

APPENDIX E

From Cllr Peter Yeo

Shaftesbury Town Council

Thursday 25 Sept 2025

Dear Ms Dolley,

Further to our meeting on Thursday 11th Sept 25, as promised here is the statement I referred to in the meeting which you will need to incorporate in to your report:

Written Statement – Councillor Peter Yeo

Code of Conduct Complaints COM/8299, COM/8319, COM/8380

- 1 For clarity, the Shaftesbury Town Council (STC) agendas cited in these complaints (17 December 2024 and 11 March 2025) did not involve the Mampitts Lane Community Land Trust CIO in any way.
- 2 Both items were solely about **Shaftesbury Town Council's own procurement process** for the Mampitts Hub project—specifically, **selecting an architect**. The discussion and debate focused on the **bids and responses from architects**, and **not** on the CIO's role or any application from the Trust (because there was not any).
- 3 The **CIO was not a party** to those Town Council decisions, had **no contract** or financial relationship with the Town Council in this matter, and did **not stand to benefit pecuniarily or otherwise** from the architect selection.
- 4 My participation in these STC Full Council meetings was therefore not related to a **Disclosable Pecuniary Interest** or any **Other Registerable Interest** under the Code. I declared my trusteeship of the CIO on the Register of Interests and acted in good faith, representing residents' concerns about the Town Council's process. I remain committed to following clear guidance and ensuring public confidence in Shaftesbury Town Council decision-making.
- 5 The attached 18 October 2024 Letter from Dorset Council to STC explains that STC have been awarded all the S106 funding (and not The Mampitts Lane Community Land Trust CIO). Town Clerk Brie Logan and all Cllr Hollingshead knew this to be the case on 17 December 2024 and on 11 March 2025, so both knew that what they were stating in those Full Council meetings regarding me allegedly having a conflict of interest was false and was unfounded.
- 6 The other attached letter from Mr Mike Garrity (Head of Planning at Dorset Council) from 26 August 2025 shows that there has been no change to the Dorset Council October 2024

decision that the s106 funding allocation is to Shaftesbury Town Council (STC) and that he is recommending that there will not be any change of that decision.

7 As you will see from the STC agendas (and minutes) and be able to acknowledge for both the 17 December 2024 and the 11 March 2025 STC Full Council meetings, there were no agenda item relating to The Mampitts Lane Community Land Trust CIO nor to the possibility of the CIO being awarded anything.

8 Town Clerk Brie Logan read out a December 2024 email from Jonathan Mair (Dorset Council's Monitoring Officer) which confirmed that my involvement as an unpaid trustee of The Mampitts Lane Community Land Trust CIO (MLCLT CIO) was an 'Other Registerable Interest' (and not a Disclosable Pecuniary Interest). Mrs Logan failed to explain to councillors and the public that as the agenda item did not relate to anything being awarded to the MLCLT CIO and was instead to do with architect selection, that I had every right to speak and to fully take part in the meeting and represent the electorate that elected me. Instead, it seems that Mrs Logan intention of reading out the monitoring Officers confirmation of 'Other Registerable Interest' was to mislead and negatively influenced councillors and the public to think I should not take part in that agenda item despite it not relating to the MLCLT CIO. Mrs Logan had every reason to try and silence me on this agenda item as she had unlawfully submitted to Dorset Council the s106 application (that has resulted in Dorset Council awarding the £876,000 of s106 money to STC for their unpopular 'Mampitts Hub' project) without her ever telling STC councillors that DC had asked her if STC wanted to submit an s106 application and without its design or the contents of her s106 application being shown, debated, agreed to be submitted, or ratified by councillors, as it was never put on a Full Council agenda by her.

9 Cllr Hollingshead (who has no legal qualification or remit to give a legal opinion whatsoever) also read out a totally inapplicable text which falsely and maliciously claimed it would be criminal for me to take part in the meeting. Town Clerk Mrs Brie Logan should have immediately cautioned him that he was not legally qualified and had no right to state his incorrect view.

10 The 17 December 2024 STC Full Council agenda item related to tendering for architectural services and 11 March 2025 STC Full Council agenda item was to select an architect for STC, **not** to award anything to the MLCLT CIO.

11 Cllr Hollingshead's clear intent was to mislead and mis-inform STC Cllrs and the public to discredit and undermine me so that I could not represent the residents who elected me to represent them, residents who are strongly against the STC scheme to destroy *their* Mampitts Green open space (which is still owned by Persimmon Homes and will be transferred to Dorset Council) by building STC's poorly designed Proctor Watt Cole Rutter architects (PWCR) two story 'Hub' and dangerous car parking all over it, despite the residents' strong protests.

