF, and so spoke to various Councillors including the current Deputy Leader of Buckinghamshire County Council, Councillor Chapple to explore the different perspectives and pros and cons. She was made aware of the unpopularity Councillor Chapple enjoyed in the local area because of his perceived unwillingness to negotiate. Seven of the twin hatted South Bucks District Councillors discussed and it became

obvious to her, and to Lin Hazell, that the majority view was against LAFs. They reported this to Bill Chapple.

37) Ruth Vigor-Hedderly was encouraged by Bill Chapple to establish and Chair a LAF for Iver, but she is adamant that she was made no promises of advancement. Councillor Chapple says that he tells all new Councillors that their contribution and performance will be assessed to see who might be offered roles in the future.

38) In much the same way as Councillor Lidgate, Councillor Vigor-Hedderly has her supporters and her detractors. She is described by the first as hardworking, effective, strong, and no shrinking violet, but by the second as oversensitive and liable to personalise issues.

The Threatening Behaviour and Emails

39) By November 2009 the relationship between Councillors Lidgate and Vigor-Hedderly had deteriorated markedly.

40) In November after the County Council meeting Councillor Vigor-Hedderly says Councillor Lidgate approached her on the steps of the Judges Lodgings in Aylesbury, and told her that neither she nor Malcolm Bradford would be selected next time if they continued to try to form a LAF, she would disappear without trace like her predecessor Kathie Webber, Bill then stormed off, and she went to see her mentor Councillor Lin Hazell who said this was dreadful.

41) Councillor Hazell reported a similar experience with Councillor Lidgate in 2007 who approached Lin asking her who she would vote for in the debate over the Unitary bid, when he told her if she voted for it she would lose her seat. In the May of that year there was a leadership challenge and Councillor Lidgate, canvassing for Peter Hardy,

told her if she didn't vote for Peter Hardy she would lose her Cabinet position, she describes Councillor Lidgate as being intimidating and bullying.

42) Councillor Hazell said that whilst these were unpleasant experiences she could walk away as she only saw Councillor Lidgate rarely, and pointed out that it was much worse for Councillor Vigor-Hedderly as they lived and worked in the same area and would see each other frequently.

43) Councillor Lidgate says Councillor Vigor-Hedderly's encounter is made up, and does not recall either of the instances reported by Councillor Hazell.

44) Throughout November and December, there was a flurry of emails between Councillors Lidgate and Vigor-Hedderly, most of which were copied inappropriately to a wide range of people, a practice particularly criticised by South Bucks District Councillor Damon Clark. The most unfortunate example of this was when Councillor Vigor-Hedderly, almost certainly by mistake, sent the draft of her complaint about Councillor Lidgate, to Bill Lidgate instead of Bill Chapple, and was then furious that Bill Lidgate had copied it widely to others. Most of the emails from both parties are critical of each other, some patronising, some rude. I conclude that they fall to be construed as 'lively political debate'. The two of which Councillor Vigor-Hedderly complains of most are one from Bill Lidgate to Councillor Ruth Vigor-Hedderly dated 19th November 2009 which contains the phrase in the context of her pursuit of a LAF "Stephen says you have asked for it to be formed and if that is right you could be on a similar path to the one that Kathie Webber trod. She put her faith in Bill Chapple and disappeared without trace". The second also from Councillor Lidgate to Councillor Vigor-Hedderly dated 1st December 2009 says 'my advice for what it is worth is don't

do it. If you believe in LAFs as designated argue the case but don't fly in the face of those who put you where you are'.

45) Councillor Vigor-Hedderly puts the two together and takes this as a real and deliverable threat of deselection combining the way in which she came to be selected, and the significant influence of Councillor Lidgate and his wife in local Conservative associations.

46) Some of Councillor Lidgate's supporters point to the fact that he lost the LAF vote at the February Parish Council meeting as suggesting that he doesn't have that power and influence, but others recognise it as a valid and understandable view for Councillor Vigor-Hedderley to hold. I believe it is reasonable for her to read the two emails together.

47) Councillor Vigor-Hedderly says that Councillor Gidar had approached her in January to see if he could mediate as Conservative Branch Chairman. He told her that Councillor Lidgate had described her to him 'men in white coats would have to take her away and she would be seen as a woman with hormonal problems and that she had lost the plot'. No mediation took place.

48) Councillor Peter Hardy had also offered to mediate and said he was sure he could get Councillor Lidgate to apologise. Councillor Vigor-Hedderly asked if he would be able to get Councillor Lidgate to change his behaviour towards her, but he felt that would not be the case and that she would have to sit up, put up and shut up. No mediation took place.

