

Decision Notice Formal Assessment

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| Reference Number: | WD07 291019 |
| Complainant: | Mrs Alison Duckers |
| Councillor: | Councillor Goffey |
| Council: | Okehampton Town Council |
| Monitoring Officer: | David Fairbairn |
| Assessment carried out by: | Fiona Shirra |
| Independent Person: | Trevor Kirkin |
| Confidentiality requested? | No |

1. Documents and information considered:

- Complaint from the Complainant dated 28 August 2021,
- Response from Councillor Goffey,
- Okehampton Town Council's Code of Conduct in place prior to 28 June 2021,
- Okehampton Town Council's Code of Conduct in place from 28 June 2021 (together "the Codes of Conduct"),
- West Devon 'Dealing with Standards Complaints' procedure and
- Views of the Independent Person

2. Summary of complaint

The Complainant has alleged that the Councillor has broken the Okehampton Town Council Code of Conduct by:

- 4(a)/1.2 failure to treat others with courtesy or respect;
5(a)/4.2 improperly using position to confer advantage or disadvantage;
5(g)/4.3 preventing others from accessing information they are entitled to by law.

3. Outcomes:

(Please refer to the Criteria in the 'Dealing with Complaints' Procedure):

- To take No Further Action (in accordance with the Criteria set out in the Dealing with Complaints procedure)
- To make no finding as to whether there has been a breach of the Code but seek to resolve the Complaint informally

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| <ul style="list-style-type: none">• To make no finding as to whether there has (or may have) been a breach of the Code and that No further Action be taken as the public interest does not merit further investigation/consideration. |
| <ul style="list-style-type: none">• To refer the Complaint for investigation to determine whether there has been a breach of the Code. |
| <ul style="list-style-type: none">• A finding of a breach of the Code without an investigation. |
| <ul style="list-style-type: none">• To refer the matter to the Police (or other relevant body) where the Complaint alleges that a criminal offence may have occurred under the Localism Act 2011. |

4. Decision and reasons:

Decision:

To take No Further Action (in accordance with the Criteria set out in the Dealing with Complaints procedure)

Reasons for decision:

The Councillor is a current member of Okehampton Town Council and was a member at the time of the alleged breaches, and engaged in the business of the Town Council at the relevant time; the Codes of Conduct therefore apply.

The basis for this complaint is that the Complainant considers that the Councillor has breached the Codes of Conduct due to the way she has conducted herself over a period of time in relation to the work to progress the Neighbourhood Plan. In setting out the Complaint, anecdotal narrative has also been supplied about the actions and comment by other individuals. Whilst these points are noted it is the conduct of the Councillor only that is reviewed in this assessment.

The Complainant's frustration with the process is evident and, perhaps, in part understandable, but due process has to be and has been followed. That that results in perceived delays is unfortunate but unavoidable.

The situation has clearly been exacerbated by the coming and going of individuals and professionals involved in the project.

Issues have been raised about what was discussed and when in formal meetings, what was followed up subsequent to those meetings and the discussion of matters in Part 2. Whilst it is not the role of the standards regime to examine procedural matters, there is no evidence that the Councillor has done anything improperly to confer advantage or disadvantage.

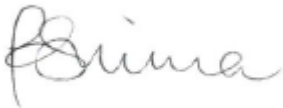
There is no evidence to support any breach of the Codes by the Councillor.

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..... Date: ...4 November 2021....

Signed by Trevor Kirkin, the Independent Person for West Devon Borough Council



..... Date:4 November 2021

Signed by Fiona Shirra on behalf of the Monitoring Officer for West Devon Borough Council