

**DECISION NOTICE  
CLLR. LIN HOPPE  
BARTESTREE WITH LUGWARDINE PARISH COUNCIL**

Cllr. Hoppe - Complaint Numbers: CoC024A, B & C, CoC029, CoC030, CoC032, CoC033  
CoC034 and CoC039A

## **DECISION**

That Cllr. Hoppe **DID** breach the following parts of Bartestree with Lugwardine Parish Council's Code of Conduct –

- 1.1 *I treat others with respect.*
- 5.1 *I do not bring my role or local authority into disrepute and paragraph*

## **1. COMPLAINTS**

1.1 The Council received 19 complaints in respect of Bartestree with Lugwardine Parish Council, 11 of which related to Cllr. Hoppe. A summary of the complaints relating to Cllr. Hoppe is set out below:-

**COCO24A, B & C** – Cllr. Hoppe failed to declare an interest when the use of the playing field was discussed at the parish council meeting on 14 February 2023.

Cllr. Hoppe's name was on a leaflet distributed to residents prior to the meeting which the complainants believe contained disrespectful and inaccurate statements and showed she had already made up her mind as to the outcome.

**COC029** - Knowingly making a false statement about the personal character of another candidate (Cllr Soilleux), in a new parish magazine Village Voices 2, which the complainant believes Cllr. Hoppe is instrumental in publishing.

**COC030** – Articles in Village Voices 1 spoke disparagingly about some parish councillors and stated the Parish Council was unwelcoming and a secret organisation. Village Voices 2 contains inaccurate derogatory remarks about Cllr Wendy Soilleux. The complainant believes Cllr. Hoppe is instrumental in publishing Village Voices.

**COCO32** – Articles in Village Voices contain unofficial minutes of the last parish council meeting, which do not match with the official minutes on the parish council website. These minutes are derogatory to Cllr. Soilleux, and the magazine is full of inflammatory issues. Village Voices 2 features a footpath which the homeowner has applied to divert. The article is encouraging residents to walk the footpath. Cllr. Hoppe bears a grudge and subjects

residents of Willow Lea to more scrutiny than any other part of the village. Cllr. Hoppe also funds Village Voices by advertising her guest house in it.

**COC033** – Cllr. Hoppe has deliberately been fostering ill feeling in the village by delivering a leaflet encouraging people to attend the Parish Meeting to shout down councillors. Also putting unpleasant articles in Village Voices, including encouraging residents to use the Willow Lea footpath which runs across a neighbour's garden.

**COC034** – Unequal treatment for residents of Willow Lea, with regard to the footpath. Article in Village Voices encourages people to walk an incorrect route. The complainant says Cllr. Hoppe has been seen delivering both editions of Village Voices, and does not feel able to now go to the Parish Council for support.

## **2. POTENTIAL BREACHES OF THE CODE**

2.1 The Complainants consider that Cllr. Hoppe has breached the following parts of the Councillor Code of Conduct for Bartestree with Lugwardine Parish Council:-

**1.1 I treat other councillors and members of the public with respect.**

**5.1 I do not bring my role or local authority into disrepute.**

**6.1 I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.**

**7.2 I will, when using the resources of the local or authorising their use by others:  
(a) act in accordance with the local authority's requirements.**

**9.1 I register and disclose my interests.**

And as a general principle '**I impartially exercise my responsibilities in the interests of the local community**'.

## **3. PROCEDURE USED BY THE INVESTIGATING OFFICER**

3.1 An Investigator was appointed by the Monitoring Officer, and a report was produced for the Monitoring Officer which encompassed all complaints at Bartestree with Lugwardine Parish Council. The following evidence was relied on in respect of these complaint:-

- a) **Complaints**
- b) **Village Voices magazine**
- c) **Leaflet**

- d) **Minutes of the Meeting of 14 February 2023, March 2023, May 2023 and June 2023. A number of those minutes were later withdrawn from the Parish Council's website.**
- e) **Interview with Cllr. Hoppe**
- f) **Interview with former Parish Clerk**
- g) **Written response from Cllr. Hoppe**
- h) **Responses from complainants**
- i) **Further response from Cllr. Hoppe dated 9 October 2023**
- j) **Copy planning consents**

3.2 There is a limited amount of investigation that can be carried out in a Code of Conduct matter, and this does not extend to attending Parish Council meetings or speaking with all councillors as part of a 'fishing' exercise. Ultimately it is for Parish Council to run itself with integrity and respect for each other and residents, and the full report and my recommendations are provided to the Parish Council in order for them to consider whether to implement them.

