

[REDACTED]
[REDACTED]
[REDACTED]
Horncastle

LN9 6JG

14th October 2019

[REDACTED]
[REDACTED]
Dear Mr Huthwaite, Clerk to Haltham Parish Meeting

I am writing to make an open government request for all the information to which I am entitled under the Freedom of Information Act 2000.

Re: The Village Green Project

Please send me:

- A copy of the minutes and notes of all meetings, including sub-committee and informal discussions in relation to the Village Green Project
- Copies of all progress reports submitted to Councillor William Gray between February 2019 – October 2019
- Specific details of the how the East Lindsey Councillors' Community Grants Scheme 2019-2020 grant is to be spent in relation to:
 - a) providing a safe access to the village green. Details to include resources identified and their projected cost and associated labour costs
 - b) the of development of a play/recreation area. Details to include what type of play equipment, costs related to the proposed equipment. Copies of all references relating to how this development has been communicated to the residents of Haltham during the period February 2019 to October 2019
- Copies of all email communications, that are related to the Village Green Project, between Haltham Parish Meeting and Councillor William Gray
- Details of all granted money to Haltham Parish Meeting for years 2018-2019 and 2019- 2020, excluding the grant received by way of East Lindsey Councillors' Community Grants Scheme 2019-2020
- Details of which budget the additional funding of £1500 for Stage 1 has been identified to fund this spend and when was it communicated and approved by the residents of Haltham

I would like the above information to be provided to me either as a paper *or* electronic copy. If this request is too wide or unclear, I would be grateful if you could contact me as I understand that under the Act, you are required to advise and assist requesters. If any of this information is already in the public domain please can you direct me to it, with page references and URLs if necessary? If the release of any of this information is prohibited on the grounds of breach of confidence, I ask that you supply me with copies of the confidentiality agreement and remind you that information should not be treated as confidential if such an agreement has not been signed.

I understand that you are required to respond to my request within the 20 working days after you receive this letter. I would be grateful if you could confirm in writing that you have received this request. I look forward to hearing from you.

Yours faithfully
[REDACTED]

John Huthwaite

From: [REDACTED]
Sent: 23 October 2019 19:32
To: mikesschofield@outlook.com; jwhuthers@gmail.com
Subject: FOI request

To: Mr M Schofield, Chair of Haltham Parish Meeting

I look forward to receiving the Clerk's response to my FOI request, dated 14th October 2019, on or before 8th November 2019.


[REDACTED]

[REDACTED]

Mr M Schofield

Chairman
Haltham Parish Meeting
2 West Lane
Haltham
Lincolnshire
LN9 6JG

07704839179
mikesschofield@outlook.com


Haltham
LN9 6JG

23 October 2019

I refer to your e-mail reply to John Huthwaite, the Clerk to Haltham Parish Meeting, in response to his reply to your email of the 25 09 19. I also refer to your latest request for information under the FOI Act, again submitted to the Parish Clerk.

Your reply to John Huthwaite's response to you was priggish in the extreme and also both rude and insulting. Frankly, it is clear you are waging a vendetta against us and are using the FOIA as a weapon. Your language and actions all indicate harassment and intimidation and point to a vindictive and vexatious campaign both to bully and to cause hurt.

I have been told that you have again made enquiries to the Church Conservation Trust (CCT) regarding Haltham's use of St Benedict's Church (our village church, a CCT responsibility) here in the village. It seems you have been checking to see if we have made the appropriate bookings and payments for the village's use of St Benedict's. I can only presume, as you have no responsibility to either the CCT or the village for St Benedict's, your intention was to see if we have made any mistakes or failings that you might exploit! Such behaviour smacks of stalking.

Haltham is a tiny hamlet of only 50 houses whose Parish Meeting has unpaid volunteers elected as Chair, Vice Chair and Clerk and who, more often than not, are out cutting village grass and hedges or helping someone in the village repair their central heating! We have recently benefitted from new people moving in and growing the village's spirit of mutual help and community. However, it is increasingly evident that you no longer share that spirit and seem only to want to cause difficulty, the motivation for which is unknown. We see nothing in your recent actions that benefits our community.

Please cease your campaign against us. As it is clearly vexatious we will not respond to any more requests from you. If you have genuine grievances or charges against us then bring them to the Parish Meeting where you can air them, produce evidence to support your accusations and seek the support of fellow parishioners for their consideration and judgement. We are all responsible to the Parish Meeting. The next Parish Meeting is on the 12th November 2019.