- 12 Both I and my legal team are therefore extremely surprised that no one in your team at Dorset Council vetted Cllr Andrew Hollingshead's malicious and vexatious Code of Conduct complaints upon receipt and established all of the above undisputable facts.
- 13 Had they done so, they would have ascertained that that these Code of Conduct complaints were unfounded, vexatious, and malicious submitted with malintent as they did not involve the Mampitts Lane Community Land Trust CIO nor any s106 funds being allocated to this CIO (of which I am a trustee). A Charity trustee is an unpaid role by its very nature and Hollingshead know this being a trustee of another charity.
- 14 Consequently, these two Code of Conduct Complaints should have been dismissed at the initial vetting point (as should Councillor Hollingshead's third Code of Conduct Complaint)
- 15 It is very concerning that no one at Dorset Council seems to have yet noted the fact that all three Code of Conduct Complaints are made by Cllr Andrew Hollingshead and that no one else anywhere in the entire universe thought fit to make any Code of Conduct complaints against me. The residents who re-elected me at the ballot box obviously have no complaints regard my conduct or me representing them.
- 16 Cllr Hollinshead has a long-standing record of harassing both myself and Cllr Karen Tippins (who served as an STC Cllr from Dec 2019 to May 2024 but did not stand for re-election in 2024). Cllr Hollinshead's motives for making these Code of Conduct complaints are politically and maliciously motivated and are part of his long history of harassing any councillor who wants Shaftesbury Town Council to be operated in a professional, open, and transparent manner in accordance with the Nolan Principles.
- 17 It is severely disappointing that Dorset Council have so far allowed Cllr Hollinghead to continue this campaign of harassment against me (and previously against Cllr Karen Tippins when she was a Cllr) totally unchecked. He is deliberately abusing the Code of Conduct process for his own malicious and vengeful purposes.
- 18 Cllr Hollingshead has a personal vendetta against myself as I have repeatedly stood up to his bullying of myself and that of Cllr Karen Tippins during the last six years and he obviously does not like that.
- 19 Cllr Hollinghead held and chaired an unlawful STC 'Human Resources' meeting on Monday 10 Feb 2020. It was unlawful because the committee met to discuss Cllr Karen Tippins in her absence with the then Town Clerk. The 'Harvey Versus Ledbury Town Council' case (won by Cllr Harvey) demonstrated that this to be unlawful at great cost to the Ledbury tax payer.
- 20 Cllr Tippins and I attended this mysterious meeting of the STC HR committee convened at short notice to be on a Monday morning at 0800hrs.
- 21 Cllr Hollingshead attempted to intimidate us and bully us to leave the town hall and then phoned 999 and lied to the Police claiming we were causing a 'breach of the peace', when we were not, we were quietly sitting there as Councillors to observe the unlawful proceedings. I

had publicised that I was recording the meeting and the recording proves that Hollinshead lied to the police (you may have a copy if you wish). This mis-use of the Police 999 service and wasting of Police time by Cllr Hollingshead caused the police to be 'crashed out' with two Police cars to arrest Cllr Tippins and I at the Town Hall. Cllr Tippins and I wanted to greet the Police and tell them about the unlawful proceedings that morning, however after waiting 35 minutes for them to turn up we had to go to other engagements and we didn't get the chance. We phoned up the officer who had attended the town hall and requested to be interviewed but he refused. Cllr Hollingshead's appalling conduct that day was reported to the BBC. When the BBC telephoned Cllr Hollingshead he also lied to the BBC reporter about the events and claimed he had "called 101" but Police records showed the BBC reporter that it was a '999' call and that Hollingshead lied to the BBC about that too. Dorset Police reference 10 Feb 2020 '10-061' in case you wish to confirm this.

