

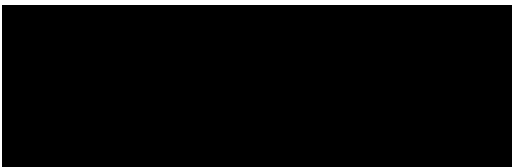
**Report of an Investigation into a Complaint
by Cllr Tony Vickers against Cllr Ross
Mackinnon of West Berkshire Council**

Private & Confidential

Final Version 24 May 2024

**Richard Lingard LLB
Solicitor**

ICO Registration No: Z27409852



Richard Lingard – Curriculum Vitae

Educated at Magdalen College School Oxford and Southampton University, I qualified as a Solicitor in 1980, trained in private practice and spent four years in the commercial sector before going into Local Government.

At the time of my retirement in September 2011, when I became a non-practising Solicitor, I was the Head of Legal & Democratic Services and Monitoring Officer at Guildford Borough Council, for whom I worked for some 30 years.

Since 2011, I have conducted and reported on over 60 investigations covering allegations of misconduct against City, County, Borough, Parish and Town Councillors and Officers. I have also carried out a number of procedural and governance reviews and provide training on ethical standards and the responsible use of social media by councillors. My work has been carried out for local authorities in Berkshire, Buckinghamshire, Hampshire, Hertfordshire, Kent and Surrey.

I am also an Independent Member of the Surrey Police Misconduct Panel.

EXECUTIVE SUMMARY

This is the final version of my report of an investigation that I have carried out into a complaint brought by Cllr Tony Vickers against Cllr Ross Mackinnon of West Berkshire Council ('WBC' / 'The Council') in respect of his alleged breach of the Council's Code of Conduct for members by virtue of his disclosure of confidential information during a Council EGM held on 19 December 2023.

I have concluded that Cllr Mackinnon has breached the WBC Code of Conduct by virtue of his disclosure of confidential information.

1. INTRODUCTION

1.1 Following an initial email dated 1 March 2024 from Nicola Thomas, Deputy Monitoring Officer of the Council, I was instructed by a further email dated 5 March to conduct an independent investigation into a complaint by Cllr Tony Vickers.

1.2 Ms Thomas provided me with a copy of the complaint, the full text of which is reproduced at **Appendix 1** to this report, contact details for the people concerned, a link to a video recording of the meeting during which the alleged disclosure is said to have been made and other related documentation including a copy of Cllr Mackinnon's initial response to the complaint, as considered by the Council's Governance – Assessment Sub-Committee at its meeting on 25 January 2024 (See **Appendix 2**).

1.3 For ease of reference, a brief summary of the complaint is set out below:

- That Councillor Mackinnon disclosed information he had received in error via e-mail, that was of a confidential / sensitive nature, at the Extraordinary Council meeting of 19 December 2023, to the press and on social media.
- Councillor Mackinnon received the information twice. On 26 May 2023, he highlighted to Councillor Vickers that he had received the e-mail in error and that he would delete it. Councillor Mackinnon also received the e-mail on 31 May 2023 but did not communicate the fact or give any agreement to delete it.
- Councillor Mackinnon contests that the information received was not of a confidential or exempt nature. He acknowledges that he did share the information as described. Councillor Mackinnon felt there was a clear public interest in the disclosure of the information.

2. PROCESS

2.1 Following receipt of my instructions, I reviewed the documentation, watched the video recording of the meeting of 19 December 2023 and contacted Cllrs Vickers and Mackinnon, inviting each of them to meet me via Zoom in order that I could hear what each of them had to say about the matter.

- 2.2 I had a Zoom meeting with Cllr Vickers on 13 March and, after some delay caused by his unavailability, with Cllr Mackinnon on 19 April.
- 2.3 In accordance with my usual practice and with their consent, I made recordings of my discussions with both councillors and used them as the basis of notes which I sent to each of them for comment. Cllr Vickers made some minor amendments and clarified certain issues, whilst Cllr Mackinnon approved my notes as drafted.
- 2.4 I then deleted both recordings.