49) I make no criticism of either Councillors Gidar or Hardy, I believe them to be realists in not pressing on with mediation in these circumstances.

The Meeting

50) Whilst Councillor Lidgate had steadfastly opposed the creation of LAFs, his fellow Parish, District and County Councillor Ruth Vigor-Hedderly was a proponent. Whilst neighbouring Wexham Parish had voted in favour of a LAF, Iver Parish Council in the Autumn of 2009 had voted against. Councillor Vigor-Hedderly wanted the subject to be revisited, and had persuaded the Parish Council Chairman Julian Wilson, who is also a South Bucks District Councillor, to invite officers from the County Council to attend the January 2010 Parish Council meeting, to make a presentation and answer questions to improve Parish Councillors knowledge of the scheme, so that the following month once 6 months had expired after their original decision, they could legitimately reconsider the issue.

51) The County Council officers were invited and those present comprised Rebecca Carley and Stephen Young from the localities team, and Mark Averill who is the lead officer for the Wexham and Iver local area.

52) It is clear that some at the County Council expected this to be a challenging meeting. Councillor Ruth Vigor-Hedderly had sent a note to Councillor Chapple asking him to ensure senior representation, and Rebecca Carley produced an email indicating that initially the Chief Executive had been asked to attend, when engagements clashed, he had passed the invitation to the appropriate Strategic Director Dean Taylor, who in turn had a clash of engagements and Rebecca Carley accompanied Stephen Young.

53) Councillor Ruth Vigor-Hedderly and the 3 Council Officers met briefly at her house before the meeting to discuss how best to approach the evening.

- 54) In the public part of the meeting before the formal Parish Council commenced, Stephen Young was invited to make his presentation. It had been agreed that questions would not be asked at that stage, but there was an item for discussion on the formal agenda later in the meeting at which time questions and views would be aired.
- 55) When the appropriate time arrived at the meeting the Chairman invited Councillors Lidgate and Vigor-Hedderly as the two County Councillors to have their say before questions and wider discussion took place. Whilst Councillor Vigor-Hedderly spoke in favour of LAFs she said comparatively little, whereas Councillor Lidgate, it is generally agreed, spoke passionately and loudly against LAFs, dominating the discussion. Whilst he supports locality working, he does not support the delivery mechanism, the LAF; he believes they are an expensive way of spending a modest amount of money at a local level.
- 56) Some of those who support Councillor Lidgate say, this was a Parish meeting so he was speaking as a Parish Councillor and can say what he likes. Councillor Lidgate is quick to recognise that as a 'triple hatter' he cannot just wear the one that is most convenient for the moment, and accepts that he never stops being a County Councillor.
- 57) It is relevant to understand, that whilst this was a Parish Council meeting, the County Council officers had been officially invited to attend, to explain a County Council policy so that Parish Councillors could be better informed, and that the Chairman asked Councillors Vigor-Hedderly and Lidgate to speak first, as the two County Councillors for the area, also knew most about the policy.
- 58) Councillor Lidgate is acknowledged by friend and foe alike to be a powerful speaker, who speaks his mind passionately and will do all he can to secure acceptance of his

point of view. Some Council colleagues say they disagree with him from time to time and will not back down, others say he can be intimidating and he wins support because some are unwilling to take him on.

59) Rebecca Carley and Stephen Young say that in both his initial contribution and subsequently, Councillor Lidgate actively and deliberately misrepresented both the purpose and the effect of County Council policy in support of his argument. Most witnesses say that he interrupted or talked over Rebecca Carley when she was answering questions and her point was not to his liking, others describe him as giving the officers a hard time, being short with them, laughing at them, shaking his head at them, getting angry with them and shouting that no South Bucks officer would co-operate with Buckinghamshire County Council officers to facilitate LAFs.

60) At one point when Councillor Lidgate was interrupting Rebecca, Councillor Vigor-Hedderly shouted at Councillor Lidgate 'Let her finish'.

61) Councillor Ruth Vigor-Hedderly, several of the Parish Councillors and a member of the public present at the meeting, described Councillor Lidgate's behaviour as unacceptable, and that the officers are right to feel aggrieved at their treatment. The officers were not treated with respect and Councillor Lidgate denigrated the County Council's policy and approach.

62) The Chairman of the meeting says he saw no reason to intervene. Mark Averill, the most senior County Council officer present, claimed to have been treated worse by the public at public meetings and it was a 'storm in a tea cup' and County Councillor Roger Reed described the officers reaction as 'incredibly precious'.