- 22 Hollingshead was reported by me to Dorset Police on '101' on 14 Feb 2020 to the Police for harassing me as a citizen and in my duties as a Councillor, one of which is to ensure proper lawful governance occurs in STC.
- 23 Cllr Tippins made a Code of Conduct complaint to Dorset Council about Cllr Hollingshead's severely harassing and blatantly unlawful use of the 999 service to harass myself and Cllr Tippins and yet incredibly Jonathan Mair, Dorset Council's Monitoring Officer, dismissed Cllr Tippin's Code of Conduct Complaint claiming it was 'tit for tat' when it was no such thing, thus giving Hollingshead a licence to continue his harassment of any councillor who, like myself in these three Full Council meetings, stands up for wanting proper governance in STC.
- 24 Cllr Hollingshead was also instrumental in launching the unpopular STC 'Mampitts Hub' Scheme to rival the residents' existing, highly developed and well-liked scheme for Mampitts Green, despite him not living anywhere near it and him knowing that the local residents do not want the STC Scheme.
- 25 Cllr Hollingshead also knows full well that the STC rival scheme for Mampitts Green has been unlawfully progressed on three counts by STC.
- 26 Because of the unlawful progression of the STC scheme by STC, Dorset Council should never have selected STC for the allocation of s106 funding and this should now immediately be withdrawn by Dorset Council.
- 27 The first reason that this scheme has been unlawfully progressed by STC is the fact that the nomination of and contracting of Architects 'Proctor, Watt, Cole and Rutter' (PWCR) as the architects to design the STC proposal and submit the STC Planning Application was not advertising on the Government Contracts tendering website as was required due to its high cost. Instead, the contract was unlawfully awarded to Proctor, Watt, Cole, Rutter (PWCR) Architects without competition and whilst PWCR founder, Cllr Anthony Philip Proctor (a friend of Hollingshead's) was an STC councillor. (Cllr Proctor did not stand for re-election in

May 2024, but remains friends with Cllr Hollingshead and the other problem STC councillors).

28 Secondly, the Planning Application submitted to DC by former STC Town Clerk Brie Logan in late March 2024 was unlawfully submitted by her as the design was never shown to all councillors and was never put on an STC Full Council Agenda for debate, was never voted upon so was never ratified by STC Full Council. Mrs Brie Logan submitted the Planning Application with no lawful authority to do so, but did so knowing that certain Cllrs, including her friend Cllr Hollingshead, wanted her to.

29 Thirdly, the s106 Application that application submitted to Dorset Council by former STC Town Clerk Brie Logan in summer 2024 was also unlawfully submitted by her. In Summer 2024 she never even told the Full Council that DC had enquired as to whether STC wanted to submit an s106 application or not. She by-passed all democratic process, did not inform councillors, failed to put the Dorset Council request on an STC Full Council Agenda and then, with no authority whatsoever to do so, she submitted an s106 application that no Cllrs or the public had a say in as it was never on a Full Council Agenda. It was never debated and never voted for. STC Full Council Agendas and minutes prove this, the agenda and items and resolutions simply do not exist. Dorset Council awarded s106 funds to STC based upon this invalid and unlawfully submitted STC s106 application. Again, Cllr Hollingshead is perfectly happy with this unlawful course of action and is annoyed that I keep publicly stating it - another one of his malicious motives for submitting these vexatious Code of Conduct complaints against me.

30 Hollingshead was one of the only three people in The World, all West Ward STC Councillors (who no one voted for), who attended the Dorset Council Northern Area Planning Committee on 01 Oct 2024 to support this very poor and unwanted STC scheme's Planning Application for East Shaftesbury. No one from East Shaftesbury, nor anyone else, supported this planning application at this meeting, there were numerous objectors present and three (the maximum allowed) spoke against it.

31 As for the third Code of Conduct Complaint, as I stated in our 'MS Teams' meeting interview on Thursday 11th Sept 2025, it should be *me* making Code of Conduct Complaints against all those fourteen STC Cllrs involved as it was *they* who brought Shaftesbury Town Council in to disrepute in the 18 March 2024 Full Council meeting. Cllr Andrew Hollingshead (who made this Code of Conduct complaint against me) is one of the councillors who voted to unlawfully use against me a Standing Order that exists only to be used against unruly members of the public who are disrupting a council meeting, an Order which is blatantly not to be used against an elected representative of the electorate that other councillors wish to cancel and silence. (As explained to STC by my specialist solicitor in 2020).

32 Hollinshead was one of the gang of Cllrs on 18 March 2024 who deliberately talked over me when it was my turn and right to speak unopposed for three minutes on the procedure for

selecting a new Town Clerk. I did not gang up and talk over them in the same manner when they spoke. I obviously could not, I am just one councillor. They did so with the deliberate intent of stopping the public from hearing the truth of the highly improper procedure used to make Brie Logan town clerk and why this process must not be repeated (it was repeated and the new clerk they selected lasted just 56 days in post).

33 Cllr Greg Williams had no right to propose that Standing Order 2a was used against me, it is an order that is only for use against disruptive members of the public in a meeting. I was an elected councillor who was behaving entirely within his rights as an elected representative of the electorate.