3. COUNCILLOR TONY VICKERS

- 3.1 As noted above, I interviewed Cllr Vickers (TV) via Zoom on 13 March. I began by asking him to explain the nature of the confidential information that Cllr MacKinnon (RM) is alleged to have disclosed at the Extraordinary Council meeting on 19 December 2023.
- 3.2 The information was contained in an email which TV believed he was sending to his LibDem Executive colleagues at 11:37 on 26 May 2023 explaining why he thought that they should not withdraw the Local Plan and setting out the dangers and risks of doing so.
- 3.3 This message was clearly not intended to reach the Conservative opposition. It came about because WBC's IT officers had not changed the group email lists for the Executive and the opposition following the election, with the result that the message went to the outgoing Tory Executive instead of to the incoming Lib Dem Executive.
- 3.4 Cllr Mackinnon (RM) replied to TV at 15:43 that same day as follows:

'Hi Tony

It appears that the All-Members Executive mailing list has not been updated yet, so this has been sent to me and my colleagues.

We will delete the message as I'm sure you didn't intend to send it to us.'

- 3.5 TV emailed Clare Lawrence (Director for his Portfolio) the following day and said, inter alia: *'Luckily Ross Mackinnon picked this up and has done the decent thing'*.
- 3.6 Despite TV's belief that the problem had been fixed immediately, it was not in fact remedied until 31 May and RM (and others) received a further copy of the same email on that day, as well as what TV described as *'a flurry of emails from me to "All Members Executive", all of which were obviously not intended for Opposition eyes'* between 26 and 31 May.

- 3.7 We discussed what RM had said about the matter at the meeting on 19 December, namely that he had received the email on 26 May and that he had deleted it (which TV accepts he did); that he received the same email again a few days later and that he did not communicate with TV but that he '*told no lies whatsoever.*' He neither admitted nor confirmed whether he had deleted the message a second time.
- 3.8 TV said that he had had evidence that RM had also forwarded extracts from the email to other people, some of whom may not have been councillors, but he no longer has proof of this but he knows that RM did share the email with his other colleagues well before the Council meeting in December.
- 3.9 We agreed that we would both check the recording of the meeting because I had not, in my viewing, been able to see or hear RM admit that he had not deleted the email a second time. TV thought that he had done so.
- 3.10 I have viewed the recording again since I spoke to Cllr Vickers. What Cllr Mackinnon actually said at that point (by way of a point of personal explanation) was that he deleted the email the first time he received it, but when he received it for a second time, he did not communicate with Cllr Vickers but '*I did not tell any lies whatsoever.*' He did not say that he had not deleted the message.
- 3.11 TV agreed to send me a copy of the email in question and he subsequently did so, highlighting what he regards as the confidential elements, which in summary are as follows:
1. 'Option 3. Withdrawing the Plan shows voters we are serious'
 2. '(This would be) a 'nuclear option''
 3. '(There) do not seem any advantages at this stage* to withdraw'
 4. 'All available measures' would be used to 'fix' the Plan'.
- 3.12 *The 'stage' in this context refers to day 1 of the LibDems having taken formal control of the Council – i.e., well before exhausting all other perceived options for 'fixing' the submitted plan.
- 3.13 I asked TV to explain the background to why the Local Plan was threatened with withdrawal. He explained that it was primarily an issue concerning Thatcham, whose residents were concerned that the only proposed new large housing development in the Plan was to be established entirely on a greenfield site in North East Thatcham abutting the AONB.
- 3.14 This proposal was a last-minute substitution for a bigger site at Grazeley on the Reading / Wokingham borders which had been ruled out by the Office of Nuclear Safety.
- 3.15 The LibDems' opposition '*pitch*' was, in essence, to object to the bulk of new housing being established on the Thatcham site. Once the LibDems came to

power, they were advised by the Officers that if they pursued their line of argument, it would be seen as a major change to the Plan and would almost certainly cause the Plan to fail.

3.16 The decision not to withdraw the Plan was precipitated by the Government indicating that if the Plan was withdrawn, it would take over the entire process.

