

# Report to the Standards Committee



**Epping Forest  
District Council**

**Report Reference:**

**Date of meeting: 10<sup>th</sup> November 2020**

**Subject: Complaint of breach of the Councillor Code of Conduct by Cllr Julian Leppert**

**Responsible Officer: Nathalie Boateng (01992 564323)**

**Democratic Services: Gary Woodhall (01992 564470)**

---

**Recommendations/Decisions Required:**

- (1) To consider the report of the Monitoring Officer that Councillor Leppert breached the Councillor's Code of Conduct**
- (2) To determine whether the Committee agrees that a breach of the Councillor Code of Conduct has been breached**
- (3) If the Committee considers a breach of the Code has taken place, determine the sanctions (if any) to be imposed.**

**Report:**

Section 27 of the Localism Act 2011 imposes a duty on Local Authorities (L/A) to promote and maintain high standards of conduct. In discharging this duty L/As must adopt a Code of Conduct based on the Nolan Principles of Selflessness, Integrity, Objectivity, Accountability, Openness, Honesty and Leadership. Section 28(6) requires L/As to investigate allegations of a breach of the Code. Section 28(11) provides, if a L/A finds that a member has failed to comply with the Code of Conduct, it shall decide what action should be taken regarding that member.

Article 2, paragraph 4 of the Constitution provides that EFDC Councillors will always observe the Code of Conduct. It is each Members responsibility to comply with the provisions of the Code. The Code applies whenever a Councillor is acting in their capacity as a member of the Council.

You Tube video

Cllr Leppert appeared in a You tube video, entitled "The Epping Migrant Hotel Scandal", Cllr Leppert appeared in the video with Mr Eddy Butler, the video was posted on 9<sup>th</sup> July 2020. In the video Cllr Leppert Introduced himself as an **Epping Forest District Councillor** and claimed:

- The hotel was currently being used to house asylum seekers/illegal immigrants who have come here in order to exploit the benefits system.
- The inhabitants of the hotel pose a security risk to local people.
- An increase in pick pocketing and an increase in shop lifting had occurred since the inhabitants of the hotel had arrived.
- The food from 3food4U has been diverted to the hotel in Epping to feed illegal immigrants instead of local people who had fallen on hard times.
- Waltham Abbey Town Hall is being used to store food that is being diverted to the hotel in Epping to feed illegal immigrants instead of local people.

Here is a link to the video: <https://www.youtube.com/watch?v=jvub853rLjk>

## Article in Epping Forest Guardian News Paper

Cllr Leppert was interviewed by the Epping Forest Guardian, which appeared in the newspaper on 26<sup>th</sup> August 2020. The interview is reproduced below:

*“Cllr Julian Leppert, of far-right party For Britain, says he does not want Epping to become a ‘Tower Hamlets’ in Essex and said it would be ‘ideal’ if Epping were for white people only.*

*The Waltham Abbey Paternoster ward councillor has been orchestrating – along with party ‘fixer’ Eddy Butler – a campaign against asylum seekers temporarily housed by the Home Office at The Bell Hotel in Epping during the coronavirus pandemic.*

*The councillor, who has appeared on BBC radio and Russia Today, to discuss the issue, told The Guardian: “We don’t want a Tower Hamlets out in Essex. It’s difficult to put it that way without being called a racist, but we’re entitled to our national identity as much as any other country. We shouldn’t have dominant other cultures imposed on us to the point where you no longer feel at home,” he said.*

*When the Guardian asked if he was advocating a whites-only enclave on the edge of London, Leppert replied: “Ideally, yeah.” “*

Here is a link to the article:-

<https://www.eppingforestguardian.co.uk/news/18676559.councillor-says-epping-ideally-whites-town/>

## The complaints

1. The first complaint was from a doctor in the NHS who said one of her patients was housed in the Bell Hotel and her patient together with the other asylum seekers residing in the hotel had been the victim of racist abuse by local groups. She felt the abuse her patient and other residents of the hotel had received were as a result of the YouTube video by Cllr Leppert and Eddy Butler. She said the video had included the spreading of lies to incite hatred, e.g. that there has been an increase in crime and that food parcels were being diverted from local people.

She also claimed that individuals have gained unauthorised access to the Bell Hotel and filmed residents without their consent, then posting their videos on YouTube.

She continued that there have been incidents of physical violence and attacks in racist protests outside the hotel where her client lives, making him and the other residents scared for their lives and safety. She felt the far-right protests were incited by the Councillor, who has been quoted saying that Epping should be ideally a whites-only town.