34 The meeting Chairman, Cllr Alexander Chase, should have informed Cllr Greg Williams that this would be an unlawful use of a standing order against a Councillors that is only for use against unruly members of the public, but no, Chase then unlawfully proposed and voted to use Standing Orders 2B against me again. His close friend, Cllr Piers Brown, then unlawfully Seconded the proposal. (Both Brown and Chase are close friends with Cllr Andrew Hollingshead and they all took parts in the previous unlawfully uses Standing Order 2B against myself and Cllr Karen Tippins in 2020).

Extract from the minutes of the STC Full Council meeting of 18th March 2024:

FC142 To consider the recruitment process for the role of Town Clerk

Officer report 0325FC7 was received and noted.

Cllr Williams called SO 2a against Cllr Yeo.

Cllr Dibben left the meeting at 8.26pm.

Cllr Chase called SO 2b and a vote was taken to exclude Cllr Yeo from the meeting.

Proposed by Cllr Chase		
Seconded by Cllr Brown		
In Favour	14	Cllrs Chase, Edwyn-Jones, Barratt, Brown, Dibben, Elmendorff, Heritage, Hollingshead, Loader, Philpott, Salkeld, Smith, Williams and Wild
Against	1	Cllr Yeo
Abstentions	0	
MOTION CARRIED		

Cllr Yeo refused to leave the meeting and therefore, at 8.27pm the meeting was adjourned for 10mins.

Cllr Edwyn-Jones left the meeting at 8.27pm.

The meeting recommenced at 8.39pm.

Cllr Yeo was asked to confirm the moderation of his behaviour.

35 The minutes fail to state that Cllr Lester Dibben talked over me as he left the meeting to go to another meeting. They also fail to state that neither the chairman nor the councillors have any right to exclude me from the meeting or request me to leave a Full Council meeting. Neither do they state that Cllr Williams has no right to propose that Standing Order 2a, an

order that is only for use against disruptive member of the public in the meeting is used against an elected councillor who is behaving entirely within his rights as an elected representative of the electorate.

(Standing Order 2a: DISORDERLY CONDUCT AT MEETINGS. No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the chairman of the meeting shall request such person(s) to moderate or improve their conduct).

36

Standing Order 2B

DISORDERLY CONDUCT AT MEETINGS: No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the chairman of the meeting shall request such person(s) to moderate or improve their conduct. 6 b If person(s) disregard the request of the chairman of the meeting to moderate or improve their conduct, any councillor or the chairman of the meeting may move that the person be no longer heard or be excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion. c If a resolution made under standing order 2(b) is ignored, the chairman of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

The use of this standing order against a councillor is unlawful and is a very serious perversion of democracy. It is an Order that was created solely for use against members of the public.

37

These fourteen STC councillors totally failed to comply with the council's Code of Conduct:

Particularly – *“Importantly, we should be able to undertake our role as a councillor without being intimidated, abused, bullied, or threatened by anyone, including the general public.*

In accordance with the public trust placed in me, on all occasions: • I act with integrity and honesty • I act lawfully • I treat all persons fairly and with respect; and • I lead by example and act in a way that secures public confidence in the role of councillor.

And:

General Conduct 1. Respect As a councillor: 1.1. 1.2. I treat other councillors and members of the public with respect.

38

As you will see from the attached 08 Dec 2020 legal letter to STC Town Clerk Claire Commons, my specialist solicitor explained the unlawfulness of STC using Standing Orders 2A and 2B against a councillor (it is a Standing order for use against members of the Public

disrupting a meeting) and that it is unlawful to suspend or eject a Councillor from a Full Council Meeting. The actions of Cllr Chase on 18 March 2025 using standing Order 2B against me when I was being improperly interrupted during my three minutes to speak was unlawful and perverse. He, the other councillors and the Town Clerk Brie Logan (who failed to ensure lawful governance) brought Shaftesbury Town Council in to disrepute, not me. Cllr Williams first proposed the unlawful use of Standing Order 2A. Then integrity-less STC Councillors then went along with the highly improper use of standing order 2B to prevent my free speech and prevent the public hearing the highly improper selection procedure conducted for the selection of Brie Logan as town clerk in 2022 and what had gone on within STC then or that this highly improper procedure must not be repeated in the then imminent recruitment of a new Town Clerk.

39 This unlawful misuse of Standing Orders against me is however standard practice by a certain group of Councillors in Shaftesbury Town Council, and of course Town Clerk Brie Logan never intervened to stop it and thus once again left Shaftesbury Town Council open to being sued by me as this unlawful conduct of council business, by the misuse of standing orders to exclude a Councillors, has already been proven as being totally unlawful by the 'Harvey versus Ledbury Town Council' case and which is case law.