3.3 The Investigating Officer struggled to find information to support her investigation; the Minutes from March – July 2023 are not available on the Parish Council website (draft minutes for July are now published). If Minutes are inconvenient or do not reflect some Councillors views, then this is not a reason for them not to be published

3.4 The Parish Council has a legal duty to publish their minutes, and that it is also a breach of the Code of Conduct to prevent others obtaining information to which they are legally entitled. Whilst the proceedings of a Parish Council are not the responsibility of Herefordshire Council, nonetheless preventing residents from accessing information to which they are entitled by law e.g. Minutes of meetings, is a breach of the Code of Conduct and this does fall under the remit of the Monitoring Officer.

## **INVESTIGATING OFFICER'S FINDINGS**

### **4. Complaints CoC032, CoC033 and CoC034**

4.1 These complaints relate to a footpath which crosses a private house (6 Willow Lea). The owner has applied to have the footpath diverted. An article in Village Voices 2 encouraged residents to walk the footpath, stating it is not across a private garden. The owner of the property also feels the plan misrepresents the route of the footpath. It also says of Willow Lea "*formerly a lovely paddock, it now features 7 new builds*".

4.2 The Complainants say that Cllr. Hoppe has written the article, which is anonymous. Cllr. Hoppe says that the footpath is adjacent to her property and she has objected to the diversion. She walks the footpath regularly which she feels upsets some of the residents. She denies that she has written the anonymous article and no evidence has been provided to show that she did. Complainants say the footpath is not adjacent to Cllr. Hoppe's property and that this goes to her credibility.

4.3 I do not find that the footpath issue is a breach of this part of the Code. There is nothing to link Cllr. Hoppe with the anonymous article in Village Voices. Even if there was, then encouraging others to walk a public footpath does not fall under the definition of disrespect, even if the owner has applied to have it diverted. I recognise that it would be very annoying for residents, but it is perfectly legal until such times as the footpath is diverted.

4.4 The Code of Conduct only applies when a person is acting in their capacity as a councillor, or when your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a councillor. I also conclude that Cllr. Hoppe's complaints about the footpath were not carried out in her capacity as a councillor but as a member of the public.

### **I DO NOT find this to be a breach of 1.1 - I treat others with respect**

## **5. COC024**

5.1 Six Complainants refer to the Parish Council meeting of 14 February 2023, and the way the meeting was chaired. The Complainants feel that members of the public were allowed complete free rein, including being rude to Councillors and shouting down speakers, and that their behaviour remained unchecked by the Chair. The former Clerk says that Cllr. Hoppe did not control the meeting and encouraged the behaviour of the public. The public session went on for approximately 90 minutes.

5.2 Cllr. Hoppe says that the meeting was 'fairly rowdy' and that she struggled to control it, mainly because of the behaviour of parish councillors who kept interrupting. When asked, she told me she did not speak to Parish Councillors about their behaviour at the meeting. Therefore I have given limited weight to this statement as if she had concerns about the behaviour of councillors then this should have been raised with them. Complainants have advised me that at no time did Cllr. Hoppe try to calm the meeting down, and that Councillors were called 'corrupt' by members of the public. This shows the level of disarray at the meeting.

5.3 Standing Orders restrict speakers to 3 minutes each, but Cllr. Hoppe says that in the October meeting the Vice Chair had enforced the standing orders and was criticised by Parish Councillors. She felt that if people didn't have their say then she would also be criticised so allowed the debate to continue.

5.4 Several Complainants feel that as Chair, Cllr. Hoppe allowed more leeway to those who were in favour of alternative uses on the site i.e. her own view. Complainants feel that Cllr. Hoppe is biased against football and that she has already decided that she doesn't want sports use on the land. However as Cllr. Hoppe has been supporting a public consultation as to what the future use should be, I do not think it is reasonable to assume that she has already decided as otherwise she would not be advocating listening to residents' views. I think it is more likely that the majority of speakers were in favour of

alternative uses other than football/organised sports, and that they had been encouraged by the leaflet to turn up. Therefore there might be a perception that those who spoke in favour of football were shouted down, simply because the majority of those present were in favour of alternative uses.

**I DO NOT find this to be a breach of - 6.1 I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else**

5.5 As a Chair, there may be occasions where it is difficult to control a meeting, but this does not mean that no effort should be made to try. The Clerk had to intercede at one point as a Councillor was being harassed by a member of the public who felt that the Councillor should declare an interest. It is not the role of the Clerk to keep order for the Chair; this is the role of the Chair. As Chair, Cllr. Hoppe had an option to adjourn the meeting or curtail the public session, but chose not to do so.