2. The second complaint was from an EFDC Councillor, who said

“I’d like to raise a complaint re. racist comments made by Cllr Julian Leppert in the national press.

His comment will inevitably have an impact on BaME people in Waltham Abbey, where he is a Councillor, and Epping Forest more widely. He’s openly stated that he doesn’t want them in Epping, and I feel that his comments will have a further negative impact by emboldening racists to be more open and active.

I don’t think that this behaviour is acceptable from anybody, let alone an elected District Councillor who is elected to serve and represent, not denigrate and intimidate, the community”.

3. The following three complaints were from members of the public who said:

- a) *“Having read a recent newspaper report regarding alleged comments made by J. Leppert stating that he wanted his district to be “whites only” and not wanting another Tower Hamlets” I am concerned that this is an unacceptable comment to make and is not a position I would expect a council to support.*
- I am writing to complain about this comment and expect an investigation to be conducted into whether this comment was made and whether it convenes your policy on acceptable behaviour of your employees.*
- I do expect a reply to this email and the outcome of the investigation to be shared”.*
- b) *“That Cllr Leppert should not hold a seat on the Council”.*
- c) *“I wish to raise a complaint about the conduct of Cllr Leppert in calling for Epping to be a white only area. His racist language is unbecoming of a person in public office and I believe the council should investigate his behaviour.”*

#### Investigation

The You Tube video regarding the inhabitants of the Bell Hotel is currently on the internet and clearly shows the comments made by Councillor Leppert, he introduces himself in the video as an Epping Forest District Councillor. The news paper article is also available on the internet and contains apparent quotes from Cllr Leppert. The article starts with the heading, “An Epping Forest District Councillor has endorsed the idea of Epping being a whites-only town”.

The Council's Monitoring Officer has asked Cllr Leppert to provide the evidence on which the claims made in the You Tube video were based. In addition, for confirmation that the comments made in the newspaper article represented what he said. Cllr Leppert has not responded to these questions or provided any explanation.

The investigation into the Complaints were therefore concluded without input from Cllr Leppert.

#### Conclusion

Councillors are representatives of the Council and the public will see their actions as being an illustration of the views of the Council. However, the views expressed in the You Tube video and in the Epping Forest Guardian article are not shared by Epping Forest District Council as a Local Authority.

The Councillor Code of Conduct provides a general obligation at paragraph 3 to:

(1) treat others with respect.

(2) uphold the law, and

(3) not (a) do anything which may cause your authority to breach any of the equality enactments (b) bully any person.

The comments made by Cllr Leppert in the You Tube video and, in the Epping Forest, Guardian shows a failure to treat others with respect. Cllr Leppert has failed to provide evidence to support the claims he made in the video; in addition, the newspaper article represents a breach of the public sector duty under the Equalities Act 2010.

Councils have a legal duty under S149 of the Equalities Act 2010, called the Public Sector Equality duty, which provides: -

A public authority must, in the exercise of its functions, have due regard to the need to: -

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

It is therefore considered the obligations at paragraph (1), (2) and (3)(a) of the Code have been breached by Cllr Leppert by the comments made in the You Tube video and in the Epping Forest Guardian.

### Sanctions

The Localism Act 2011 requires Councils to have in place procedures for the investigation of complaints of a breach of the Councillor Code of Conduct. However, the Act provides limited sanctions where a breach of the Code has taken place.

There are no powers to remove a member as being a Councillor. Councillors are appointed by the local electorate, there are no statutory powers to remove an elected Councillor unless he or she becomes disqualified. The criteria for disqualification is provided by S80 of the Local Government Act 1972, which provides that Councillors are disqualified if within 5 years before or since election they have been convicted of an offence and imprisoned for a period of not less than 3 months without the option of a fine. There are also no powers to withhold Councillor allowances.

I have set out below some of the options open the Council regarding sanctions.

- A formal censure from the Standards Committee which would be published on the Council's website and or placed as a notice in the Epping Forest Guardian.
- Require Cllr Leppert to provide a written apology for breach of the Code of Conduct to the Council which will also be sent to the individual complainants and published on the Council's website. The wording of the apology to be agreed with the Council's Monitoring Officer.
- A requirement to attend Equality and Diversity training.

### Conclusion

As Monitoring Officer, I consider a breach of the Councillor Code of Conduct has taken place and set out above the sanctions that may be imposed if the Committee also agrees that a breach has taken place.