40 The Chairman of this 18 March 2025 meeting was Councillor Alexander Chase who is a close friend of Cllr Hollingshead and also Cllr Proctor (Proctor was still a Cllr then). Cllr Chase was having extension work done on his house at this time which was designed by Proctor Watt Cole Rutter architects. Cllr Alex Chase mis-used his position of Mayor and meeting Chairman to unlawfully mis-use standing orders against me and to allow the councillors in the cabal to talk over me without reprimanding any of them.

41 Instead of disciplining those councillors for deliberately talking over me to try and make sure I was not heard, The Chairman, Cllr Alexander Chase (a member of the cabal and therefore totally biased and well versed in this disgusting course of action as they have repeatedly used it against me and Cllr Tippins when she was a councillor) totally failed to reprimand the problem councillors (his friends) and instead mis-used standing orders to try and make out that I had done something wrong and got the council to vote that I was not heard and suspended the meeting for ten minutes.

42 I was proved to be totally correct for stating my concerns of improper recruitment procedure as the same HR Advisor was used in 2025 as in 2022 and Cllr Edwyn-Jones was again on a Town Clerk selection panel of only three councillors. Incredibly this team selected a total unqualified candidate over a fully qualified and highly experienced town clerk and this has already ended in disaster with the 'new' Town Clerk leaving after 56 days in post.

43 Cllr Hollingshead is one of the cabal of Cllrs who are responsible for making STC a dysfunctional, toxic Council, which is disrespected by many Shaftesbury residents. Their conduct is what caused this meeting to be a minor 'news' story on the total unregulated

'This is Alfred' (Shaftesbury 'news') Facebook page and STC subsidised 'Alfred' local radio station.

44 Despite it being against the law to do so, STC gave £2,000 to Mr Keri Jones towards operating his radio station and Town Clerk Brie Logan also used Council Tax to pay for leafleting all of Shaftesbury to promote the 'This is Alfred' Facebook site, which again is not a lawful use of STC Council Tax and was all voted through by Cllr Hollingshead and other councillors in the cabal during the previous council's tenure.

45 My acceptance of Office is attached. Nowhere on this does it state that I have to do Code of Conduct Training. I note from the STC website that out of 15 STC councillors only two have done this training. If it was compulsory, DC or STC would surely have laid on a course for all councillors to attend and sent invites stating it was compulsory. As I stated in your interview of Thursday 11 September 2025, I fully understand the requirements of the Code of Conduct guidance and I have not broken it in relation to these three code of conduct complaints.

46 It should be clear to you from this statement that Cllr Andrew Hollingshead, the only person to make any code of conduct complaints against me regarding these meetings, made these complaints vexatiously, maliciously, vengefully and with malintent towards me and that he has an abusive behaviour that has so far been totally unchecked by Dorset Council.

Yours Sincerely,

Peter Yeo

Cllr Peter Yeo

Shaftesbury Town Council, East Ward

Brie Logan – Town Clerk
Shaftesbury Town Council
The Town Hall
High Street
Shaftesbury
SP7 8LY

Date: 18th October 2024
Ref: Mampitts Green s106
Officer: Andrew Galpin

**RE: Allocation of S106 developer contribution funding – Mampitts Green, Shaftesbury**

Dear Brie

As you will be aware, on Tuesday 15th October 2024, Dorset Council Cabinet supported a recommendation to conditionally award £876,278 of section 106 developer contribution funding to Shaftesbury Town Council for the purposes of building, operating, and eventually owning a Community Hub and associated facilities on the area of land known as Mampitts Green, Shaftesbury. The award relates to the application for funding you submitted on behalf of Shaftesbury Town Council on the 14th August 2024.

As set out in the officer report to Cabinet, the award is conditional, and I detail these below:

- **Timescale Conditions** – (1) to provide all the additional information required though condition within 6 months of the Cabinet decision. (2) To commence work on-site no later than 12 months from the date of Cabinet decision, subject to land transfer. Failure to meet this condition would require the funding offer to be revisited by Dorset Council.
- **Operating Plan Condition** - a detailed long term operating plan must be submitted and accepted by Dorset Council.
- **Project Costings and Project Delivery Plan Condition** - final project costings and a copy of contract(s) with builders/contractors must be submitted to Dorset Council before they are signed. In addition, a updated project delivery plan with realistic and achievable timeframes is submitted.
- **Ringfenced Bank Account for Community Hall Condition** - evidence must be provided to Dorset Council to demonstrate that a dedicated bank account for all community hall related financial activity has been set up to manage the project. In addition, copies of annual financial updates and auditors reports will be required where undertaken. This is to ensure that funds received are managed and monitored appropriately.
- **External Funding Grant Applications Condition** - evidence of grant applications for external funding and/or evidence of research and contact with potential grant funding organisations must be submitted to Dorset Council.
- **Evidence of Engagement with Community Groups** – evidence that the awarded party has engaged with local community groups to find out the level of interest in using the community hall on a regular basis. For example, a list of groups who have been contacted with copies of responses.
- **Contingency Budget Condition** - the contingency budget element of the S106 funds will remain with Dorset Council and will only be transferred if required and only

