

MELTON BOROUGH COUNCIL

MEMBER CONDUCT COMPLAINT-REFERENCE: GOV 09

VIEWS OF INDEPENDENT PERSON.

This case was referred to me by the Monitoring Officer in a letter dated the 8th July 2013 which enclosed a bundle of documents.

My views were sought on a complaint made by Mrs Lyn Summerland against Cllr Gary Bush alleging a number of matters including that he chaired a meeting and “completely failed to keep control of the persons present”, that he “ did not behave in a professional manner” and has “no moral compass”

The complaint did not specify which parts of the Code of Conduct had allegedly been breached.

I have fully reviewed the complaint and the accompanying documentation. I have also referred to the Members Code of Conduct. My opinions and views are as follows.

1. The background to this matter surrounds the issue of the closure of an alleyway near to Sherard School and the potential re-opening of that pathway to members of the public. This issue has caused, and continues to cause, some strong differences of opinion. One group of residents believe the alleyway should remain closed while others push for it's re opening.
2. It is not the issues surrounding the alleyway near Sherard School that is for consideration here. It is the specific allegations relating to the conduct of a Councillor while undertaking his duties for Melton Borough Council that must be considered, in this case Cllr Gary Bush.
3. The Complainant does not initially provide specific details of the general allegations made in her complaint. However Cllr Gary Bush does respond to the complaint in his letter dated the 20th June 2013, in a careful and considered manner.
4. Further documentation between the parties indicates two very different viewpoints but the independent evidence provided by Cllr Janet Simpson, who also attended the meeting held on the 25th March 2013, is most enlightening. Cllr Simpson states that Cllr Bush “acted impeccably throughout the meeting”. She also states that Cllr Gary Bush “chaired the meeting in a very professional manner. He was provoked but kept good order and was not confrontational at all.
- 5 I find the evidence provided by Cllr Simpson most persuasive, not only because of its clarity, but also due to the fact that it is the only evidence available that comes anywhere close to being described as independent.
6. I have also considered the written responses sent by Cllr Bush and I am further aware of his offer to meet residents in order to try and resolve some the issues. I understand that his offer has surprisingly been rejected.

7. Having considered all the written evidence available to me and again referred to the Members Code of Conduct I recommend that there is insufficient evidence to satisfy any breach.

Len Tempest.

Independent Person
1st August 3013.