63) After the meeting and before sending the letter to Parish Councillors, Rebecca had discussed and agreed her intention with her Strategic Director, Dean Taylor, who also advised me that he had read and cleared the text in advance and authorised its sending.

Councillor Lidgate

64) Councillor Lidgate was elected to Iver Parish Council and South Bucks District Council in 1999. He was elected to Buckinghamshire County Council in 2001 and sits on the following Committees:-

- County Parks and Green Spaces Liaison Group (as a South Buckinghamshire District Councillor)
- Policy Advisory Group – Organisation
- Rights of Way (Chairman)
- Statutory/Mandatory/Discretionary Spend (Transport) Task and Finish Group
- Wexham and Iver's Local Area Forum
- Winter Maintenance Task and Finish Group

65) He lives in Huntsmoor Park Farm in Iver. He has received training in the Code of Conduct at all three tiers of Local Authority. He signed his undertaking to observe the Code of Conduct on 08/06/2009.

66) He feels very strongly that it is his duty to represent the needs of his local community at all three tiers of Local Authority. Whilst he voted for the Localities Strategy he does not agree with the LAFs and believes them to be a costly way of distributing

money. He does not believe the villages of Iver and Wexham are natural bedfellows for a LAF and feels strongly that if there is to be a committee for his area it would comprise South Bucks District Council and all its constituent parishes. He accepts that in the north of Buckinghamshire, where there is a large number of small parishes, the LAF groupings are more appropriate.

67) He is a tall, well built man with a powerful voice, an easy smile and a considerable presence. He agrees that he expresses his views in a forthright manner, and when he feels passionate about something, he will do everything in his power to achieve it. He sets out to win arguments. He says he has been a negotiator all his life, his early experience as a negotiator was as a Trade Union Representative and later as a Managerial Representative at British Airways. He says there are many different ways to win an argument. He says he is assertive but not aggressive.

68) He denies accusations of bullying, and denies that he uses his undoubted abilities to intimidate individuals into not opposing him.

69) A number of his Councillor colleagues at both the District and Parish levels say they have no difficulty in arguing against him, whilst others say they believe people are frightened of opposing him. Several witnesses, both members of the public and Councillors cited examples of being intimidated by him, or observing him, being overpowering and/ or rude to individuals in public settings. Councillor Lidgate accepts that he can reduce people to tears but says not intentionally, he denies any intention to be rude or to intimidate and does not accept that the effect on the recipient rather than his intention is the more important. He questioned whether officers can do their job if they could not enter into robust conversation with members.

70) The first time that I put to him that complaints had been made about him by staff at South Bucks District Council he denied that this was true, then remembered one such event, then abruptly terminated the interview and left the room saying he was going to resign from public life. The following day he asked for the interview to be reinstated, which it was, but he continued to deny the existence of such complaints despite me telling him I had checked my understanding with my informant, the Chief Executive of South Bucks District Council.

71) Many people said to me 'Bill is Bill' and that you know what to expect from him. His style was developed over a period of years perhaps in more hostile environments than Local Councils in Buckinghamshire, and most people, including his most ardent supporters, say he will never change his ways. Whilst his style may have been appropriate when it was formulated, it is now seen by most as old fashioned.

The Conspiracy Theories

72) Councillor Lidgate and his senior colleagues at South Bucks District Council regard the complaints against him as a put up job, an attempt by the political leadership of the County Council, in his words 'fire a shot across his bows', because of his perceived intransigence over LAFs.

73) He and they assert that Councillor Ruth Vigor-Hedderly's enthusiasm for a LAF is prompted by Councillor Chapple (the Deputy Leader) and a promise of advancement if she succeeds in establishing the Wexham and Iver LAF.

74) These assertions are denied by Councillor Chapple and Councillor Ruth Vigor-Hedderly, and the officers insist they decided independently of each other, and of anyone else, to make formal complaints.

The Complaint's Process

75) Councillor Lidgate and many of his fellow senior Councillors in South Bucks District Council, who are also Buckinghamshire County Councillors, believe that in response to the formal complaints, a different approach, other than a formal investigation, should have been adopted.

76) As to the Officer complaints they say that a very senior officer should have spoken to Councillor Lidgate, arranged a meeting with the officer(s) concerned and secured an apology, the approach adopted at South Bucks District Council, and they say at Buckinghamshire County Council.

77) Rebecca Carley emailed Councillor Lidgate after the meeting challenging him over statements he had made. Councillor Lidgate spoke to Dean Taylor about the possibility of a meeting to discuss this, by this time the Monitoring Officer had been alerted to the situation, Dean wanted her to be at the meeting but he said Councillor Lidgate was reluctant to have other people present. The matter was then passed to the Monitoring Officer for appropriate action.