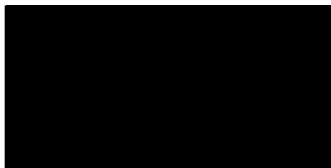
the amount required at the time. Evidence of the increase in costs above the initial estimate will also be required before additional funds will be transferred.

- **Land ownership condition** – Dorset Council will own the land while the proposal is built and will continue to own the land for a period of 3 years following the date of project completion in order to monitor operational performance. Should the operational performance reach a level to be agreed by Dorset Council, ownership of the land will be transferred to the awarded party.

These conditions will form part of a bespoke deed or equivalent agreement between Dorset Council and Shaftesbury Town Council, to be agreed prior to the release of funding. The deed will be consistent with the requirements of the approved s106 protocol for planning obligation funding allocations. This will ensure further safeguards and necessary assurances are put in place for stages involving the release of land or funding, adding confidence to the successful achievability of the project.

Given the timeframe set out in the timescale condition, I will seek to arrange an initial meeting with yourself and colleagues as appropriate to discuss the assessment, associated conditions, protocol requirements, and joint working arrangements on this project. I will pick these arrangements up separately over email.

Yours sincerely



Andrew Galpin
Infrastructure and Delivery Planning Manager

Sarah Smith – Town Clerk
Shaftesbury Town Council
The Town Hall, High Street
Shaftesbury, Dorset
SP7 8LY

Date: 26/08/2025**Ref:** Mampitts Lane**Officer:** Michael Garrity

VIA EMAIL

Email: sarahsmith@shaftesbury-tc.gov.uk

Dear Sarah,

RE: Mampitts Hub, Shaftesbury

As you will be aware, the decision by Dorset Council on 15th October 2024 to award s106 funding for the Mampitts Hub project was subject to conditions. The report recommendation provided me with delegation to appraise further information required by the conditions in consultation with the Cabinet Member and Portfolio Holder for Planning.

Colleagues have appraised the information submitted to Dorset Council on 18th July and I have been briefed on the findings and the subsequent meeting which took place between DC Officers, the Cabinet Member [and Portfolio Holder] for Planning, and STC representatives, on 11th August. I write to inform you of my position, having sought legal advice on the parameters of the Cabinet decision.

Timescale condition (para 6.7) required: (1) to provide all the additional information required though condition within 6 months of the Cabinet decision; and (2) To commence work on-site no later than 12 months from the date of Cabinet decision, subject to land transfer. Failure to meet this condition would require the funding offer to be revisited by Dorset Council.

It is clear from the appraisal that despite progress across all conditions, most are only partially met. I understand that the meeting held on 11th August provided an opportunity to explain progress and receive feedback from DC officers on the risks associated with key conditions, e.g. the budget position and contingency/fall back. I understand that the Town Council expressed a wish for DC to consider extending the commencement of work milestone by approximately 1 month to allow more time to prepare necessary information.

Given the current position on progress with several key conditions, and the implication this has on project progress and commencement, I have sought advice from Legal Services on the interpretation of the Cabinet decision and associated conditions. That advice confirms that, whilst delegation exists to consider the material submitted to meet the condition, it does not enable any authorisation to change to the actual conditions, milestones, or funding amount (except for any interest added to the funding amount, that would be standard practice in s106 award).

Therefore, I have been advised that the matter should be returned to Cabinet with a report updating Cabinet Members on progress with the project, seeking a decision to extend the timescale condition milestone. Given the risks associated with the budget position, it has been recommended that the Cabinet report clarifies the position around early financial drawdown, in order to provide an agreed position on this. Importantly, the report would not re-open the principle of choosing the funding award recipient.

The next opportunity to take a report to Cabinet will be its meeting on 9th October. In the light of this resulting in a delay to confirming Dorset Council's position and any associated cash flow/draw down decision, both myself and Cllr. Shane Bartlett recognise the importance of continued dialogue to progress this project in a timely and successful manner, subject to any decision by Dorset Council's Cabinet.