Yours sincerely,



Copy to:



John Huthwaite

From: Mike Schofield <mikesschofield@outlook.com>
Sent: 24 October 2019 16:28
To: [REDACTED]
Subject: Re: FOI request
Attachments: Reply to [REDACTED]

Dear [REDACTED]

I have replied to you in response to your FOI request, on both my and the Clerk's behalf. I will attach a copy of the letter dated 23 October 2019 that was hand delivered to your home yesterday, in case it failed to reach you.

We are now treating your requests for information under the FOIA as vexatious and we will not, anymore, be replying to them. The reasons for this are fully explained in my letter to you.

You are welcome, indeed I would most strongly urge you to, to attend the Parish Meeting on the 12 November 2019. At this meeting you can air your views and concerns and seek the support of the Meeting to address them. We are all servants of the Meeting and so must comply with their decisions. I will ask the Clerk to add this as an agenda item.

I, again, strongly urge you to stop your vexatious campaign against us. No one gains and perhaps most importantly the community loses.

Yours sincerely,

Mike

On 23 Oct 2019, at 19:32, [REDACTED] wrote:

To: Mr M Schofield, Chair of Haltham Parish Meeting

I look forward to receiving the Clerk's response to my FOI request, dated 14th October 2019, on or before 8th November 2019

Mr [REDACTED]

HALTHAM PARISH MEETING

2 West Lane
Haltham
LN9 6JG
30th October 2019

Dear Mr [REDACTED]

Request for Information Using the Freedom of Information Act – Haltham Village Complaints Procedure

I acknowledge receipt of your letter dated 8th October 2019 received the evening of 11th October 2019 addressed to Clerk to the Haltham Parish Council.

I confirm that I am Clerk to the Parish Meeting not Parish Council and do confirm that Haltham is a Meeting not a Council.

Haltham Parish Meeting does not have at this present time its own set complaints procedure or any of the supporting processes that you have requested information about in your letter.

What I am able to tell you is that In the event of receiving a complaint (regarding a village issue), it will firstly be acknowledged by either myself, The Chairman or the Vice Chairman and then advice from our Local Association (LALC) will be sought on the procedures to be adopted in relation to the received complaint.

I do confirm that this topic will be raised at our next meeting in order that the village can discuss and then decide if the meeting is to develop its own complaints procedure to be incorporated within the Standing Orders.



John Huthwaite
Clerk Haltham Parish Meeting

John Huthwaite

From: [REDACTED]
Sent: 30 October 2019 15:20
To: mikesschofield@outlook.com [REDACTED]
Subject: [REDACTED]
Invitation

To: Mr M Schofield, Chair of Haltham Parish Meeting

Further to your repeated invitations to attend the Parish Meeting on 12th November please let me remind you of the last meeting I attended in Oct 2018.

In trying to raise some issues relating to the way Haltham Parish Meeting conducted it's business I was, in no uncertain terms, told by you, in your newly elected role as Chair of Haltham Parish Meeting, ' to be quiet as I had dominated the meeting so far' A remark that has remained with me !!!

I also raised the issue that it was now a statutory requirement that Parishes' should have an active website in order that information was freely available to the public and distributed information to elected members to support my comments.

The minutes of that meeting, which have now been ratified, did not state what issues I had raised and did not refer at all to parish websites, probably due to the fact that you closed the meeting during my address.

I was looking forward to attending the next meeting following my request for information relating to the Village Green Project under the FOIA which I would have used as factual evidence to support the issues I had planned to raise.

Unfortunately you have decided to withhold that information from me claiming it was a 'vexatious' request.

It was actually a request for factual information, some of which you had purposely, in my opinion, withheld from the residents of Haltham and nine months on have still not communicated.

Given that I will not have the information I requested to support the issues I intended to raise along with the attitude you displayed to me at the meeting in Oct 2018 I shall not be attending the meeting on this occasion.

Mr Schofield you have a real opportunity to 'come clean' with regard to the Village Green Project at your next meeting in November with regard to:

- How you arrived at the aim of the Village Green Project without due regard for village consultation
- How you could commit to a village spend of £1500 in the Councillors' Community Grant application without consultation or approval from the village
- Why you have never revealed in any documentation that money was to be spent on playground equipment
- Why you couldn't achieve the implementation of the project during the period of the granted money and consequently have requested an extension from [REDACTED]

As you can surmise I would probably have ' dominated the meeting' along with the fact that I consider the most effective way of raising issues with you is via email as it does provide an evidence base for reference and challenge that is available for others to consider as opposed to meetings where minutes relating to decisions are not taken.

I request, therefore that you refrain from continued invitations as you can be assured that I will attend future meetings when I consider the time is appropriate and have the evidence that you have denied me on this occasion to support my views and concerns.

