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Date : 12 September 2022



Dear [REDACTED]

Code of Conduct Complaint about Cllr Adam Quinney – Sambourne Parish Council

I refer to your complaint about Cllr Quinney dated 8 May 2022. Your complaint alleges that Cllr Quinney breached the following rules of conduct:

- Do not treat others with disrespect.
- Do not use your position as a member of the Council improperly to confer an advantage or disadvantage on yourself or any other person.
- Do not bring the Council or the role of councillor into disrepute.

You agreed that the following represents an accurate summary of your initial complaint:

1. In September 2021 Cllr Quinney said all residents the subject of offensive emails have been contacted by the parish council with an apology, but this has not happened.
2. Cllr Quinney has not progressed your complaint about the clerk.
3. In a public meeting Cllr Quinney promised to write a letter of thanks to you but it has never materialised.

You updated your complaint on 30 May 2022 to refer to a planning incident which you said brought the role of councillor and the council into disrepute. You also referred to councillor Quinney "liking" controversial posts on social media relating to a planning application. You also referred to a threatening post being on Cllr Quinney's social

media timeline for many months which you say he refused to remove. Finally, you referred to disrespectful behaviour at a mediation meeting.

On 31 May 2022 you confirmed a report in the minutes of the May 2022 parish council meeting which you say is a "forthright lie" should be added to the complaint.

On behalf of the Monitoring Officer, I have conducted an initial assessment of the complaint in accordance with Stratford on Avon District Council's councillor complaints policy. The purpose of my assessment is to determine whether the complaint warrants further investigation. I have sought comments from Cllr Quinney and the Independent Person and taken these comments into account.

In September 2021 Cllr Quinney said all residents the subject of offensive emails have been contacted by the parish council with an apology, but this has not happened.

At the 20th September 2021 meeting of the parish council Cllr Quinney stated that the parish council are "deeply sorry that internal emails referencing members of the parish in a negative way have caused hurt to members of the parish".

Even if individuals were not contacted directly by members of the parish council, I do not consider this represents a breach of the Code of Conduct by Cllr Quinney specifically. I am satisfied that the apology Cllr Quinney gave on behalf of the parish council at the September meeting was thorough and reasonable.

Accordingly, I find no breach of the Code of Conduct by Cllr Quinney in relation to this aspect of your complaint.

Cllr Quinney has not progressed your complaint about the clerk.

My understanding is that SPC met remotely on 11 November 2021 and discussed the complaint about the clerk. SPC found there was no evidence the clerk had bullied you. I understand the clerk apologised for the "Madtown" remark. I understand that after the police issued a non-communication order between you and the parish councillors the clerk was informed by police that you would drop all complaints, including the one about the clerk. The complaint, therefore, was not progressed any further by the parish council although some appropriate training regarding data protection for the clerk was identified.

Accordingly, I find no breach of the Code of Conduct by Cllr Quinney in relation to this aspect of your complaint.

In a public meeting Cllr Quinney promised to write a letter of thanks to [REDACTED] but it has never materialised.

I understand that Cllr Quinney wrote the following email to [REDACTED] in October 2021:

"Thank you for arranging for [REDACTED] to read out your letter at the recent parish meeting. The parish meeting I felt overall was a far more positive atmosphere than before and your statement through Greg helped that. In the meeting I set out the future direction of the Sambourne Parish council, which was received well I believe by those attending. The minutes are now on the new website. "

Accordingly, I find no breach of the Code of Conduct by Cllr Quinney in relation to this aspect of your complaint.

The Planning matter

You say that Cllr Quinney has violated planning laws in relation to a 'Class Q' development. I have not been provided with any substantive evidence of breaches of planning laws and, therefore, do not find any breach by Cllr Quinney of the Code of Conduct in this regard. I understand the planning permission you refer to, relating to a barn conversion, was submitted by Cllr Quinney's son-in-law and Cllr Quinney has no financial involvement in the matter.

Accordingly, I find no breach of the Code of Conduct by Cllr Quinney in relation to this aspect of your complaint.

You also referred to councillor Quinney "liking" controversial posts on social media relating to a planning application

No evidence has been provided to substantiate this. Accordingly, I find no breach of the Code of Conduct by Cllr Quinney in relation to this aspect of your complaint.