3.17 TV explained that what RM was saying, some months after the email was misdirected was, in effect:

'You knew all along that this (withdrawal) was a risky solution and shouldn't be pursued and yet you stuck with your colleagues' desire to do that'.

3.18 TV explained that he did not *'know all along'* how risky this possible solution was, nor even that it would not be possible to *'fix'* the Plan by means short of withdrawal. Until about September, there was a view, which he shared, that either the Inspector might accept compromise modifications or that the Council would be able to accommodate the cost and delay without unaffordable risk.

3.19 I asked TV for his reaction to Cllr McKinnon's response to the complaint as annexed to the agenda for the Governance – Assessment Sub-Committee (See **Appendix 2**). He said that as far as information about individuals etc is concerned, he had been advised by the Monitoring Officer that revealing the content of any email that the recipient knew was not intended for him could be *'an offence'*.

3.20 He regards the public interest point as the nub of the issue.

4. COUNCILLOR ROSS MACKINNON

4.1 I interviewed Cllr Mackinnon (RM) on 19 April. He confirmed that he did not delete the email from Cllr Tony Vickers (TV) a second time but left it in his inbox because it gave the Conservatives a very good insight into the internal thinking of the LibDems. He was not necessarily thinking of doing anything with the information it contained until the point at which the proposal to withdraw the Local Plan surfaced in December 2023 and the information became a lot more significant.

4.2 He explained that during the WBC election campaign in May 2023, part of the LibDem *'offering'* was to do all that was necessary to *'fix'* the flawed Local Plan but as the Plan had already been submitted to the Inspector before the election, *'fixing it'* was not a feasible option.

4.3 RM said that the LibDems either realised or had it confirmed to them that there was nothing they could do to *'fix'* the Plan, other than withdraw it completely, which is exactly what they proposed at the EGM in December 2023. The Conservatives were confident that the LibDems did not actually want to withdraw the Plan because the consequences of having no Plan or review process in place would have been disastrous in planning terms and would have led to any number of applications for development on unallocated sites that

could not be resisted because there would be no planning policies in place to prevent that happening. The process would become one of planning by appeal.

- 4.4 The Conservatives believe that this was a political move on the part of the LibDems to invite the Government to step in and stop them withdrawing the Plan, which is exactly what happened in the end.
- 4.5 RM confirmed that the Conservatives did not believe that the Local Plan was in fact flawed, not least because it had been drawn up on a cross-party basis over the four years since the previous elections.
- 4.6 One of the controversial provisions (from the Lib Dem point of view) was that the Plan included a significant housing allocation in Thatcham and it was thought likely that this would become an election issue in an area where they wanted to do well.
- 4.7 On 24 November 2022, TV issued a statement which was carried on local media along the lines that the LibDems were broadly happy with the Plan and whilst they reserved the right to make further comments, they would not vote against it. A week later, on 1 December 2022, the Lib Dems did all vote against it.
- 4.8 TV's own words in the email that RM disclosed were to the effect that withdrawal of the Plan would have no advantages whatsoever except that it showed voters that they were serious. It was at this point that RM considered that there was a public interest in the electorate knowing what the LibDem thinking was. The action proposed simply gave the LibDems the political advantage of being seen to do something.
- 4.9 RM agreed that the fourth paragraph of his response on 14 January 2024 to the Complaint was the nub of his defence to the Complaint:
- 'There was a clear public interest in the disclosure of the information, showing as it did Cllr Vickers' privately held negative opinion on the policy he proposed at the Extraordinary Council Meeting'.*
- 4.10 He said that '*privately held*' might not be the appropriate term, as the email was not a private email between two people but part of a discussion paper shared by TV's Executive colleagues and senior officers. RM considers that this did not meet the definition of '*confidential information*' set out in the WBC constitution. He also disputes that the information was provided '*in confidence*'.as the Initial Assessment has it.
- 4.11 I read out to RM the extract from the LGA Model Code of Conduct quoted in the Initial Assessment Decision which enumerates the six matters that justify disclosure as being in the public interest, only one of which appears to be relevant here, namely that the environment is likely to be damaged. He considers that the withdrawal of the Local Plan would / could have had a seriously detrimental effect upon the environment of the district in the form of uncontrolled development of the wrong type in the wrong place.