John Huthwaite

From: [REDACTED]
Sent: 09 November 2019 13:23
To: John Hutnwaite
Subject: emails

To Clerk to Haltham Parish Meeting:

For information

I read with interest the emails sent to the Ward Member for Roughton on 26th Sept at 21:43 and 2nd Oct at 11:40.

[REDACTED]

John Huthwaite

From: [REDACTED]@aol.com
Sent: 14 November 2019 12:11
To: msschofield@btinternet.com; seanmatthews@me.com; jwhuthers@gmail.com; william.gray@e-lindsey.gov.uk
Subject: FOIA refusal

To Mr M Schofield, Chair Haltham Parish Meeting, Mr J Huthwaite, Clerk Haltham Parish Meeting

Further to your joint email dated 24th Oct 2019 which clearly states 'We are now treating your requests for information under the FOIA as vexatious and we will not, anymore, be replying to them'.
I have been advised by the Information Commissioner's Office to ask you both to review your implied intention ie to refuse to comply with future requests I might make.
I consider that if I do not receive a reply from you both by Friday 22nd November 2019 I will have no alternative to but take up this matter with a Case Officer at the Information Commissioner's Office and also Christopher Reid, Caseworker, Office of Victoria Atkins MP

[REDACTED]

N

[REDACTED]
[REDACTED]
Haltham
Horncastle
LN9 6JG

18th November 2019

[REDACTED]
[REDACTED]
Dear Mr Schofield, Chairman Haltham Parish Meeting
Re: Freedom of Information Request non compliance

Further to your email to me dated 24th October 2019 I write to complain about the way Haltham Parish Meeting has handled my request for information under the FOIA 2000.

These are the grounds for complaint:

- You have not confirmed or denied whether you hold any information falling within the scope of my request.
- You have not issued me with a valid refusal notice.
- You have refused my request, however, you have not specified which exemptions in Part II of the FOIA apply, and explained why they apply.

Vexatious

ICO Guidelines, Application of section 14(1) clearly states that; 'section 14(1) can only be applied to the request itself, and not the individual who submits it. An authority cannot, therefore, refuse a request on the grounds that the requester himself is vexatious'

- You have refused my request on the grounds that it is 'vexatious'. The reason you give in support of your decision is clearly directed at me personally, the requester, and does not in any way relate to request itself.

The test for a request to be deemed as such is 'a manifestly unjustified, inappropriate or improper use of FOIA'

- I consider that the request has a serious and proper purpose given that Haltham Parish Meeting committed to spend £1500, which equated to approximately 42% of Parish funds (ref: published accounts 2018-2019) available at the time, plus an additional £500 of Granted Money in February 2019 in relation to The Village Green Project.
- At the time of my request Haltham Parish Meeting had not made public any details that it proposed to spend this amount of money, what the Village Green Project aimed to achieve or details of how it proposed to spend the money.
- I consider that by making this information available to me and the wider public it would, given that the Parish had not been consulted or given its approval for such a

considerable spend, provide a real insight and understanding of the Village Green Project.

- It places no significant burden on Haltham Parish Meeting given that I am led to believe that the Vice Chair is leading this initiative with the support of the Clerk and the requested information is readily to hand.
- The request is short, plainly expressed and cannot, conceivably, have been constructed to cause distress, alarm or harassment.
- It is not part of a series of other FOIA requests made to Haltham Parish Meeting relating to the same issue

Future requests refusal

The ICO's response to a related case clearly states 'every request for information must be considered on its own merits and it will not support this 'blanket' approach.


- The refusal covering letter clearly states that 'We are now treating your requests for information under the FOIA as vexatious and we will not, anymore, be replying to them'
- You have not explained why any future requests, even those which bear no relation to this request, will be refused or classed as being vexatious.

Appeal/Internal Review Procedure

- Your letter of refusal does not give details of any appeal/internal review procedure Haltham Parish Meeting has for FOIA responses.
- Your letter of refusal does not provide me with any information as to how I can refer my complaint to the Information Commissioner's Office in the event that I am not satisfied with an internal review outcome or in the event that I am informed that Haltham Parish Meeting does not have any appeal/internal review procedure.

Yours sincerely



From: [REDACTED] 
Subject: Re: FOI request non compliance
Date: 18 November 2019 at 11.47
To: mikesschofield@outlook.com

**To Mr M Schofield, Chair of Haltham Parish Meeting
Re: FOIA request non compliance**

Dear Mr Schofield

Further to your email dated 24th October 2019 please refer to the attached letter of complaint.

