



www.tmbc.gov.uk

Code of Conduct - Complaint Form

Your Details

1. Please provide us with your name and contact details.

Title:	[REDACTED]
First name:	[REDACTED]
Last name:	[REDACTED]
Address:	[REDACTED]
Daytime telephone:	[REDACTED]
Evening telephone:	[REDACTED]
Mobile telephone:	[REDACTED]
Email address:	[REDACTED]

2. Please tell us which complainant type best describes you (please mark Y against the appropriate type)

Member of the public	
An elected or co-opted member of an authority	Y (does a parish councillor come under this category?)
Member of Parliament	
Local authority Monitoring Officer	
Other council officer or authority employee	
Other (please give details)	

3. Please provide us with the name of the councillor(s) you believe has breached the Code of Conduct and the name of their authority:

Title	First name	Last name	Council or authority name
	Mike	Taylor	Borough Green Parish Council

4. Please explain in this section what the councillor has done that you believe breaches the Code of Conduct. If you are complaining about more than one councillor you should clearly explain what each individual person has done that you believe breaches the Code of Conduct. Please also state the specific part(s) of the Code that you believe have been breached.

It is important that you provide all the information you wish to have taken into account by the Monitoring Officer when he (acting in consultation with the Independent Person(s) and Chairman/ Vice-Chairman of the Joint Standards Committee) decides whether to take any action on your complaint. For example:

- You should be specific, wherever possible, about exactly what you are alleging the councillor said or did. For instance, instead of writing that the councillor has conducted himself in a manner which could reasonably be regarded as bringing his office or the Authority into disrepute you, you should state what it was they said or did which has made you reach this view.
- You should provide the dates of the alleged incidents wherever possible. If you cannot provide exact dates it is important to give a general timeframe.
- You should confirm whether there are any witnesses to the alleged conduct and provide their names and contact details if possible.
- You should provide any background information which you consider to be relevant.

Please provide us with the details of your complaint. Continue on a separate sheet if there is not enough space on this form.

I would like to complain about the conduct of a Borough Green Parish Councillor, Mike Taylor.

He has lied on a public forum (Facebook), defended actions that are breach of the Wildlife & Countryside Act (destruction of trees and scrub in the bird breeding season) and replied to an email I sent him about the matter in a very unprofessional, rude and accusatory way (see further document). Whilst I am upset about the tone he uses in his email, I am most concerned about his lack of understanding of wildlife legislation and policy and his willingness to publicly defend habitat destruction. I have worked in nature conservation for 15 years, I know wildlife legislation well and I expect public servants to have a basic understanding of it, indeed it is required under the NERC act - <https://www.gov.uk/guidance/biodiversity-duty-public-authority-duty-to-have-regard-to-conserving-biodiversity>

The lying pertains to reasons given in public to excuse the destructive action taken by the landowner that is not true and he acknowledges this lie in his email to me. He posted on facebook that KCC and the Environment Agency had ordered the scrub and tree destruction, this is not true and they would not have ordered such activity in the bird breeding season. Furthermore he condoned the action and announced more would be taking place, again supporting an action in contravention of the WCA. Please see the facebook post screenshot in the accompanying document. He also commented on his post, about 'some people' thinking that fly tipping is good for wildlife habitat, clearly meaning me.

Rather than colluding with and defending a landowner who has breached wildlife legislation (I reported the incident to the Kent Rural Crimes team, I can provide further details), he could have encouraged the land owner to take correct actions, as required in his role as a public servant under the NERC Act, supported the local people who contacted him who were rightly concerned about the action on the site, educated other local people and even supported a more sensitive and appropriate approach to the fly tipping issue. Clearly he did none of this.

5. **Only complete this next section if you are requesting that your identity is kept confidential. Please see the notes in the accompanying leaflet "How to make a complaint".**

Please provide us with details of why you believe we should withhold your name and/or the details of your complaint:

Time limit

6. Complaints must be submitted within 3 months from the date of the alleged misconduct in question. The Monitoring Officer may only accept complaints outside of this period when he is satisfied that exceptional circumstances exist.

In determining whether exceptional circumstances exist, the Monitoring Officer will have regard to the seriousness of the alleged breach, the time when the alleged breach first came to the attention of the Complainant and the consequences of the delay for a fair disposal of the complaint.

If your complaint relates to alleged misconduct over 3 months old, please set out below why you consider that exceptional circumstances exist.

Additional Help

7. Complaints must be submitted in writing. This includes electronic submissions. If you need any support in completing this form, please let us know as soon as possible.

This council is under a duty to protect the public funds it administers and to this end may use the information you have provided on this form for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes. See www.tmbc.gov.uk/DPNotice for further information.

Signed:  _____

Date: 22/04/2021 _____

Return Address: monitoring.officer@tmbc.gov.uk

Or by post: The Monitoring Officer
Tonbridge and Malling Borough Council
Gibson Building, Gibson Drive
Kings Hill
West Malling
Kent ME19 4LZ