78) It is my view that officers did not believe that even if Councillor Lidgate apologised, he would not really mean it and would not change his behaviour.

79) On the Member to Member complaint, Councillor Lidgate's supporters say this should have been dealt with by the Conservative Group under Group Rules, which state that the Deputy Leader, Councillor Chapple, is responsible for group discipline. The Rules provide for discussion of such issues at a Group meeting. Councillor Chapple told me that had it only been a complaint from a Member he would have invoked this process, but as it was followed so quickly by 2 officer complaints he felt

that approach was not suitable, and that the 3 complaints should be referred to the County Council's Standards Committee for consideration.

80) Councillor Chapple said to me "looking back it may have been better to take this to the Group, but we had parallel complaints". This is primarily a matter of political discipline; there is a deep underlying political dispute within the ruling Group which, in my view, needs to be dealt with to enable the County Council to overcome the effect of the debilitating guerrilla war being waged against adopted County Council Policy.

Findings of Fact

81) Councillor Ruth Vigor-Hedderly undoubtedly feels bullied and intimidated by Councillor Lidgate's attempts to dissuade her from following adopted County Council Policy. His language and actions range from the inappropriate to the intemperate and I find that he did not treat her with the respect to which she is entitled.

82) Given the role Councillor Lidgate has and does play in the recruitment of potential Conservative candidates in the local area, and his strong connections to the local constituency associations who make the choice, I find it was legitimate for Councillor Vigor-Hedderly to interpret Councillor Lidgate's emails about 'disappearing without trace like Kathie Webber' and 'not flying in the face of those who put you where you are' as a threat to deselect her as a candidate, and this is bullying.

83) Given the likely frequency of contact, and proximity of residence of the 2 Councillors within a relatively small locality where both are well known, I find it is legitimate for Councillor Vigor-Hedderly to feel more threatened and at risk of

bullying, than if they were Councillor's from constituencies well separated by distance where their paths would cross only occasionally.

84) As to the Iver Parish Council meeting, I am satisfied that as time went on, Councillor Lidgate's interventions got longer, louder and more pointed. In deprecating the County Council's approach so publically and vehemently he is not fulfilling his obligations as a County Councillor. By accusing them both as being "part of the problem", he undermined them and was certainly not treating the officers with respect as he is required to do by the Members Code and the Member/Officer protocol.

85) A number of the Parish Councillor's present at the Parish meeting regarded Councillor Lidgate's treatment of the officers as unacceptable, and believe they were entitled to expect not to be treated in such a manner. The senior managers consulted by the officers in question, also regard the officers as correct in expecting not to be treated in this way.

86) The officers Code of Conduct requires them to give Councillors 'respect, courtesy and dignified behaviour appropriate to the occasion'. The officers were correct in feeling unable to respond critically to Councillor Lidgate in a public meeting.

87) Councillor Chapple asserts the importance to the County Council, of a partnership between Member and Officers, and of the need for mutual respect. The County Council is rightly proud of the reputation it enjoys of good member/officer relations.

88) In the local community Councillor Lidgate has a reputation as being determined to get his own way, and to intimidate and bully those who do not feel able to stand up to him. His behaviour in a variety of local public settings was cited by local residents and parish councillors.

89) The evidence of Councillor Hazell about threatening behaviour by Councillor Lidgate, and of the Chief Executive of South Bucks about officer complaints, demonstrate a pattern of behaviour similar to that affected in these complaints.

Mitigating Factors

90) Councillor Lidgate asserts that his willingness to meet the complainants and to apologise should be regarded as a mitigating factor, and that it is effectively the fault of the complainants and offers that this route was not pursued. I do not accept that. It is clear that the complainants potential mediators both Member and Officers, believed that whilst Councillor Lidgate would be prepared to apologise, he would not change his style or behaviour so any such apology would have been of no real value.

The Behaviour in the Context of the Code

91) The Code is very clear; it speaks in terms of what Councillor's '*must*' and '*must not*' do.

92) Para 3 (1) reads '*You must treat others with respect*' the language used in a number of Councillor Lidgate's references to Councillor Vigor-Hedderly, notably the 2 key emails copied to others, and in conversation with others does not satisfy this test, as he demonstrates a clear lack of respect for Councillor Vigor-Hedderly.

93) Para 3 (2) (b) reads '*You must not bully any person*' Councillor Vigor-Hedderly felt bullied and at threat of deselection by Councillor Lidgate's actions and emails, especially when coupled with his extensive local constituency influence and with their living and working in the same local community. I find it reasonable for her to feel bullied.

