



EAST RIDING

OF YORKSHIRE COUNCIL

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Mathew Buckley Head of Legal and Democratic Services

Councillor A Strangeway
1A Holly Close
FULL SUTTON
East Riding of Yorkshire
YO41 1LY

Your Ref:
Our Ref: cs9/JMW/71016/JG
Enquiries to: Mr J Whyley
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Tel. Direct: (01482) 393207
Date: 3 May 2018

Dear Councillor Strangeway

LA/SASC/225/Strangeway/East Riding of Yorkshire

The Assessment Sub-Committee of the Standards Committee met on 2 May 2018 to consider a complaint made against you under the Code of Conduct.

A copy of the Decision Notice, which summarises the complaint and sets out the decision, is attached.

I would confirm that the complainant has been advised that there is no right of appeal to the Authority against this decision.

Yours sincerely

for Mathew Buckley
Monitoring Officer

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DECISION NOTICE: NO FURTHER ACTION

1 Reference - LA/SASC/225/Strangeway/East Riding of Yorkshire

2 **Complaint**

2.1 On 2 May 2018, the Standards Committee Assessment Sub-Committee of this Authority considered a complaint from Mr R Watson concerning the alleged conduct of Councillor A Strangeway, a member of East Riding of Yorkshire Council.

3 **Summary of Complaint**

3.1 Mr Watson alleges that Councillor Strangeway has mentioned the complainant and his wife on his blog, has made public personal details about them as well as making pictures of their grandchildren available to others.

3.2 Mr Watson also complained that Councillor Strangeway was harassing him by sending him emails at 11:01pm which he considered unreasonable.

4 **Decision**

4.1 In accordance with arrangements made under Section 28(6) of the Localism Act 2011 by East Riding of Yorkshire Council on 4 April 2012 and the process/procedures adopted by the Standards Committee on 24 July 2012, as reviewed and updated on 19 July 2016, the Assessment Sub-Committee of the Standards Committee decided that no action should be taken with regard to the allegation.

5 **Reasons for decision**

5.1 (a) Councillor Strangeway has placed a link on his blog to the complainant's facebook page. This shows some photographs from around 2015 which are available for anyone with a facebook account (ie not just "friends" of the complainant) to view. Although the publishing of the link by Councillor Strangeway has highlighted the accessibility to the wider public of the facebook details, its accessibility is as a result of the lack of settings put in place by the owner of the site and not as a result of anything Councillor Strangeway has done.

(b) Councillor Strangeway has posted comments placed by the complainant and the complainant's wife on Councillor Strangeway's facebook page. These pages are available for anyone with a facebook account to view so Councillor Strangeway has not disclosed details that are not available for the public to see. Comments are made by Councillor Strangeway which

are critical of the complainant, reference is made to the complainant being unable to “communicate in an appropriate manner”. This however has to be put in the context of the comments made by the complainant in his postings for example “... .. and take my name off your blog you tw*t”.

- (c) The reference to the complainant and his wife by Councillor Strangeway has arisen as a result of both parties having made comments to Councillor Strangeway about his investigation of the sale of Bridlington Golf Club.
- (d) Although the complainant and his wife are questioning Councillor Strangeway’s interest in the sale of Bridlington Golf Club, it is something that he is within his rights to pursue.
- (e) The details that Councillor Strangeway has made available are already accessible in the public domain via Mr Watson’s facebook page and via Councillor Strangeway’s facebook page which are available for all to see.
- (f) Whilst the complainant and his wife may be unhappy about the release of the contents of messages sent by them to Councillor Strangeway, it is within his right to republish them as the comments were not made in a private capacity to Councillor Strangeway but were placed on a public website.
- (g) It is not considered that the sending of an email by Councillor Strangeway to the complainant at 11:01pm would constitute harassment. It would appear that only one email was sent, whereas there would be an expectation that to evidence harassment there would be more persistency in its sending and content. In terms of the lateness of the hour that the email was received, this may well have been a convenient moment for Councillor Strangeway to send it in terms of his other commitments. There does not appear to have been any expectation on Councillor Strangeway’s part that he knew the recipient was awaiting its arrival. There was also no onus on the complainant to await its arrival as there is no evidence to suggest that he had been notified to expect correspondence from Councillor Strangeway. Also there was no requirement for the complainant to respond on its content with any immediacy if he did not wish to, nor is there any suggestion in the message content that the complainant was required or expected to.

5.2 This decision notice is sent to the person or persons making the allegation, the member against whom the allegation was made and the clerk to the parish or town council, if applicable.

6 Terms of reference

6.1 In accordance with the requirements of Section 28 of the Localism Act 2011, at its meeting on 4 April 2012, East Riding of Yorkshire Council delegated to the Standards Committee the function of making arrangements under which allegations can be investigated and arrangements under which decisions on allegations can be made.

6.2 At its meeting on 24 July 2012, as reviewed and updated on 19 July 2016, the Standards Committee agreed the process/procedures to be followed when complaints about Members' conduct are received and the assessment criteria the Assessment Sub-Committee will use when considering such complaints.

7 Additional Help

7.1 East Riding of Yorkshire Council will, on request, provide this document in Braille, audio or large print format.

7.2 If English is not your first language and you would like a translation of this document, please telephone (01482) 393939.

4 May 2018