

Reference WC-ENQ00131

Subject Member

Councillor Jonathon Seed – Wiltshire Council

Complainant

Councillor Richard Wiltshire – Melksham Town Council

Representative of the Monitoring Officer

Mr Paul Taylor

Independent Person

Mr Stuart Middleton

Review Sub-Committee

Cllr Desna Allen (Chairman)
Cllr Ernie Clark
Cllr George Jeans

Complaint

The complainant is alleging that Cllr Jonathon Seed has, alongside Cllr John Thomson, accused the complainant of spreading false rumours over the potential removal of an open space play area in Hazelwood Road, Melksham. The complainant has provided a newspaper extract which includes an open letter from Cllr Seed and an audio file containing an extract from a BBC Radio Wiltshire broadcast containing comments by Cllr Thomson in support of his complaint.

The complainant has clarified that despite providing Cllr Seed several opportunities to withdraw these statements, he has failed to do so.

Decision

In accordance with the approved arrangements for resolving standards complaints adopted by Council on 26 June 2012, which came into effect on 1 July 2012 and after hearing from the Independent Person, the Review Sub-Committee has decided:

- To take no further action in respect of this complaint

Reasons for Decision

The Sub-Committee went through the initial tests required of the local assessment criteria, and agreed with the assessment of the Deputy Monitoring Officer that the complaint related to the subject member, that they were in office at the time of the alleged incident, and were acting in their capacity as a councillor. Therefore the Code of Conduct was in force at the relevant time. They therefore needed to determine if the matters giving rise to the complaint would, if proven, be capable of breaching that Code.

In reaching its decision the Sub-Committee relied upon the original complaint and supporting information, response of the subject member, initial assessment and additional information submitted by the Complainant in their request for a review of the initial decision to take no further action.

The complaint related to a dispute between the complainant and subject member over comments made regarding the alleged potential sale of land in relation to a play area in the community area, with information submitted of private and public comments made by the subject member and the complainant on the issue.

Having reviewed all the evidence, including the supplementary information provided by the Complainant, the Review Sub-Committee were satisfied with the reasoning of the Deputy Monitoring Officer. In particular, while information had been submitted in respect of a councillor not included within the complaint as having made comments in relation to the potential sale of the play area, even if this was the case it was felt the matter was clearly in the realm of a public political debate. As such, the comments of the subject member as part of that public political debate are afforded a high level of protection under the law, and the Sub-Committee agreed with the view of the Deputy Monitoring Officer the comments did not amount to a breach of the Code of Conduct.

Additional Help

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We can also help if English is not your first language.

DECISION NOTICE: No further action

Reference WC-ENQ00132

Subject Member

Councillor John Thomson – Wiltshire Council

Complainant

Councillor Richard Wiltshire – Melksham Town Council

Representative of the Monitoring Officer

Mr Paul Taylor

Independent Person

Mr Stuart Middleton

Review Sub-Committee

Cllr Desna Allen (Chairman)

Cllr Ernie Clark

Cllr George Jeans

Complaint

The complainant is alleging that Cllr Jhon Thomson has, alongside Cllr Jonathon Seed, accused the complainant of spreading false rumours over the potential removal of an open space play area in Hazelwood Road, Melksham. The complainant has provided a newspaper extract which includes an open letter from Cllr Seed and an audio file containing an extract from a BBC Radio Wiltshire broadcast containing comments by Cllr Thomson in support of his complaint.

The complainant has clarified that despite providing Cllr Thomson several opportunities to withdraw these statements, he has failed to do so.

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