

The Conclusion of the actions of  
ALEX MULLINS, Claimant -and- EASTLEIGH BOROUGH COUNCIL, Defendants

### **Background**

Many will have known about Mr Mullins' legal action with Eastleigh Borough Council in Hampshire. It started in February 2012 with a County Court Hearing that ruled in favour of Mr Mullins that Eastleigh Borough Council had breached the Allotment Act 1950 by charging rents illegally.

An Appeal followed in July 2012 that was not heard but allowed on a technicality but also included a warning from the Judge that the Council should refrain from further breaches of the Allotment Act. A Judicial review was granted in November 2012 but was refused a hearing due to another technicality. It was deemed to be out of time.

### **Win or Lose?**

Mr Mullins action sought from the Council that any increase in rents should be by the same rate as other recreational activities.

A Court of law found that the Council did breach the law and another Court warned them about further breaches.

The Council have decided not to increase rents in 2012 when they were due to increase and furthermore, it has been reported from a well informed source that the Council will in future increase rents by the same rate of increase as other recreational activities.

**This means that the original demand and reason for the legal action has been achieved.**

### **Consequences**

It cost the Council over £10,000.00 in taxpayer's money to argue that they were not breaking the law and it cost Mr Mullins £710 (which may be reduced) to have the Courts prove that they did break the law. Two Courts ruled that the Council should get only £600 of their £10,000.00 costs, which is usually an indication that the Council's argument was not correct.

The Council could have accepted in February 2012 what they finally accepted in February 2013 AND not refund any rents AND saved £10,000 of taxpayer's money.

But the Liberal Democrat Leader of Eastleigh Borough Council, Mr Keith House insisted he could do what he wanted in spite of the law. It was his decision supported by all the Liberal Democrat members that instructed Council officers to make charges that were illegal, seemingly following their leader like sheep and not questioning the validity or rational of their actions.

Amongst these Liberal Democrats is Mike Thornton who now runs for the Eastleigh seat vacated by the disgraced Liberal Democrat MP, Mr Chris Huhne.

Is this a trend with Eastleigh Liberal Democrats? Do they say one thing in private and another in public and try to convince the electorate that what they are saying is true?

For one year the Eastleigh MP told the electorate he was innocent and then confessed he was not.

For a year the Liberal Democrat leader of the Council and all the Liberal Democrat members told the Courts they had the right to do what they liked and which laws to uphold and now accepts they cannot. Is there one law for Liberal Democrats and one law for the rest of us?

### **Future Politics**

The position of the leader of the Council (Mr Keith House, Liberal Democrat) is untenable and he should consider his position (all three public positions) that as an elected person he instructs Council staff to make charges that break the law and cause losses to taxpayers. The case took a year to come to a conclusion, a conclusion, which the Council now accepts, is the lawful course and a course in line with what Mr House himself said in 2010, but chose not to follow.

The Liberal Democrats cannot justify squandering £10,000.00 of taxpayer's money just to be arrogant and it proves they cannot be trusted to uphold the law when it does not suit them.

The Liberal Democrat pre-election propaganda pontificates about their 'green' issues but it was Mr House who railroaded the disposal of allotment land in Woodside Avenue a number of years ago to convert it into building land. But in the past 5 years not one brick has been laid nor one carrot grown. All the Liberal Democrats sheepishly supported this action.

If Mr Mike Thornton is elected, will he be another 'yes' man like he was at the Council? Who will he be a 'yes' man to? Does he ever question any decision? Eastleigh voters deserve better than having a man in Westminster being 'run' by a Councillor.

### **Influence of Allotment holders**

The next increase in allotment rents by Eastleigh Borough Council will be closely scrutinised. If it is different to the rate of increase in other recreational services, the Council will surely expect a legal challenge. And maybe this time the Councillors will have the bottle to keep the law.

It is highly improbable, because they were warned by a Judge and any disregard of his warning could have massive consequences maybe even, shall we suggest, a Contempt of Court charge?

Allotment holders are not against increases, just against unfair and prejudicial increases and as there is an Act to cover such increases, it is expected that the law is followed and not used by politicians who pick and choose which law to obey.

Maybe it is time for all allotment holders, family, friends and supporters to try some other political party as the Liberal Democrats seem to be hazy about the law. The number of voters in this group could run to up to 6,500 voters, enough to swing the Eastleigh election and that number is just getting our members and partners and a couple of supporters each.

The Allotment movement has a UK wide potential voting lobby of some 2 million voters, enough to swing a general election!

Because of the action, the estimated benefit to each Eastleigh allotment holder for these 4 years is estimated at £500.00. The cost of the action to each was £1.

Alex Mullins  
end

Contact **Alex Mullins** 077 99 328802 e-Mail: [ajm@a2q.co.uk](mailto:ajm@a2q.co.uk) Web: <http://a2q.co.uk>