

attempt by Labour to overthrow the SNP led Council, but said it was Councillor Bollan who was the main talking point after his tirade. The article said moves to table amendments were ruled incompetent and Councillor Bollan reacted furiously because it prevented him raising an add-on which would have seen a working group set up to look into the pay and conditions situation. Councillor Bollan was quoted as saying "There is a stitch up here. We're trying to gag people from speaking and doing the best for the committee. It will not be tolerated much longer". The article said that after Councillor Bollan's heated departure, the situation turned even more bizarre when SNP councillor Craig McLaughlin tabled Labour's motion. An article in the Lennox Herald referred to Councillor Bollan having launched a verbal attack on the Legal Officer, suggesting he had been conspiring with SNP councillors and had attempted to gag the Council.

- 4.23 Complaint number LA/WD/736 was made by Councillor Ronald McColl SNP who complained about Councillor Bollan's actions at the Council meeting on 26 March 2008 and additionally at the Corporate and Efficient Governance Committee (CEGC) meeting earlier on the same day (see paragraph 4.24). In his written complaint, he alleged disrespect by Councillor Bollan towards a Council employee and towards other councillors on two occasions on 26 March 2008. Regarding the Council meeting, he said that Councillor Bollan did not agree with the opinion given by the Legal Officer. Some Labour members were also clearly upset, but Councillor Bollan jumped to his feet and began berating the Legal Officer, saying, "You are in collusion with the Administration" - "You are a liar" - "You are protecting the SNP administration" - "You have had a secret meeting with the Leader of the Council". Councillor McColl said that apart from the statements being of an inflammatory nature, they were all delivered in a loud, aggressive manner. During interview, Councillor McColl said that Councillor Bollan initially was on his feet for 1 or 2 minutes, and his comments were directed at the Legal Officer and the Chief Executive. He was gesturing to the Legal Officer who was shaking and seemed near to tears. The Provost and Chief Executive tried on a number of occasions to get Councillor Bollan to stop, but he ignored all attempts and finally the Chief Executive had to shout back. Councillor McColl thought Councillor Bollan's final outburst lasted 3 or 4 minutes, with the whole episode lasting about 15 minutes. Councillor Bollan then started to collect his papers and said, "I'm not waiting here. I want rid of that shite around the table", gesturing towards SNP members. There were some people in the public gallery and Councillor McColl said several appeared shocked and were shaking their heads in disbelief. The language and aggression used by Councillor Bollan was out of order in Councillor McColl's view. He did not think the Provost could have stopped Councillor Bollan shouting, but he could have got up and left, thus adjourning the meeting.
- 4.24 Describing his complaint about events at the Corporate and Efficient Governance Committee (CEGC) on 26 March 2008, Councillor McColl said that Councillor Craig McLaughlin is Chair of the CEGC. During the meeting Councillor Bollan was asking officers questions regarding an item on the agenda, but he seemed to be straying into debate. Councillor McLaughlin asked him if he had finished asking questions and Councillor Bollan replied, "If you just zip it, I'll get to the question". Councillor McColl said the committee had been discussing voluntary

sector grants and there were representatives from the voluntary sector at the meeting. Councillor Bollan asked a question then began to stray from the point. Councillor McLaughlin, as Chair, asked if he was going to put his questions and that was when Councillor Bollan made the 'zip it' remark in a condescending and aggressive tone. During interview, Councillor McColl said that, on its own, he might not have complained about this, but it was all part of Councillor Bollan's growing tendency to be offensive towards members and officers at meetings. It stemmed from late 2007 when the administration approved a controversial PPP project for the schools estate regeneration.

- 4.25 Councillor Marie McNair (formerly Labour, now Independent) is also a member of the CEGC. She did not recall hearing the 'zip it' remark being made by Councillor Bollan at the March meeting, and neither did the Executive Director of Corporate Services who was present. The Legal Officer was in attendance and he did hear the 'zip it' remark, but he thought it was nothing out of the ordinary at the time.
- 4.26 Complaint number LA/WD/749 was made by Councillor Craig McLaughlin, SNP, Chair of the Corporate and Efficient Governance Committee. He complained of Councillor Bollan's actions at both the CEGC and the Council meetings of 26 March 2008. Regarding the CEGC, he said that Councillor Bollan has made no secret of his disdain for him at every committee which Councillor McLaughlin sits on or chairs. At that meeting, Councillor Bollan was asking questions of an officer. Councillor McLaughlin said that, on one of the responses, Councillor Bollan misheard what the officer said and began to stray into debate. Councillor McLaughlin said he attempted to correct this, at which point Councillor Bollan retorted, "If you just zip it I will get to the point". Councillor McLaughlin felt throughout the meeting that Councillor Bollan was trying to provoke him into an open argument at the table, and that Councillor Bollan's aggressive manner was a prelude to events at the full Council meeting later in the day.
- 4.27 Councillor McLaughlin said that West Dunbartonshire Council is no stranger to controversy, but the March Council meeting that evening was the most shocking he had ever attended in 12 years as a councillor. He considers that while councillors attacking each other is acceptable within certain constraints, it is far more unacceptable when officers are berated in a public forum. When Councillor Rooney's amendment was ruled not competent, Councillor Bollan began making assertions and accusing officers that the meeting with the Council Leader was about conspiring with the SNP to defeat the amendment. His attack on officers became increasingly aggressive and he accused the Legal Officer of colluding with the administration and lying. Councillor McLaughlin said he watched an extremely distressed and visibly shaking Legal Officer challenge Councillor Bollan's comments and assertions. Because of the officer's clear distress, Councillor McLaughlin asked the Provost to call an immediate adjournment of the meeting. Councillor Bollan refused to withdraw his remarks despite repeated attempts from the Provost. Then, as Councillor Bollan was leaving, he was asked a question by another councillor. His response (ie when he referred to the SNP as shite) was not only appalling, but it was loud and aggressive and could be heard by members of the public and press.

