



# COMPLAINT FORM

## Your details

1. Please provide us with your name and contact details

Title:	Mrs
First name:	Wendy
Last name:	Gudger
Address:	
Daytime telephone:	
Evening telephone:	
Mobile telephone:	
Email address:	

We will not usually release your address and contact details unless necessary or to deal with your complaint.

However, we will tell the following people that you have made this complaint:

- the monitoring officer of the authority
- the parish or town clerk (if applicable)

We will tell them your name and give them a summary of your complaint. We will give them full details of your complaint where necessary or appropriate to be able to deal with it. If you have serious concerns about your name and a summary, or details of your complaint being released, please complete section 6 of this form.

2. Please tell us which complainant type best describes you:

- Member of the public
- An elected or co-opted member of an authority
- An independent member of the standards committee
- Member of Parliament
- Local authority monitoring officer
- Other council officer or authority employee
- Other ( )

## Making your complaint

4. Please provide us with the name of the member(s) you believe have breached the Code of Conduct and the name of their authority:

Title	First name	Last name	Council or authority name
Councillor	Melvyn	Gardner	South Ribble Borough Council

5. Please explain in this section (or on separate sheets) what the member has done that you believe breaches the Code of Conduct. If you are complaining about more than one member you should clearly explain what each individual person has done that you believe breaches the Code of Conduct.

It is important that you provide all the information you wish to have taken into account by the assessment sub-committee when it decides whether to take any action on your complaint. For example:

- You should be specific, wherever possible, about exactly what you are alleging the member said or did. For instance, instead of writing that the member insulted you, you should state what it was they said.
- You should provide the dates of the alleged incidents wherever possible. If you cannot provide exact dates it is important to give a general timeframe.
- You should confirm whether there are any witnesses to the alleged conduct and provide their names and contact details if possible.
- You should provide any relevant background information.

Please provide us with the details of your complaint. Continue on a separate sheet if there is not enough space on this form.

The complaint relates to comments made by Councillor Melvyn Gardner at an Informal Hearing on the 2<sup>nd</sup> September 2008 into the decision to refuse Reserved Matters consent ref: 07/2007/0935/REM at Planning Committee on the 28<sup>th</sup> March 2008. The complaint is in two parts. The first part relates to a slur on my professional reputation and the second part relates to bringing the decision making process of South Ribble Borough Council into disrepute.

Comments were witnessed by Steven Brown, Chris Sowerby and Alan Green

### **Slur on Professional Reputation**

At the informal hearing and although I was not present at it various comments were made by Councillor Melvyn Gardner relating to myself and these were witnessed by other parties. Comments made were for example that "There has been skull duggery here and somebody is covering somebody elses back, Wendy Gudger should be here to defend herself, and the decision has gone through on the nod". These comments which were made in public and in the context of how they were made inferred that I was a corrupt officer and are in effect a slur on my professional reputation. Such comments are tantamount to slander.

To give the comments some context I will provide some background history.

In September 2007 Planning Committee considered an outline planning application for the erection of eleven houses at Giller Drive. Following a lengthy debate Planning Committee granted planning permission for the eleven dwellings.

In March 2008 Planning Committee subsequently considered a Reserved Matters application ref: 07/2007/0935/REM for the development of the eleven houses. At that meeting there was a significant debate as to what members had actually approved at their meeting in September fuelled mainly by local residents. At that meeting I was accused by residents of lying, misinforming members, smirking, being rude etc. Planning Committee subsequently refused that application and the applicants appealed the decision.

It is quite clear and there is significant documentary and witness evidence to show that members of Planning Committee were fully aware of what the outline planning application entailed and the decision that they had made. At the close of the meeting in March Councillor Best approached me personally and commented that considering that there had been a very personal attack on myself that I had handled the meeting very well.

Comments made by Councillor Melvyn Gardner are without any substance and totally unfounded. They are slanderous and a slur on my professional reputation which I will defend with the utmost vigour.

#### **The Decision Making Process**

Councillor Melvyn Gardner's comments have also brought South Ribble Borough Council's decision making process into disrepute. The comments that he made at the Informal Hearing when members of the public were present clearly inferred that Planning Committee had not been aware of the decision that had been taken on the outline planning application. Those comments were welcomed and supported by members of the public who were present and fed further their view that the decision made on the outline application was flawed. This led to the continual haranguing of the impartial Planning Inspector considering the planning appeal. It is well documented in the Committee report, minutes of the meeting, notes of the democratic services officer and other witnesses present at the time that Planning Committee were more than fully aware of the details of the planning permission that was granted at outline.

It was witnessed (by others) that Councillor Melvyn Gardner continually scoffed and laughed at comments that were made during the Informal Hearing as did members of the public. He has specifically criticised the decision making process of Planning Committee where the decision taken on the outline planning application was taken in an open and transparent manner and which I will repeat there is substantial documentary evidence to support that. Such inappropriate behaviour and his accusations of skull duggery which are without any substance brings his role as a representative of South Ribble Borough Council into disrepute.

#### **Only complete this next section if you are requesting that your identity is kept confidential**

Once the assessment sub-committee has met to consider your complaint we will let the member know about your complaint and about the sub-committee's decision. The sub-committee may also decide to provide the member with a summary of your complaint. We are unlikely to withhold your identity or the details of your complaint unless you have good reason to believe that our doing so would be against the public interest or would prejudice any future investigation.

Please note that requests for confidentiality or requests for suppression of complaint details will not automatically be granted. The assessment sub-committee will consider the request alongside the substance of your complaint. We will then contact

you with the decision. If your request for confidentiality is not granted, we will usually allow you the option of withdrawing your complaint.

However, it is important to understand that in certain exceptional circumstances where the matter complained about is very serious, we can proceed with an investigation or other action and disclose your name even if you have expressly asked us not to.

Please provide us with details of why you believe we should withhold your name and/or the details of your complaint:

### Additional Help

6. Complaints must be submitted in writing. This includes fax and electronic submissions. However, in line with the requirements of the Disability Discrimination Act 2000 we can make reasonable adjustments to assist you if you have a disability that prevents you from making your complaint in writing. We can also help if English is not your first language.

If you need any support in completing this form, please let us know as soon as possible.

**This form can be made available in large print, cassette, Braille, and other languages – please ring (01772) 625512 or email [info@southribble.gov.uk](mailto:info@southribble.gov.uk)**

### What happens next?

When you have completed this form please send it to:-

Assessment sub-committee  
c/o John Dakin  
Monitoring Officer  
South Ribble Borough Council  
Civic Centre  
West Paddock  
Leyland  
PR25 1DH

We will write to let you know that we have received your complaint within five working days and we will convene a meeting of the assessment sub-committee to consider your complaint within 20 working days of us receiving it. This meeting will be chaired by an independent member of the council's Standards Committee and will decide what action should be taken regarding your complaint. We will let you know the assessment sub-committee's decision within five working days of its meeting.