

Cllr Ross Mackinnon was in breach of the Members Code of Conduct as per Appendix K to Part 13 of the Council Constitution (paragraph 4.2[c]) in that he did, during the live recorded Extraordinary Council meeting debate on the Withdrawal of the Local Plan Review on 19th December 2023 and in the Newbury Weekly News online publication of that week, disclose information acquired by him which he had admitted he knew was of a confidential nature. I have been told that he also shared extracts from it on social media.

The key aspect of the recording is at 47 minutes and 20 seconds into the Extraordinary Full Council on 19<sup>th</sup> December 2023. This is where Cllr Mackinnon quotes phrases from my "Notes and Local Plan discussion" email of 26<sup>th</sup> May 2023.

On 26th May 2023, which was the day after the Liberal Democrat Executive was appointed during the Annual Council Meeting, I sent an email to "All Members Executive" on the West Berkshire Council system giving my thoughts, as Executive Member for Planning, on the very subject that was to be debated on 19th December. Because the Council had not yet updated the email address for All Members Executive, that highly sensitive email went to the [now] Shadow Executive Members led by Cllr Mackinnon. Although he immediately reported the fact to me and I in turn reported it to the Acting Head of Paid Service Clare Lawrence (Executive Director Place) and asked for this error to be corrected, unbeknown to me - because I do not fully understand how the Council email lists work - when on 31st May I used the same email 'chain' to check that, as Ms Lawrence had assured me, the list was now using the Liberal Democrat Executive Members' addresses, the email again went to the Opposition Shadow Executive.

Cllr Mackinnon had on 26th May told me that he would ensure the email was deleted, which I do not doubt happened. However he did not tell me that the email had been sent to him and his colleagues a second time on 31st May. In the Extraordinary Full Council meeting on 19th December, he admitted that he did not delete it (this can be viewed in the recording at exactly 1 hour in).

Despite knowing that its contents were sensitive, he chose to retain it for use in what I suggest was probably an unlawful way and was also in contradiction to the Members Code of Conduct.

He has not since apologised and therefore I feel justified in making this official Complaint.