



Standards Decision Notice

Case: 2021/C15

Subject Member:	Cllr Roy Coombs
Authority:	Honiton Town Council
Complainant:	Stephen Kolek
Brief statement of facts:	<p>It is alleged that Cllr Coombs has bullied the complainant by way of a comment made at a meeting of the Council on 14th December 2020.</p> <p>An open letter from Honiton Forward to Honiton Town Council had made specific comments about aspects of the running of the Council and requested that all councillors resign. At the Council's October meeting it would appear that Mr Kolek had sought specific comment on the content of that letter. Cllr Coombs says in that meeting that they couldn't answer on the night and a written response would be provided. This he does on 28th October by way of an email which is specifically addressed to Mr Kolek. That email contains the following (red wording is the content of the Honiton Forward letter that Cllr Coombs is commenting on and the green wording is his specific comment);</p> <p><i>You have told lies in pretending that you are working on projects for the good of the community. It is well known that you are not...</i></p> <p><i>If this is the list of environment projects I take responsibility for that list as I have responsibilities for the environment. The list in its original form included progress that had been made. The items progress at different speeds and since the list was compiled there has been positive movement on three of the projects listed. Where is the evidence for it is well known that you are not?</i></p> <p>At the Council's December meeting, another member of the public questioned the process for following up on promises of</p>

	<p>written responses. In reply to this, Cllr Coombs is recorded in the minutes as responding as follows;</p> <p><i>'Cllr Coombs advised that he had also replied in writing to Mr Kolek. He had asked Mr Kolek to explain why he was of the view that the list of projects recently published was a lie. He has yet to receive a response from Mr Kolek.'</i></p> <p>Mr Kolek says that in the 28th October email to him, Cllr Coombs does not ask him to explain nor does he ask him to respond.</p> <p>In summary Mr Kolek that Cllr Coombs has made a false claim and it gives an insulting view of him to any reader who has not seen the email. Mr Kolek says that in not subsequently correcting the minute and because, in his view, Cllr Coombs did not really want the response, he further feels he is trying to intimidate Mr Kolek and prevent him from asking legitimate questions. As a member of the public Mr Kolek finds this behaviour offensive and an attempt to bully him.</p>
<p>Relevant paragraphs of the Code of Conduct:</p>	<p>5. You <u>must not</u></p> <p>(c) bully any person (bullying may be characterised as any single act or pattern of offensive, intimidating, malicious, insulting or humiliating behaviour; and abuse or misuse of power or authority which attempts to undermine or coerce or has the effect of undermining or coercing an individual or group of individuals by gradually eroding their confidence or capability which may cause them to suffer stress or fear);</p>
<p>Reasoning:</p>	<p>Clearly Cllr Coombs has replied directly to Mr Kolek and has pointed out that the wording of the relevant part of his letter does invite a response to provide evidence on the specific comment 'that it is well known your not.'</p> <p>In the meeting it would appear that Cllr Coombs has translated his request for evidence on the statement that it is well known that he has told lies he is pretending to be working on projects, as opposed to the question of whether the list of projects was a lie. In my view though little turns on this. Cllr Coombs has been the subject of criticism and has responded entirely reasonably in writing to Mr Kolek. He also addresses the point at the December meeting and while the minutes do not reflect exactly what was said in the written response, the sentiment is the same. Cllr Coombs is being accused of lying and has sought to challenge the basis for the assertion.</p> <p>Given that this is a reasonable response to direct accusations I do not agree that the intent behind it is as Mr Kolek would interpret it i.e. to intimidate him so as to prevent</p>

	from asking questions or to bully him. On this basis I do not consider that a breach of paragraph 5(c) is made out. Accordingly I find that Cllr Coombs did not bully Mr Kolek.
Independent Person's view:	<i>I have looked at this complaint and the supporting information that you provided.</i> <i>I am in agreement with your view that there has not been a breach of Paragraph 5(c) of Honiton Town Council's Code of Conduct.</i>
Outcome / Sanction applied:	No breach found.

Issued by Monitoring Officer on: 11th August 2021