4.12 In summary, RM considers that WBC had an administration potentially pursuing a policy that it had internally admitted would not be good for the district. Although he anticipates that TV would say that RM had disclosed the information for political advantage, *'two things can be true at once'*.

5. THE CODE OF CONDUCT & MATERIAL CONSIDERED

5.1 The Council's Code of Conduct for Councillors may be found in Part 13.4 of the SBC Constitution (updated in December 2017) at the following link:

https://www.westberks.gov.uk/media/38477/Constitution-Part-13-Codes-and-Protocols/pdf/Part_13_-_Codes_and_Protocols_update_September_2019.pdf?m=1682698413903

5.2 The initial version of the Code was adopted by the Council at its meeting on 10 May 2012 and confirmed at its meeting on 16 July 2012 pursuant to the duty to promote and maintain high standards of conduct by Councillors and others set out in the Localism Act 2011. It came into effect on 1 July 2012 and revisions were adopted on 12 December 2013 and 15 September 2016.

5.3 In common with those adopted by local authorities across the country, the Code is based on a national model and framed against the background standards of the Seven Principles of Public Life.

5.4 Anyone bringing a complaint of an alleged breach of an authority's code of conduct is not obliged to specify which particular paragraph(s) of the code the Subject Member is considered to have breached and it is open to the Monitoring Officer and / or the Investigator to cast the net wider if it is considered appropriate to do so.

5.5 In this instance, Cllr Vickers cites paragraph 4.2 (c) of the General Obligations placed upon members by the Code:

*'Councillors and Co-Opted Members **must not:***

(c) Disclose information given to them in confidence or information acquired by them which they believe or are aware is of a confidential nature except where:

- (i) they have the consent of a person authorised to give it;*
- (ii) they are required to do so by law;*
- (iii) the disclosure is made to a third party for the purpose of obtaining professional legal advice;*
- (iv) the disclosure is reasonable and in the public interest;*
- (v) the disclosure is made in good faith and in compliance with the reasonable requirements of the Council or its professional advisers'.*

5.6 A further relevant part of the Code is Paragraph 13.4.4, which provides that:

'As a Councillor or a Committee or Sub-Committee Member, they [Councillors] necessarily acquire much information that has not yet been made public and is still exempt or confidential. It is a betrayal of trust to breach such confidences. They should never disclose or use exempt or confidential information for the personal advantage of themselves or of anyone known to them, or to the disadvantage or discredit of the Council or anyone else.'

5.7 Whilst the Constitution provides definitions of a number of terms and words that appear in the Code of Conduct, it does not define '*confidential information*'.

5.8 The law governing the protection of confidential information arises independently of contract from a principle of equity. To paraphrase Lord Denning MR in Seager v Copydex Ltd (No 1) [1967] 1 WLR 923, a person who has received information in confidence cannot take unfair advantage of it, and must not make use of it to the prejudice of the person who gave the information, without obtaining their consent. Equity acts on the recipient's conscience to prevent them making an unauthorised use or disclosure of the information.

5.9 Most dictionary definitions of the word include the word itself as part of the definition, which is less than helpful, but one (non-local government) authority – 'A Guide to Confidentiality in Health & Social Care' – helpfully says this:

'Common law confidentiality is not codified in an Act of Parliament but built up from case law through individual judgments. The key principle is that information confided should not be used or disclosed further, except as originally understood by the confider, or with their subsequent permission. Although judgements have established that confidentiality can be breached 'in the public interest', these have centred on case-by-case consideration of exceptional circumstances'.

5.10 I consider this to be a pragmatic and sensible iteration of the principle of confidentiality and I have adopted it in assessing this case. The underlined text in the box above is my own emphasis. It therefore seems to me that it is appropriate to attribute to the word its normal and broadly understood meaning.

5.11 As Cllr Mackinnon claims that his disclosure was made in the public interest, I have also had regard to the LGA Model Code of Conduct Guidance which provides that disclosure 'in the public interest' is only justified in limited circumstances, when the disclosure is:

- (i) reasonable
- (ii) in the public interest (interestingly, another self-definition)
- (iii) made in good faith and
- (iv) made in compliance with any reasonable requirements of the local authority.

