



COC090

Investigation report Appendix 18

REDACTED

Comments received on draft investigation report

Complainant David Thomas ('DT')

DT responded to the draft report by Teams call on 2 December 2024 and he highlighted the following:

Paragraph 32: factual error- it was The Barn that had been previously owned by Herefordshire Council, not DT's flat. This has been corrected in final report.

Paragraph 56: DT confirmed his recollection of a conversation with Councillor Sinclair prior to September 2024. However, he recalled this happened in New Street, rather than outside The Barn. This has been corrected in final report.

Paragraph 66: DT said that, when he spoke to Councillor Sinclair in Harling Court he did not 'hurl abuse' but was calm in saying he would report the matter to the police.

Paragraph 83: DT said that he did not scream.

Paragraph 121: DT noted that there would be no line of sight from New Street to where Councillors Sinclair and Bradford were, in Harling Court and that they therefore could not have said there were 'running' footsteps.

In relation to paragraphs 66, 83, and 121, I explained to DT that these form part of Councillor Sinclair's evidence and therefore, will not be altered in the report but his comments will be noted.

Subject member Councillor Ewen Sinclair

Councillor Sinclair responded to the draft report by email dated 4 December 2024 as follows:

"I have read and re-read the Report for CoC090, the content is unbelievable. You have specifically interpreted events to engineer breaches.

1. Jonathan Thomas was interviewed, he was not a witness, interviewing him is predetermination.
2. Of greater concern is the fact that you met with JT, a third party on 23 Oct 24.
3. Paragraphs 141 to 145 find me not in breach, there should not have been an investigation.
4. I made my position clear in an email dated 13 Nov 24, see attached, you have chosen to dispute this. May I remind you of the Pungent Fish Comment, the email was directed at **REDACTED**. Oddly enough, she hasn't made a complaint about me calling her an imbecile, ask yourself, what does she have to hide.
5. Paragraph 151, it has been repeated many times, you choose to selectively interpret.
6. Paragraph 152 the email was from my private account.
7. Paragraphs 153 to 155, you are twisting words to suit a narrative, to link to LTC, see attached email dated 13 Nov 24.
8. Paragraphs 163 to 177 are not part of the complaint, it is you who has added this. Unbelievably, at Paragraph 175, you state the Police may have acted differently. No they wouldn't, this is supposition on your part.
9. You tell me that my Private Email was linked to LTC, yet you accuse me for using my LTC Email, the logic is flawed, it makes no sense.

At Paragraph 73 of the Meeting Notes, I confirmed it was not council business, and was not acting as a councillor – this was nothing to do with Ledbury Town Council and said I was

astonished we were here. I said that it is a waste of Herefordshire Council resources and inconvenienced everyone to be here. Nothing has changed.”

The email referred to is included as Appendix 19 to the investigation report.