

Code of conduct Complaints, 2023 Review

	Date of complaint	Date of decision	Summary of complaint	Summary Outcome
1.	19 January	31 January	<p>The complainant states that...  <i>I felt intimidated at the meeting, I was truly shocked – the councillor was shouting, waving their hand in a chopping manner. I felt like jelly inside, vulnerable and frightened. Also, hugely embarrassed to be spoken to in such an aggressive manner in front of 40 or 50 people, most of whom I know well...</i></p> <p><i>We do have video evidence of this verbal attack, which starts a few moments in – the recording started once it was clear what was happening.</i></p>	<p>I have viewed the video.</p> <p>Ones response to an address by an individual is very personal and subjective. The meeting appears to take place in a large room, with no or a limited PA system (to which the councillor does not appear to have access). This creates the usual auditory issues of hearing and being heard by all present in a larger room.</p> <p>It is evident that the councillor is gesticulating whilst speaking. However, I do not consider that he was shouting nor aggressive nor that his gesticulating was anything other than within the bounds of reasonable body language. There was no finger pointing nor other animation by him which could reasonably be interpreted as aggressive, violent or threatening and he was not advancing forward.</p> <p>Whilst the complainant may have felt intimidated, vulnerable and frightened, I consider the councillors body language to fall with the bounds of that which is considered reasonable, acceptable and seen in many debates on a daily basis in everyday interactions.</p> <p>The points made, and captured in the video recording, are irrespective of their merits, valid and not offensive to hold or make. They represent a reasonable fragment of different perspectives that an attendee at that meeting could hold.</p> <p>Therefore I conclude that the conduct complained of is not sufficiently serious enough to warrant an investigation. In terms of the screening process and using its language, that the complaint is trivial.</p>

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2.	15 March	5 April	<p>I have concern that a councillor has breached the code of conduct in allowing misleading statements to be included in campaign literature recently posted in their ward calling into question both their honesty and integrity.</p>	<p>The article states that the Councillor has responded to requests from local residents. The statement does not specify the nature of the response and is sufficiently broad and bland enough to encompass a plethora of activity without stating what he actually did.</p> <p>The article does not explicitly apportion credit to the Councillor, in part or at all</p> <p>The leaflet was produced and circulated as political literature. It is clearly labelled". Readers will attach their own importance to the document and its contents, knowing full well that such documents are not held to the same standard of accuracy as records of a court decisions, but that they will contain a significant level of partisan claims. Recent national political debates have highlighted that for all to see.</p> <p>Therefore, considering the nature of the document, its language and its purpose, I do not believe that the content of that article is misleading, dishonest.</p>
3.	2 October	27 October	<p>The complaint is brief and indicates that correspondence sent to the Councillor has not been responded to.</p>	<p>While correspondence should be responded to in a timely manner as a general rule given the workload of Councillors and the number of competing priorities for time it is understandable that on occasion some correspondence is missed or not responded to as soon as the author would like.</p> <p>There is nothing in law nor the code of conduct that requires councillors to respond to communications in a timely manner or at all.</p> <p>Therefore, I am of the opinion that the complaint is trivial in nature and that there should be no further action.</p>

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4.	10 November	19 December	<p>The councillor failed to disclose a relevant relationship during the consideration of an application before the Planning Committee</p>	<p>I have viewed the recording of the meeting and Councillors contribution. The complainant describes Councillors commentary as heavily biased, vociferous and hyper focused. I disagree with those descriptors.</p> <p>The site subject to the planning application has a difficult planning history. The current proposals did not find favour with planning officers nor an overwhelming number of the planning committee. Officers also considered that the revised application did not overcome the challenges identified by the planning inspector who dismissed the previous application.</p> <p>When the matter was put to the vote, the motion to refuse was carried overwhelmingly (11 for refusal, 1 for approval).</p> <p>On the balance of probabilities I consider that a complaint has been submitted because of the refusal of the planning application, not to uphold high standards of ethics in public decision making but rather it has been lodged in bad faith.</p>
5.	10 November	21 December	<p>The Councillors</p> <ul style="list-style-type: none"> <li>• Failure to permit a site visit and deferment of the application,</li> <li>• Failure to advise on time limits on addressing the committee,</li> <li>• Conflation of roles between the chair and lead officer.</li> </ul>	<p>Upon viewing a recording of the meeting several times I not seen any conduct in the consideration of</p> <ul style="list-style-type: none"> <li>• a deferment nor a site visit that could amount to a potential breach of the code</li> <li>• time management of a ward councillors address that could amount to a potential breach of the code</li> <li>• conflation of roles that could amount to a potential breach of the code.</li> </ul> <p>Based on the balance of probabilities I consider that the complaint has been submitted because of the refusal of the planning</p>

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				<p>application and not to uphold high standards of ethics in public decision making but rather it has been lodged in bad faith.</p> <p>Therefore, I am of the opinion that the complaint is considered trivial, malicious or vexatious and that there should be no further action.</p>