5.12 The 'reasonable' element requires taking into account:

- (i) the truth or otherwise of the information;
- (ii) whether personal gain is likely to accrue from disclosure;
- (iii) the identity of the person(s) to whom the disclosure is made;
- (iv) the extent of the information disclosed;
- (v) the seriousness of the matter;
- (vi) the timing of the disclosure and
- (vii) whether disclosure involves the local authority in a failing of a duty of confidence to another person

5.13 The 'public interest' test needs to involve at least one of the following matters or something of comparable seriousness:

- (i) the commission of a criminal offence;
- (ii) failure to comply with a legal obligation;
- (iii) a miscarriage of justice is or may be involved;
- (iv) the health or safety of any individual is in danger;
- (v) the environment is likely to be damaged;
- (vi) information re any of the above is deliberately concealed.

5.14 The Guidance states quite clearly that the requirement that the disclosure must be made in good faith will not be met if the person making the disclosure acts with an ulterior motive such as the achievement of a party-political advantage or the settling of a score with a political opponent.

5.15 I comment further on the applicability of these provisions and guidance notes in 'Considerations' at Section 7 below.

6. WAS CLLR MACKINNON BOUND BY THE CODE?

6.1 The Code of Conduct was in force at the material time and Cllr Mackinnon was accordingly bound by its provisions provided that he was acting as a councillor at the material time.

6.2 There is no doubt that he was acting in his capacity as a councillor at the time of his disclosure of the information referred to by Cllr Vickers and he was therefore bound by the Code of Conduct, to which he signed up on taking office.

7. CONSIDERATIONS

7.1 It may be thought that on the face of it, there does not appear to be anything particularly sensitive or confidential contained in the four phrases identified by Cllr Vickers as '*the confidential elements*' listed in Paragraph 3.11 above taken in isolation but applying the principle set out in Paragraph 5.8, it is clear that what Cllr Vickers said in his email to (as he thought) his political colleagues was not intended to be seen or acted upon by anyone else, least of all his political opponents.

7.2 It will be recalled that when he received Cllr Vickers' email for the first time, Cllr Mackinnon did what Cllr Vickers described as '*the decent thing*' and deleted it but when the second one came along, he did not delete it but left it in his inbox

because, and I quote Cllr Mackinnon: '*it gave the Conservatives a very good insight into the internal thinking of the LibDems*'.

- 7.3 Cllr Mackinnon clearly realised that there was the potential to make political capital out of its disclosure because, in his words, '*the information became a lot more significant*'.
- 7.4 His point of personal explanation, articulated at the EGM on 19 December was, in my view, disingenuous. I am not aware that anyone had accused him of telling lies, rather they criticised him for, in effect, failing to '*do the decent thing*' a second time.
- 7.5 I am sure that this matter will have brought home to Cllr Vickers (and indeed others) the importance of checking exactly whose names are in the 'To' box, before pressing 'Send' but the fact that the message was sent a second time did not amount to the giving of consent for its contents to be broadcast. The fact that the second transmission was, like the first, inadvertent, makes no difference.
- 7.6 Cllr Mackinnon knew very well that the contents of the email were not intended for him, not least because he said as much – see Paragraph 3.4.
- 7.7 I am not at all convinced by the argument that the disclosure was in the public interest. It may be argued that it was in the political interests of the Conservative party but that is not the same thing at all.
- 7.8 Of the elements listed as required to pass the public interest test outlined at Paragraph 5.12, (i) to (iv) and (vi) are of no application and it is stretching a point beyond relational explanation for Cllr Mackinnon to argue that there was a genuine nexus between what Cllr Vickers had said in his email and any real danger to the environment.

8. RESPONSES TO THE DRAFT REPORT

- 8.1 I sent the draft report to Cllrs Vickers and Mackinnon on Monday 13 May and invited them to let me have any comments within ten working days thereafter – i.e., by close of business on Friday 24 May.
- 8.2 Cllr Mackinnon made no comments on the draft report.
- 8.3 Cllr Vickers made the following comments on the paragraphs indicated:

Paragraph 3.14:

It was not a “last-minute” substitution for Grazeley to be replaced by North East Thatcham (NET) as a strategic housing site. “Last minute” implies it was only selected in 2022 or later, whereas it was earlier than that.