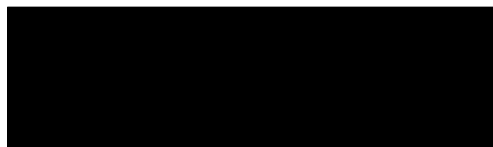
Yours sincerely,

A solid black rectangular box used to redact the signature of Michael Garrity.

Michael Garrity
Corporate Director for Planning
Place

FREETHS

Mrs Commons
Town Clerk & RFO
Shaftesbury Town Council
Town Hall
Shaftesbury
Dorset
SP7 8LY



8 December 2020

Our Ref: 

By Email

Dear Mrs Commons

Having previously written to you on the 22 July 2020 and 31 July 2020, this is now the third time I am having to write to you on behalf of my client, Councillor Peter Yeo, regarding the improper and ultra vires manner in which you as Town Clerk and Proper Officer are allowing Shaftesbury Town Council to operate towards him (and also towards Cllr Karen Tippins).

In spite of previous correspondence, nothing seems to have been done to stop the unfair, improper and unlawful treatment that Cllr Yeo (and also Cllr Tippins) are subjected to by Shaftesbury Town Council.

My instructions are that you have now ejected and barred Cllr Yeo, three times from official Full Council 'Video Telephone Conferencing' meetings, ie:

1. Firstly from the 7th July 2020 Full Council meeting (and its 13th July 2020 continuation meeting by means of informing him that all resolutions made in the initial meeting still stood)
2. From the 29th Sept 2020 meeting (where you also ejected Cllr Tippins after she asked you a question).
3. Most recently from the 2nd November 2020 Full Council meeting.

In addition to those 'ejections', as the meeting video shows on 2nd June 2020, you, following the Chair's instructions, muted Cllr Yeo's microphone and switched off his camera during this Full Council 'Zoom' meeting which was the improper and malicious 'Vote of No Confidence in Cllr Karen Tippins' meeting. On this occasion, due to you following Cllr Cook's instruction to mute and hide him from view, Cllr Yeo was prevented from making correct 'Points of Order'. This resulted in a large number of unfounded, defamatory and slanderous remarks being made about Cllr Tippins, which went unchallenged and uncorrected by Cllr Yeo, thus preventing him from carrying out his democratic rights and duties in this meeting.

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That you did this on 2nd June 2020 (and the other occasions of 'ejection') is somewhat illogical as you personally sent an email on 9th April 2020 to all councillors informing them of the legal requisites of operating Town Council meetings via Video Telephone Conferencing under the new Regulations (The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020, along with two NALC documents - [a legal briefing note](#) on NALC's interpretation of the regulations and practical guidance for local councils on [how to hold effective remote council meetings](#), which clearly states that Councillors must be able to be seen and heard by the public at all times, and yet you as Proper Officer have not ensured adherence to the law whatsoever.

In addition to the three Full Council "Zoom" meetings you have ejected Cllr Yeo from against his will, you have also ejected him from a sub-committee meeting where he was pointing out that an item of Full Council business that he had requested to be put on to a Full Council agenda had been put on to this sub-committee's agenda by yourself and was being resolved by this sub-committee (that he was not even part of), thus excluding four of the elected councillors from the decision making process of the Council!

It has been clearly explained to you in my two previous letters that these ejections and the barring of Councillors from Full Council Meetings, in a seemingly routine fashion because a group of Councillors express views that the majority does not approve of, is unlawful and is a totally improper use of a standing order (2B). This is intended for use against unruly members of the public only. Councillor Yeo has done nothing more than to request for a meeting or council business to be conducted in a correct and proper manner and for his rights of attendance to be respected.

Having now also viewed the recent Shaftesbury Town Council Full Council Meetings of 29 Sept 2020 and 03 November 2020 it is clear that the Town Council have still not taken notice of the requirements of British and European Law explained to you in my previous two legal letters, in particular the obligations of Free Expression contained within the European Convention on Human Rights. Instead it seems that you bizarrely think that this law and case law, such as the 'Harvey v Ledbury' case law, does not apply to Shaftesbury Town Council.

It is appalling to see in the video evidence I have viewed, that instead of you stepping in to ensure that Shaftesbury Town Council is operated within the law and within the basic principles of democracy i.e. an elected member cannot be deprived of their democratic right to vote and represent the people – that you stand by silently and allow these appalling instances of bullying and improper procedure and ejection to occur.

