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Helen Hobson

From: [REDACTED]
 Sent: 05 May 2006 18:06
 To: New Complaints
 Subject: Complaint

Dear Standards Board

I believe that two Bath and North East Somerset (B&NES) councillors are in breach of the local government code of conduct. Please can you investigate. Their names are: Cllr Phyllis Gay and, her son, Cllr Jonathan Gay.

Cllr Phyllis Gay, currently chairman of B&NES Council, is a member of the planning committee known as Development Control Committee B.

Last month the committee considered an application for new houses from a company called Oval Estates on a site known as Manor Park (planning ref: 05/03831). The committee considered this application on 5 April 2006, they reconvened at a site meeting a couple of weeks ago (I'm unsure of the date) and met again on 3 May 2006.

Cllr Phyllis Gay lives literally round the corner from the proposed development (in a property I suspect she owns), no more than 20/30 yards away.

I believe that she should have declared a very real personal interest and not participated in any of the three formal meetings listed above that dealt with this application.

The very close proximity of her home to the proposed development indicates that this could have an affect on the value of her property. The safest course of action in these circumstances would to have been to avoid the issue.

However, Cllr Phyllis Gay did not declare any personal interest at any of the meetings. Her very vocal and very strong opposition to the application led the committee to reject the officer recommendation (which was to agree) and reject the application. I understand the applicant will appeal.

I don't think Cllr Phyllis Gay should have taken part in any of these meetings as the interest is significant enough to have possibly affected her judgement.

The necessary paperwork to confirm meeting attendance and dates, etc, can be found via B&NES' website www.bathnes.gov.uk. The democratic services officer responsible for managing these meetings is David Taylor, I'm sure he can help you gather the necessary evidence.

Local people need to have confidence in local democracy and the probity of elected members. This is particularly important when it comes to planning issues virtually on your doorstep.

Please can you assess this complaint and let me know how you intend progressing it.

I also said that I was complaining about Cllr Jonathan Gay. The issue I have with his attendance and participation (at least on 5 April) is: if it is deemed that his mother should have declared an interest, it would be reasonable to assume that he knew this and he should report her to the appropriate 'watchdog'.

His failure to 'whistle-blow' on his mother could be a breach of the code of conduct in itself. Perhaps when you have reached a judgement on the substantive issue about Cllr Phyllis Gay, you might like to consider this and let me know if you are willing to deal with it.

I look forward to hearing from you.

Your sincerely

Cllr Peter Jovcic-Sas

Peter Sas
[REDACTED]
[REDACTED]

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Eva Antao

From: [REDACTED]
Sent: 20 May 2006 15:53
To: Eva Antao
Subject: Complaints SBE 1491.06 and SBE 14913.06

Dear Eva

~~Your letter was dated 16 May, or at least this week and gave me a deadline of 16 May for a review of the application. I have not had time to do this as I have been away on holiday and have not had time to do this.~~

And I would like to request a review.

Cllr Jonathan Gay was present on 5 April and 3 May 2006. I attended and saw him on 5 April (he addressed the committee, though he is not a member) and other members of the community saw him on 3 May. These facts are easy to verify with the committee clerk, David Taylor. If the minutes do record his presence, they are wrong.

Even that Cllr J Gay lived with his mother in the family home near to the application site, I suppose it could be argued that he also has a personal interest as he probably stands to inherit part of the property from his parents in the event of their early demise.

Please could you re-assess if you think this has any bearing on your decision not to investigate further.

With reference to complaint SBE 14912.06, please note that Cllr Phyllis Gay not only attended and spoke against the application at both planning meetings, she also voted against. She also attended the site meeting but I am unsure if this falls under your remit for consideration.

Yours sincerely

Peter Jovcic-Sas

Your letter dated 16 May arrived this week and gave me a deadline of 16 May for requesting a review of case SBE14913. I don't think that this is a reasonable time in which to reply.