- 4.28 Councillor Jim McElhill, SNP, has confirmed that he made a remark to Councillor Bollan while the latter was leaving the Council meeting. He does not recall using the words ascribed to him by others who were present, namely "What's wrong Jim, are you leaving because you can't get your pals in the Labour party in power?" He thinks he said something like, "What's wrong Jim, you are getting your own way anyway".

Councillor Bollan's response to the complaints

- 4.29 The respondent, Councillor James Bollan, was elected to West Dunbartonshire Council in 1996. He was formerly a Labour member but is now the Scottish Socialist Party member of the Council. Since May 2007 he has served on the Council and the following committees:

Community Safety and Environmental Services
Corporate Services
Social Justice Committee
Appeals
Housing, Environment and Economic Development
Tendering
Corporate and Efficient Governance
Social Work and Health Improvement Committee

- 4.30 In his written response to the complaint, Councillor Bollan said he did not believe that he had breached the Code of Conduct and thought his contributions at the relevant meetings were measured and restrained. He said that, along with Councillor Black, Independent, he has been working with Council trade unions since 2005 to have a 'no detriment' clause in any single status agreement, which will affect around 5000 of the workforce. At item 6 of the 26 March 2008 meeting he was proposing to table an addendum on single status to the amendment that the Labour group intended to move. Early in the day, a draft of the addendum was given by Councillor Black to the Council Leader to see if the SNP would support it. He was later advised of the meeting between the Council Leader and officers, and shortly afterwards a two page briefing paper was produced by the Chief Executive rebutting the contents of the draft addendum. The officers, the SNP administration and the Labour group knew in advance that he would be tabling the addendum at the Council meeting.
- 4.31 When the Labour motion at item 6 was ruled not competent, Councillor Bollan said the meeting immediately became very rowdy. Labour councillors were on their feet challenging the decision and SNP councillors were on their feet supporting the decision. He was on his feet complaining that, as an opposition councillor, he was being gagged from raising a critical issue affecting 5000 of the workforce. People were talking over each other; there were a lot of raised voices and arms waving and he shouted that it looked as if opposition councillors had been stitched up. The Chief Executive was on his feet and singled him out; saying, "Right that's it, I have had enough of him, I am reporting Councillor Bollan to the Standards Commission, he gets away with this all the time". Councillor Bollan said he did recall referring to secret/private meetings that took

place earlier in the day between the Council Leader and officers to discuss an opposition amendment. He also said it appeared that officers may be protecting the SNP administration. In his opinion, the draft addendum had been given to the SNP in confidence and he did not expect it to be on the agenda for a hastily arranged private meeting where opposition councillors had no input into the discussion. Councillor Bollan said the Legal Officer was on his feet screaming at the top of his voice; the officer was waving his arms about, his face and neck were red with the veins sticking out and he had lost all composure and control. There was a further period of debate and the Provost refused to change his view on the Labour amendment, which effectively killed off any debate on his addendum.

- 4.32 Councillor Bollan said he stood up and advised the Chair that as an opposition councillor, he would not be gagged on such a serious matter and he would be leaving the meeting in protest. As he started towards the door, Councillor Jim McElhill SNP said, "What's the matter Jim are you away because you can't vote to get your Labour pals back into office?" Councillor Bollan said he bent down to his level and pointed at the SNP members sitting next to Councillor McElhill and said in a normal voice "they could not do any worse than that shit". Councillor Bollan said that he did not use the language attributed to him during the meeting and only made that comment after he left his seat. Just as he got to the exit, he said the Chief Executive extended his arms in a cross-like gesture, shrugged his shoulders and beamed a broad smile at him as he left. Councillor Bollan said he learned next day that, after he left the meeting, the Chair, again after seeking legal advice, changed his mind and said that not only was the Labour amendment now competent, it was now also an emergency and he intended to take it for debate.
- 4.33 Councillor Bollan said that at no stage did he use the word "fucking" and stated that at no stage did he call anybody a liar or say there was collusion with the administration. He felt the complaint was very one sided and made no mention of the aggressive behaviour of the Chief Executive and the Legal Officer not only to him but to another councillor (Councillor Black). Councillor Bollan felt if he had said "fucking", the SNP councillors who sat next to him would have heard and this would have been reflected in their evidence. There were also 4 or 5 journalists present and if this had been said, it would have been printed in the newspapers, but it was not. He felt there was a contradiction between this and what the officers said they heard him say. Councillor Bollan said that at no time did he harass or bully any officer or councillor and at no time did the Chair need to call him to order; he was asked to sit down once, and he did so.
- 4.34 During interview, Councillor Bollan said it is for the Provost to rule on what is competent, not the Legal Officer. Both Councillor Rooney and he had objected to the Provost's ruling because they felt the change of committee structure was relevant to item 6 - his own interest had been to get an addendum which would have seen a sub-committee formed to deal with single status. Councillor Rooney was on his feet and he, himself, was doing likewise. He confirmed that he did say to the Provost "You are a disgrace to the Chair" in relation to his ruling. When asked if the comment about 'being gagged' was directed at the Legal Officer, Councillor Bollan said it was not directed at anybody; things were getting heated and members, including Councillor Rooney, Councillor Calvert and Councillor Black were commenting, either on their feet or seated. SNP members were on