This does not occur in the Houses of Parliament but yet you seem to think it acceptable in Shaftesbury Town Council. The way that Shaftesbury Town Council misuses a "scheme of delegation" in order to by-pass the scrutiny and the democratic vote of the Full Council is yet another example of the "intentions of Parliament" being wilfully ignored by you and your Council.

Instead of intervening and conducting your role and duties of 'Proper Officer' to ensure that Shaftesbury Town Council operates lawfully, you are allowing councillors who are merely chairing these meetings (Cllr Hollingshead, Cllr Chase and Cllr Cook) to hold improper and unlawful votes in these meetings to eject fellow Councillors (Cllr Yeo and Cllr Tippins) because they do not like that Cllr Yeo (or Cllr Tippins) have highlighted improper council procedures, such as the minutes of meetings being fabricated, filibustering to prevent agenda points being debated and resolved, or Full Council business being resolved by sub-committees that have no right to do this.

When, at the last Full Council meeting on 2nd Nov 2020 Cllr Yeo was highlighting that the minutes of the previous meeting (that were up for adoption) were not a true and lawful record of that meeting, (they misleadingly state that Cllr Tippins and then Cllr Yeo merely “left the meeting” rather than ‘were ejected from the meeting against their wills by means of unlawful misuse of standing order 2B), that firstly you as Proper Officer did not even respond to Cllr Yeo’s questions to you on this subject and then you did nothing to stop Cllr Hollingshead interjecting with his threats to sanction Cllr Yeo which was soon followed up by Cllr Hollingshead putting his threat in to action and enabling another vote improperly using Standing Order 2B to eject Cllr Yeo from the Full Council meeting. This is not “democracy in action” as Cllr Hollingshead perversely announced in the meeting and in the local press. This is unlawful.

Cllr Hollingshead, we are instructed, seems to think he is the legally responsible person within Shaftesbury Town Council, (when he is not), and that ‘what he says goes’, when it absolutely does not. You will understand that any Councillor is only “primus inter pares”, even when sitting as chair. He has no right to intimidate, threaten, bully or sanction other councillors. He has no special powers to decree what is a breach of the ‘code of conduct’ and he has no remit to justify ejection of a fellow councillor from any meeting.

We believe that these issues should have been pointed out to Cllr Hollingshead in this public meeting, for his benefit and for that of the other councillors and the public and for the benefit of raising the reputation of Shaftesbury Town Council. Cllr Yeo even reminded you of my two legal letters explaining the law to you, highlighting again that it was unlawful to vote to eject him and asked you to intervene, but alas, you did not.

Cllr Yeo and Cllr Tippins are elected councillors and it is their right and duty to be in Council meetings and to ask questions and scrutinise Town Council proceedings and to request proper governance and most importantly, to be able to vote.

As you have so far not acted to moderate or bring the council’s conduct within its jurisdiction, I must point out yet again that, under Localism Act 2011 requirements, Shaftesbury Town Council does not have any right or remit to sanction councillors or to deprive and councillors of their legal right to vote, as has repeatedly occurred here.

Due to the fact that you have ejected Cllr Yeo (and Cllr Tippins) from numerous Full Council meetings, every subsequent vote and resolution made in every one of those meetings can be regarded as unsound and unlawful and in our view should be re-taken in a Future Full Council meeting that you do not eject them from, in order that democracy can take place and so that these votes can become legally binding.

You are currently operating a council where the constitution of every Sub-committee can be regarded as legally unsound because firstly Cllr Tippins and then Cllr Yeo were ejected from the Annual Meeting (29 Sept 2020) where their composition was voted on. Incredibly Cllr Yeo and Cllr Tippins are now excluded from all four of Shaftesbury Town Council’s sub-committees while some other councillors are on up to four of them.

In order to address some of these serious failings and breaches of proper governance, can you please urgently confirm that you will take the extensive and urgent remedial action that is required and facilitate a re-vote upon the composition of each individual sub-committee and to re-vote upon every other improperly made Full Council resolution, in a future Full

Council meeting that Cllr Yeo and Cllr Tippins are not ejected from such that they can properly carry out their role?

Can you please also write and inform me of what other urgent steps you will be taking to bring Shaftesbury Town Council (perhaps with guidance from the County association or external legal advice) within correct and proper governance;

- (a) To reconsider advising the Council how it should represent political balance in committee representation
- (b) Not to eject or mute Councillors who may express views that others disagree with in an unlawful manner

You will understand that there are further steps that could be considered and my client's rights are reserved. Equally if you are willing to propose an alternative way forward then this would be appreciated.

Yours sincerely

This letter is approved but unsigned as it is sent electronically.