5.6 In mitigation, Cllr. Hoppe has not had Chair's training and tells me she has a quiet voice; she had to use the gavel at one point in the meeting to be heard. I understand the Council has now purchased audio equipment to help it for the future.

5.7 The public speaking session is often that part of the meeting where there is the highest attendance, and conduct at this time will often determine whether members of the public decide whether or not the Council and its Members should themselves be respected. As has been seen by the media coverage of the behaviour of individual councillors in Hanforth Parish Council, poor behaviour can severely damage a council's reputation. The behaviours seen may also deter residents from wanting to attend public sessions in the future.

**I DO find this to be a BREACH of paragraph 5.1 of the Code of Conduct - I do not bring my role or local authority into disrepute.**

5.8 I have also been advised by a Complainant that the chairing of the meetings is inconsistent. Some residents are able to speak throughout the Council meeting, whereas others only in the open session. Whether or not this is the case, it is the perception and as Chair, Cllr. Hoppe needs to be seen to be treating all residents equally. Unfairness and inconsistent treatment is a common theme in the complaints made against councillors at Bartestree with Lugwardine Parish Council.

## **6. CoC029 – Cllr. Lin Hoppe**

6.1 This is a complaint from six people about the content of a leaflet which was distributed to residents, together with Village Voices.

6.2 Village Voices contains an article on the Parish Council meeting. On comparing the minutes to the article in Village Voices, I find that some of the comments in Village Voices were disrespectful e.g. '*Councillor Sollieux's update had discrepancies and will be checked.*' Also '*A request for financial support for the Community Events Team to hold a*

*Coronation Big Lunch event was discussed but not agreed as Cllr. Soilleux blocked the vote'. It is of course not possible for one councillor to 'block' a vote. It also says: There were many queries about the minutes and that they didn't record the anger of the parishioners at the behaviour of certain councillors. The Clerk will make a few changes but said minutes record decisions made – not the case!*

6.3 A councillor's behaviour in office will bring their **role** into disrepute if the conduct could reasonably be regarded as either:

- (a) reducing the public's confidence in them being able to fulfil their role; or
- (b) adversely affecting the reputation of the councillors, in being able to fulfil their role.

Conduct by a councillor which could reasonably be regarded as reducing public confidence in their parish council being able to fulfil its functions and duties will bring **the authority** into disrepute.

6.4 I consider that the article on the Parish Council meeting brings the authority into disrepute. It implies that the Council produces incorrect minutes, and that councillors are not accurate with their reports.

6.5 Whilst there is no factual evidence that Cllr. Hoppe was the author of the article, on the balance of probabilities I believe that she was either the editor or involved with the production of Village Voices, for the following reasons:

- (a) I would expect her as Chair of the Parish Council to write to Village Voices to ask them to correct their record where it is inaccurate, and to ensure that residents are aware of this through the minutes and publication of her correspondence. In her interview, Cllr. Hoppe said she felt the Parish Council could write to Village Voices to ask them to correct anything the Council felt was inaccurate, and I consider it should have happened in this instance. As the Chair, Cllr. Hoppe herself should have been championing the Parish Council, and her failure to do so gives weight to the argument that she was the author of the article and/or involved with the production of Village Voices.
- (b) Cllr. Hoppe also says (by email on 9 October) in respect of this article "If an article is written which is clearly a reflection of what happened, why would I need to write to change that. The PC DID NOT request that Village Voices retract the statement, nor did Cllr. Sollieux." Again, I consider this statement gives further weight to her being the author, as she is agreeing with the article and does not seem to understand that, in her position as Chair, she has a responsibility for ensuring that the Minutes are correct and are signed by her. If she disagrees with the minutes, then this can be recorded. To endorse an article, on several occasions, which conflicts with the Minutes of a meeting of which you are the Chair, is extremely poor practice.
- (c) I have been provided with an extract of the Minutes of the March 2023 Meeting, and the action contained in the minutes does not appear to have been undertaken:

8.3. *Village Voices: To note the recent magazine publication and to consider opening a dialogue with the editorial team*

*Comments were received that the publication was attractive and well placed to be of benefit to parishioners but concerns were noted over the content of the inaugural edition. Councillors requested publication of a response to inaccuracies contained in the magazine and this would be provided on the Parish Council's website. It was RESOLVED to open a dialogue with the editorial team and an invite to a future Parish Council meeting would be extended accordingly.*

Cllr. Hoppe says (by email of 9 October) that the former Clerk appears to have wiped all correspondence from the Council's laptop when he left and therefore it is difficult to say now whether or not the Clerk tried to open a dialogue with Village Voices. Again, as Chair, I would expect Cllr. Hoppe to have asked the Clerk whether this had happened and ensure that the new Clerk picked up this action, and not just to leave it considering the weight of public opinion in the parish.