94) Para 5 reads *'You must not do anything which could reasonably be regarded as bringing your office or authority into disrespect'*. This is a harder test to satisfy. Whilst Councillor Lidgate's actions did not enhance his, or the Council's reputation, as it was done in front of a small audience who, apart from the 2 officers, knew what to expect from him, I am not satisfied this provision has been breached.

Conclusion

95) I am satisfied that Councillor Lidgate has been trained in the Code of Conduct for Members. Councillor Lidgate's personal style is, in his view robust, and forthright. He is a very experienced negotiator and understands how to deploy his techniques and abilities to make sure his point of view prevails. He understands that some people can be intimidated by him but claims this is not intentional on his part. Councillor Lidgate has a reputation amongst those who oppose him as a bully.

96) A Councillors' conduct stands to be judged in the eyes of a reasonable man. It is my view that no reasonable man would have found Councillor Lidgate's behaviour to meet that standard.

97) I find the behaviour exhibited by Councillor Lidgate towards officers at the Iver Parish Council meeting reprehensible and in clear breach of Para's 3 (1) and 3 (2) (b).

98) I find the behaviour of Councillor Lidgate towards Councillor Ruth Vigor-Hedderly, her perceived threat of deselection out of his emails to her, and the general tenor and tone of his comments to others to be wholly unacceptable and in clear breach of Para's 3 (1) and 3 (2) (b) and recommend there should be a hearing into the said breaches.

Appendix 1: List of Interviews

Name of Interviewee	Time	Date
Stephen Young	10.30am-12noon	22/4/2010
Christine Gardner	12noon-1pm	22/4/2010
Ruth Vigor-Hedderly	10am-12noon	23/4/2010
Lin Hazell	12.30-1.30pm	23/4/2010
Mark Averill	2pm-3pm	23/4/2010
Rebecca Carley	10am-12noon	26/4/2010
Bill Lidgate	10am-12noon	28/4/2010
Peter Hardy	1.30-2.30pm	28/4/2010
Adrian Busby	3.00-4.00pm	28/4/2010
Pat Leech	10.00-11am	10/5/2010
Eddie Wood	11.30-12.30pm	10/5/2010
Jeanette Watkins	1.30-2.30pm	10/5/2010
Julian Wilson	10am-11am	11/5/2010
Marion Dunstall	11.30-12.00noon	11/5/2010
Bill Chapple	10am-11am	12/5/2010
Maureen Royston	12.45-1.45pm	14/5/2010
Dean Taylor	2.00-2.15pm	14/5/2010

Derek Adlam	9.30-10.30am	21/5/2010
Roger Reed	10.30am-11.30am	21/5/2010
Chris Furness	12.00-1.00pm	21/5/2010 & 16/06/2010
Damon Clark	2.00-3.00pm	21/5/2010
Tony Connolly	6.30-7.00pm	25/5/2010
Ravi Gidar	7.30-8.30pm	25/5/2010
Bill Lidgate	10am-12noon	26/5/2010
Chris Williams	3.30-5.30pm	26/5/2010
Bill Lidgate	10.00-12noon	16/6/2010
Lee Groom	2pm-3pm	17/6/2010
Claire Mowat	4pm- 5pm	17/6/2010
Malcolm Bradford	12.30-1.00pm	25/6/2010

Appendix 2: Schedule of Evidence taken into account

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|--|-----------------------------------|
| 1) Formal complaint from Stephen Young | 26/1/2010 |
| 2) Formal complaint from Rebecca Carley | 25/1/2010 |
| 3) Formal complaint and additional material from Ruth Vigor-Hedderly | 21/1/2010 |
| 4) Response from Bill Lidgate and further material supplied by him | 19/3/2010 |
| 5) Decision Notice: Referral for Investigation and explanatory emails
from the Monitoring Officer and Deputy Monitoring Officer | 5/2/2010
26/1/2010 & 28/1/2010 |
| 6) Minutes of Iver Parish Council | 4/1/2010 & 1/2/2010 |
| 7) Report and Minutes on GC2C Buckinghamshire County Council | 8/7/2008 |
| 8) Report and Minutes of South Bucks Joint Local Committee | 1/12/2008 |
| 9) Emails from Councillor Lidgate to Ruth Vigor-Hedderly | 19/11/2009 & 1/12/2009 |
| 10) Councillor Lidgate's Declaration of acceptance of office | 8/6/2009 |
| 11) Notes of Interviews with witnesses listed in Appendix 1. | |