Offensive social media post on Cllr Quinney's timeline that he refused to take down

You sent me an undated social media post by someone called [REDACTED] that said "That Oak must have a bough suitable for a noose surely! Prior to the snap please ensure that the audience comply with social distancing". There is a related post from someone called Adam Quinney (I don't know whether this is Cllr Quinney) which says "thank goodness we do not have street lighting in the village - lamp posts always look dangerous places when a dictatorship gets power! (laugh emojis)". You say the comment is about [REDACTED] and that it is threatening and it caused [REDACTED] distress. You say the posts were on Cllr Quinney's timeline and he refused to remove them.

I have sought comments on this matter from Cllr Quinney. These posts were made in August 2020, some seven months before Mr Quinney became a parish councillor. I am satisfied, therefore, that there is no breach of the Code by Cllr Quinney in relation to this matter.

Mediation meeting in 2021

You say that Cllr Quinney was invited to meet with you and several other residents to try and agree a consensus on how certain challenges could be overcome. You say Cllr Quinney's attitude throughout was disrespectful, arrogant and dismissive and that he was pompous, unwilling to listen and distrustful. You say there are witnesses to this meeting.

I have sought comments on this meeting from Cllr Quinney, who provided a statement from [REDACTED] who was an observer at the meeting. I understand the meeting took place on 20 July 2021 at a resident's house. I understand the meeting was attended by Cllr Quinney, [REDACTED] you and [REDACTED] and two other residents. I understand Cllr Quinney was in attendance for about 20 minutes, following which he had to leave to attend to matters on the farm.

The meeting was not recorded or formally minuted to my knowledge, so it is very much one person's word against another's. Cllr Quinney denies that he was unwilling to listen or was disrespectful and this is supported by [REDACTED]. It is possible someone else might support your recollection of the meeting if they were interviewed about it. I do not, however, consider that this would be in the public interest. This was a very short meeting which took place over a year ago in the spirit of mediation. I consider it more important that Cllr Quinney accepted the invitation to meet at a resident's home to try and move things on. Cllr Quinney was, in my opinion, correct to point out at the meeting that the [REDACTED] complaints had been fully investigated and that statements approved by the Monitoring Officer would be read out at the next parish council meeting. It is understandable, therefore, why Cllr Quinney would not want to go over this ground at this meeting.

In relation to this aspect of your complaint, I do not consider there is evidence of a breach of the Code and I do not consider it would be in the public interest to investigate the matter further.

May 2022 parish council minutes

You say the Chairman's Report for 2021-2022 contains an "outright lie" and you request that this is added to your complaint about Cllr Quinney.

I have underlined below the part of the statement in the Minutes of the 10 May 2022 Annual Parish Assembly meeting that you consider is a lie:

Over the last year the parish council meetings have moved back to meeting in person from meeting via zoom. While meeting via zoom has proved a useful tool there is nothing like meeting in person. For the first half of the year, the work of the parish council was overshadowed by controversy from private correspondence between two former councillors. This has been reported elsewhere in detail and does not need repeating here. What should be noted though is that for all those involved, either directly or indirectly, this time brought about great stress and unhappiness. The Chairman at the time Dr Chris Clews, after many years' service as chairman, took the decision to resign from the council in August 2021.

I understand you take exception to the correspondence being described as private correspondence between two former councillors because other councillors were included in some of the correspondence or had sight of it and some of the correspondence was sent in capacity as a councillor.

In my view, the reference to "private correspondence" refers to the fact that it was internal correspondence between members of the parish council. Although a few emails were sent to other councillors in addition to yourself, most were sent only to you by the former chairman in what was a private capacity. Whilst not 100% accurate, therefore, I consider that the Chairman's statement is a fair summary of the matter and does not mislead parishioners to any significant degree. I do not consider it constitutes a breach of the Code by Cllr Quinney.

Conclusion

I conclude that your complaint about Cllr Quinney does not indicate a breach of the Code and does not warrant further investigation.

Yours sincerely

R Chambers

Ross Chambers
Solicitor and Deputy Monitoring Officer
Legal Services

cc Cllr Quinney
Clerk to Sambourne Parish Council
Phil Grafton, Monitoring Officer