(d) Complainants, and the former Clerk, all believe that Cllr. Hoppe is the editor of Village Voices. She tried to introduce a parish council magazine and this was not agreed by the Council, shortly before Village Voices started appearing. Cllr. Hoppe maintains that another person must have taken up her idea. The former Clerk tells me that Cllr. Hoppe said she would publish a magazine herself, after her idea was not agreed. Cllr. Hoppe also tells me that she has only dealt with Village Voices through email, does not know who edits/authors the articles and only deals with someone called Anna. I do not find this credible – she advertises in the magazine, and is the Chair of the Parish Council and if she asked who was responsible for the magazine, I do not believe that she would not be told.

(e) A Complainant has raised with me a statement in Village Voices which said 'On a cold January morning we caught up with the Chair of our Parish Council, Lin Hoppe, who kindly agreed to help us launch Village Voices.' They point out that this shows that a meeting occurred in person and not by email. They say 'It is very hard to meet someone on a cold morning via email.....'. Cllr. Hoppe herself says that this is 'Editors licence'. However I would question why, as the Chair of a Parish Council, you deal with a magazine where you are not able to find out who is publishing or editing it, particularly when it is writing about matters relating to the Parish Council?

6.6 I consider that the leaflet which trailed 'Village Voices' was disrespectful. The leaflet says *'the majority of the parish council were not voted in, just co-opted'*, which implies that co-optees are not as valuable as the rest of the parish councillors. Co-option is very widely used at parish level, and co-optees perform a valuable service and have the same rights and responsibilities as those who are elected.

6.7 The leaflet also uses inflammatory language such as 'stealing' the Community Field and Councillors 'making the wrong decisions', which I consider a reasonable person would think is bringing their role and the Council into disrepute. I set out the test for this in paragraph 6.3 above.

6.8 I believe that saying the Parish Council are making the 'wrong decisions' and that some councillors were 'just co-opted', both reduced public confidence and adversely

affected the reputation of councillors, and also reduced public confidence in the Parish Council being able to fulfil its functions and duties.

6.9 Cllr. Hoppe refused to deny at a Parish Council meeting that she was involved with the production of the leaflet; she tells me that is because she does not think that this is a matter for the Parish Council and it is one for the Monitoring Officer if others want to complain. All other members had either confirmed or denied whether they were involved in the production of the leaflet. Cllr. Hoppe had asked the Clerk to take item off the Agenda but he had refused. Cllr. Hoppe tells me she did not produce or deliver this leaflet, but the Complainants say that she must be involved as her name is on reverse side of the leaflet, which is trailing Village Voices. Her failure to respond to the question, on whether she was involved in Village Voices, is seen by Complainants as her being untruthful. Some Councillors have told me it was produced by another (unnamed) Councillor, but if that is the case then I would expect that Councillor to say that s/he was the author rather than allowing residents and the Monitoring Officer to conclude that Cllr. Hoppe was, on the balance of probabilities, the author.

6.10 The trailer for Village Voices, on the rear of the leaflet, shows that there will be an article by the Chair of the Parish Council. As the leaflet is connected with Village Voices, on the balance of probabilities I believe that Cllr. Hoppe was involved with the production of the leaflet. Her failure to deny being involved with the production of the leaflet, despite other members of the Parish Council doing so, also leads me to the conclusion that she was either the author or knew of its distribution.

6.11 I think a reasonable person would think that Cllr. Hoppe was either the author of the articles regarding the notes of the Council meeting, or that she should have addressed the inaccuracies/disrespectful comments with Village Voices.

**I do find this to be a BREACH of the following paragraphs of the Code of Conduct:**

**1.1 I treat others with respect**

**5.1 I do not bring my role or local authority into disrepute**

## **7. CoC029 – Cllr. Lin Hoppe**

7.1 The Parish Council has control of two areas of land; the Playing Field which it leases to the Playing Fields Association (PFA) under a long term lease, and the Community Field which is adjacent to it, but separated by a track. The Community Field was gifted to the Parish Council as part of a S106 Agreement, and contains provisions for its future use, which are set out as:- 'use by all community sports groups and recreational uses by the general public'.



7.2 The use of the Community Field is contentious, as some believe it should be for sports use and others for community use. This is fuelled by the magazine 'Village Voices' which uses language such as 'The Battle for the Community Field continues.....'.

7.3 I can see from the minutes of Parish Council meetings that the Parish Council appears to be divided on most matters relating to the Community Field. Votes are recorded in relation to this matter.

