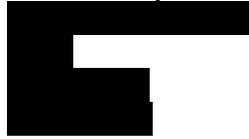




Mr D Stacey



Hart District Council,
Harlington Way,
Fleet, Hampshire
GU51 4AE

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24 May 2022

Dear Mr Stacey

I am writing regarding the complaint you submitted recently regarding the conduct of Cllr Katie Davies and Cllr Alan Oliver.

Your complaint was passed to me for initial assessment with regards to the validity of the complaint. I have considered your complaint and have also forwarded the details of your complaint to the Independent Person appointed by the Council under Section 28 of the Localism Act 2011.

The complaint has been assessed in accordance with the provisions of the November 2022 – Localism Act 2011 Section 28 – Code of Conduct Arrangements for Dealing with Allegations, which can be found at www.hart.gov.uk/sites/default/files/4_The_Council/Councillors/Help_and_advice/Arrangements%20for%20dealing%20with%20allegations%20November%202020.pdf

Context

For a complaint to be valid, it must relate to a named Councillor and the conduct complained about must relate to an alleged breach of the Code of Conduct, whilst acting in their capacity as a member (Section 27 (2) Localism Act 2011).

Finally, any decision to investigate an allegation must be a proportionate response to the issues raised when weighed against any likely sanction. It should take into account the wider public interest and the costs of undertaking an investigation.

Vexatious, malicious, frivolous, trivial, politically motivated, or tit-for-tat complaints will not be investigated, and the complaint itself must have substance. The arrangements require allegations only to be investigated where the allegation is reasonably considered to be a serious matter which raises a matter of wider public interest.

Appendix A of the document “Arrangements for Dealing with Allegations” contains the adopted Public Interest Considerations which can be found on the Council’s website: <https://www.hart.gov.uk/help-advice-1>

Complaint

The complaint relates to you being banned from 'Fleet People', a local social media group. You stated in your complaint that Cllr Davies had "*a major hand in getting me banned from Fleet People Facebook because I originally challenged her, and she disagreed with my views.*"

Your complaint also states that Cllr Oliver has refused to acknowledge your emails and made comments regarding Cllr Oliver's behaviour on 'voting day'.

Decision

The independent assessment is that the complaint against Cllr Davies should be dismissed with no further action. Insufficient information has been submitted at the outset to demonstrate that there has been a breach of the Hart District Council – Members Code of Conduct. Additionally, the evidence submitted does not demonstrate that Cllr Davies was acting in any capacity related to her role as a member of Hart District Council in her dealings with you. Therefore, she cannot be held to have breached the Hart District Council – Members Code of Conduct.

The independent assessment is that the complaint against Cllr Oliver should be dismissed with no further action. Insufficient information has been submitted at the outset to demonstrate that there has been a breach of the Hart District Council – Members Code of Conduct. Therefore the complaint should not proceed further.

This concludes our investigation of your complaint and the outcome of this complaint will be published on Hart District Council's website. A copy of this letter will also be sent to Cllr Davies and Cllr Oliver.

Yours sincerely



Charlotte Griffiths
Deputy Monitoring Officer

Cc:
Cllr K Davies
Cllr A Oliver