Yours sincerely

[REDACTED]
18th November 2019

-----Original Message-----

From: Mike Schofield <mikesschofield@outlook.com>

To: [REDACTED]

Sent: Thu, 24 Oct 2019 16:28

Subject: Re: FOI request

Dear [REDACTED]

I have replied to you in response to your FOI request, on both my and the Clerk's behalf. I will attach a copy of the letter dated 23 October 2019 that was hand delivered to your home yesterday, in case it failed to reach you.

We are now treating your requests for information under the FOIA as vexatious and we will not, anymore, be replying to them. The reasons for this are fully explained in my letter to you.

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I, again, strongly urge you to stop your vexatious campaign against us. No one gains and perhaps most importantly the community loses.

Yours sincerely,

Mike

On 23 Oct 2019, at 19:32, [REDACTED]

To: Mr M Schofield, Chair of Haltham Parish Meeting


I look forward to receiving the Clerk's response to my FOI request, dated 14th October 2019, on or before 8th November 2019.

[REDACTED]


Mike Schofield

Chairman
Halham Parish Meeting
2 West Lane
Halham
Lincolnshire
LN9 6JG



07704839179
mikesschofield@outlook.com


Halham
LN9 6JG

 December 2019


Our twice-yearly Parish Meeting on the 12 Nov 19 was attended by almost a quarter of all Halham residents. It was a meeting I had strongly urged you to attend in order for you to air your views and concerns outlined in your many letters and to seek the Meeting's response. Sadly, you chose instead to have only your wife attend and for her to ask questions on your behalf.

The principal questions she raised on your behalf were about the Village Green project, £1500 linked to it and why wasn't the village consulted on it?

It was explained by myself, by the Vice-Chairman and also by the Clerk that the "village project" was a general idea raised by me and discussed at previous Parish meetings. The aim was to seek ways to improve the Village Green by possibly forming a project group of villagers to come up with ideas, such as play areas etc.  and  had offered to do some preliminary research, agreed by the Meeting, to see if a group-led project were feasible but they subsequently found that costs of playground equipment were too high making initial ideas unaffordable.

Unfortunately, the boundary dispute with The Marmion car park owners and its legal implications then arose and this meant that the Parish had to put any potential village green project on hold until the boundary dispute is settled.

It was further explained that no commitment to spend money without the Meetings agreement, other than the £200 general expenses maximum, has been made and would not be made without agreement from the Meeting. .

A general grant from the council of £500 to help develop the green had been offered to the village and was readily accepted, to be spent as decided by the Parish Meeting but it has now had to be given up as it could not be spent in-year because of the boundary dispute. The origin of the £1500 figure you keep quoting is unclear but may have been a suggestion for a contribution from the village towards the Village Green project. If and who made the suggestion is unknown.

These explanations, agreed by the Meeting, were noted by your wife.

To our surprise, following the Parish Meeting, at which your wife's questions had been fully answered, you placed an open letter on the Village Notice Board, claiming 'What the Haltham Parish Meeting chose not to tell the Parish'. You have subsequently sent another letter of complaint to me, related to FOIA requests to myself and the Clerk to Haltham Parish.

Notwithstanding that the Parish Meeting has answered your FOIA questions as will have been reported to you by your wife and that my written summary of the events related to [REDACTED] same, I again draw your attention to our belief that the intentions of your FOIA requests are vexatious, you have simply taken umbrage against us for some reason and wish to be difficult and so the purpose of my letter to you of the 28 Oct 19 still stands.

You know that we are a small hamlet of 50 houses with three volunteers as Chairman, Vice-Chairman and Clerk to the Parish Meeting and there is little capacity to deal with a heavy bureaucratic burden. You are unwilling to attend yourself the Parish Meetings and ask your questions face to face (as you also could by visiting any of us personally; all three of us only live a few yards away from you) but choose instead to be a keyboard warrior sending out your missives in a most priggish manner and determined, I suspect, never to stop! To what end I know not but we will answer no more. You are fully able, indeed encouraged, to attend the Parish Meeting to raise with your fellow villagers any matters you feel justified. Our doors will always remain open to you, as they are to all villagers.

Please stop your campaign against us as it is undoubtably harming the village spirit we are all working so hard to build.

Complaints should be addressed to John Huthwaite, The Clerk to the Parish Meeting for action in according with LALC Guidelines. Your complaint to me is the first to be noted in the Parish Meeting Minutes since they began in the late 1800s [REDACTED] [REDACTED]

I will ensure copies of all our correspondence, suitably redacted, is placed on the village website in order that all parishioners are informed.

Yours sincerely
Mike