7.4 At its meeting on 10 January 2023, the Parish Council was considering whether to approve the use of the Community Field for a Fete, an event organised by the Community Events Team of which Cllr. Hoppe was one of the members. She declared an interest in the matter, along with two other councillors who are also on the Community Events Team.

7.5 At its meeting on 14 February 2023, the same three councillors did not declare an interest during the item on the future of the Community Field. The two Parish Councillors who were members of the Playing Fields Association did declare an interest and left the room.

7.6 Cllr. Hoppe advised me that the Community Events Group have only put on one previous event at the Community Field. They did want to hold a fete this year, and she declared an interest and left the room when this was considered at the January meeting as finances were involved. I am unable to see any mention of finances in the minutes.

7.7 At the February meeting, the Council was more generally considering the future of the Community Field. Cllr. Hoppe considered whether she had an interest, but decided that she did not as the matter was about the future more generally, and the Community Events Team could put events on in other locations in the village, albeit that they were not as convenient.

7.8 The Complainants say that Cllr. Hoppe had already received advice from the Monitoring Officer with regard to declaring an interest in this matter and that she should have followed it. I am unable to find any such advice. However I have been provided with a copy of advice given by Herefordshire Association of Local Councils dated 8<sup>th</sup> August 2022. This advises that 'Members of the Parish Council who also serve on a charitable organisation which has an interest in the future of the field may well need to consider declaring an interest and leaving the room during Parish Council discussions'.

7.9 I agree with the HALC advice, but I do not consider that it extends to membership of the Community Events Group. Being a member of the Playing Fields Association which is seeking to manage the land is different from being a member of the Community Events Group which is holding approximately one event per year and which has other sites it could use.

**I DO NOT find this to be a breach of the following paragraphs of the Code of Conduct:-**

**9.1 'I register and declare my interests'**

## **8. DECISION OF THE MONITORING OFFICER**

8.1 I have considered the Report of the Investigating Officer and I agree with its findings. In accordance with S28(7) Localism Act 2011 I have sought and taken into account the views of two Independent Persons appointed by Herefordshire Council for the purposes of the Act. The Independent Persons agree that Cllr. Hoppe has breached parts 1.1 and 5.1 of the Bartestree with Lugwardine Parish Council Code of Conduct.

8.2 In view of the public interest in this matter, and the large number of complaints, a full copy of the report has been provided to complainants and parish councillors. I have made the following recommendations to the Parish Council, and they are directed to consider the report and my recommendations and to let me know whether or not they are adopting them:-

8.3 I recommend that the Parish Council take the following action:-

- (1) That the Parish Council resolve to formally ask Cllr. Hoppe whether or not she is involved with the editing/production or authoring of articles in Village Voices. I think a reasonable person would expect her to do this, as Chair of the Parish Council, and this should be minuted and on record. This should then put an end to the speculation. In the event that she declines again to say, then residents will assume that this is because she is involved.
- (2) That Cllr. Hoppe, on behalf of the Parish Council, should write to Village Voices to correct any inaccurate articles in the future particularly in relation to the Minutes and comments about other parish councillors. She is the Chair of the Parish Council and it is reasonable to assume that she supports the minutes and acts on behalf of all parish councillors. IN THE ALTERNATIVE, if she is involved with the editing/production or authoring of articles in Village Voices, then she should ensure that they are attributed to her, in her personal capacity and not as the Chair of the Parish Council (unless they are agreed parish council articles). Any articles which relate to the minutes, parish councillors or other parish council business should be accurate.
- (3) In the event that Cllr. Hoppe advises the Parish Council that she is involved with the editing/production or authoring of articles in Village Voices, then she should apologise to the Parish Council for the disrespectful article on the Council Minutes.
- (4) That Cllr. Hoppe attend training in the chairing of meetings, and that all parish councillors receive Code of Conduct training.
- (5) That the Parish Council ensure that their minutes from March – June 2023 are agreed at their next meeting and published to their website, in accordance with Schedule 12 Local Government Act 1972 (the Relevant Legislation).

(6) That all future meetings are minuted and that the minutes are agreed at the next meeting, as required by the Relevant Legislation, and published on the Council's website.

(7) That ALL future meetings be recorded in full, by the Parish Clerk, and that the recording be made publicly available. This would stop residents feeling that they have to record the meeting themselves, as alleged in Complaint CoC039. It should also ensure that the behaviour of Parish Councillors improves, and should stop the perception (whether real or imagined) of unfair treatment. It would also ensure that any future complaints could be easily investigated.

8.4 There is no right of appeal against this decision notice.

A handwritten signature in black ink, appearing to be a stylized name or set of initials, located below the text of section 8.4.

.....  
Monitoring Officer

Dated: 25/10/2023