A major housing development at Siege Cross, east of Thatcham and within the NET ‘red line’ was rejected by SoS in July 2017. Up to mid 2020 Grazeley was still seen by neighbouring Wokingham BC as the main site to provide its new homes. Grazeley straddles the border with West Berkshire. However following new regulations issued by the Office of Nuclear Safety (ONS), West Berks Council undertook a review of the Development Protection Zone (DPZ) in March 2020 decided to expand the DPZ to take in a part of the Grazeley site. This decision was appealed by Wokingham but [confirmed](#) by Government in 2021.

Although in its 2019/20 Regulation 18 (non statutory) Local Plan Review consultation, NET was the only new strategic site, there was still some hope in my mind – and much of the Lib Dem Opposition – that a further appeal would be successful.

Certainly at the time of the Regulation 19 statutory consultation, to which the Lib Dem response in March 2023 was our formal position on taking power in May, we had some hope that the rather rushed process of preparing the evidence base for NET would cast doubt in the mind of the Inspector as to the soundness of the LPR.

So a more appropriate term would be “rather late [substitution]” for Grazeley.

Paragraph 4.7:

I do not dispute that I personally didn’t want us to vote against the LPR but I was outvoted in my Group. I would have preferred us to have abstained. My statement wasn’t cleared with the Group Leader as it should have been. This led us open to criticism which was deserved. However we did expect there to be a further opportunity to make comments after the Regulation 19 responses had been assessed. The motion presented to Full Council explicitly denied Council any chance to debate the LPR again, which was why I decided to vote with my colleagues against it.

Paragraph 4.10:

My email in May 2023 was expressing my privately held opinion at that time. It was the opening statement by myself as the appropriate Executive Member to my colleagues. It was not at that time the agreed political stance of the Lib Dem Executive, nor was it a “discussion paper” – for which I do not know of any definition. It was a private email shared initially only with a very limited number of people and clearly not intended for political opponents to see.

9. CONCLUSION

- 9.1 I did not consider it necessary to amend the draft report otherwise than by the insertion of Cllr Vickers' comments as above or to change my draft conclusion.
- 9.2 I am satisfied that regardless of the inadvertence of the disclosure of the contents of Cllr Vickers' email, its contents were, were intended to be, and should have remained confidential. Cllr Mackinnon demonstrated by his response to the first transmission that he knew this very well.
- 9.3 He should not have disclosed what Cllr Vickers said and in doing so breached the obligations as to confidentiality enshrined in the WBC Code of Conduct.

Richard Lingard
22 May 2024

CLLR VICKERS' COMPLAINT

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 19th December 2023. This is where Cllr Mackinnon quotes phrases from my “Notes and Local Plan discussion” email of 26th 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.

CLLR MACKINNON'S INITIAL RESPONSE TO THE COMPLAINT

Response to Complaint NDC01/24

The email communications as described by Cllr Vickers are correct. He is also correct that I disclosed the contents of the emails during the Extraordinary Council meeting, and to the press and on social media.

However, the content disclosed does not meet the Council's own definition of confidential or exempt information. The content was the Liberal Democrat Executive Member for Planning giving his analysis of policy options on how to proceed with the Local Plan Review.

It contained no information about individuals, their financial affairs, contract negotiations or matters subject to legal privilege. There was a wide distribution list including Executive members and senior officers.

There was a clear public interest in the disclosure of the information, showing as it did Cllr Vickers' privately-held negative opinion on the policy he proposed at the Extraordinary Council meeting.

That said, if Cllr Vickers wishes to pursue this complaint, I would be more than happy for the matter to be debated publicly at a meeting of the Governance Committee, where Cllr Vickers can explain why he thinks the public should not be aware of his and his colleagues' true opinion on the policy they proposed.

Cllr Ross Mackinnon

14th January 2024