their feet supporting the Provost's decision. He stated that he did not use the words 'contorted' or 'colluding', he was merely making the point that there had been a private meeting to discuss his addendum; officers had been present and he thought it would have been appropriate to have included him.

- 4.35 Councillor Bollan said the situation deteriorated; the Chief Executive was on his feet, the Provost was talking while sitting down, there were a lot of raised voices and the Legal Officer was up and shouting. Councillor Bollan said he did not know what the Legal Officer was shouting; the officer had completely 'lost it' and was shouting and screaming at the top of his voice. He was stabbing his finger towards the back of the room, although Councillor Bollan did not know if he was pointing at him. His eyes were rolling in the back of his head. It was unusual for the Legal Officer to be challenged and unusual for him to behave like that. The Chief Executive said he had had enough and was going to report Councillor Bollan to the Standards Commission. When asked why he thought the Chief Executive had said that, Councillor Bollan said he did not know why, but said he did not react to it. There was continuing mayhem after the Chief Executive said that and a few minutes later he decided to leave the meeting because he felt it was a waste of time. At the end of the day, his addendum might have been voted out, but he was annoyed that opposition members were not getting a hearing. He said the comments he made in response to Councillor McElhill's remark as he left the meeting were in his normal tone of voice and his gesture was limited to the SNP group.
- 4.36 Councillor Bollan did not respond formally to the complaint about events at the Council meeting on 27 February 2008 and had no particular recollection of the meeting. Replying to complaints about the Corporate and Efficient Governance Committee, Councillor Bollan confirmed that he did say to Councillor Craig McLaughlin, "Zip it and I will get to the question". He said Councillor McLaughlin had interrupted him a couple of times in his preamble to a question to an officer. Councillor Bollan found this unacceptable because one of his roles as an opposition councillor is to scrutinise, expose, question and hold the administration to account. He said he will not be badgered or gagged while trying to carry out this responsibility. The item being discussed related to proposals to allow the voluntary sector to disburse grants. Councillor Bollan thought councillors should continue to distribute grant money. There was an officer's report but it did not answer some points.

5.0 Findings and Conclusion

- 5.1 The complainants allege that Councillor James Bollan contravened the Councillors' Code of Conduct, as outlined in paragraphs 1.3 and 2.1 of this Report.
- 5.2 They allege that at Council meetings on 27 February and 26 March 2008, and at the Corporate and Efficient Governance Committee meeting also on 26 March 2008, Councillor Bollan's conduct and his treatment of the Council's Legal Officer and other councillors was unacceptable. It is alleged that Councillor Bollan breached the provisions in section 2.1 of the Code relating to Respect, in

paragraphs 3.2, 3.3 and 3.4 and Annex C regarding Relations Between Councillors and Employees, and Conduct in the Chamber in paragraph 3.14.

West Dunbartonshire Council meeting held on 27 February 2008

- 5.3 Dealing firstly with complaint number LA/WD/732 by Mr David McMillan, Chief Executive, concerning conduct at the Council meeting on 27 February 2008, it was alleged that Councillor Bollan made comments to the effect that Mr Stephen Brown, Head of Legal and Administrative Services (the Legal Officer), was trying to control what members say in Council. The minutes record that some comments were made and the Chief Executive highlighted his concern about this. However, there is lack of clarity in the information available, as described in paragraph 4.5 above, and little recollection from witnesses concerning the 27 February 2008 meeting. In view of this, it is not appropriate to make a finding that a breach of the Code of Conduct occurred during that meeting. Indeed, the Chief Executive has said that he would not have made a complaint about the matter in isolation from events at the next Council meeting in March. I therefore find that there was insufficient evidence of a breach of the Code of Conduct by Councillor James Bollan in regard to the complaint about his conduct at the Council meeting on 27 February 2008.

Corporate and Efficient Governance meeting held on 26 March 2008

- 5.4 The meeting of the Corporate and Efficient Governance Committee on 26 March 2008 was the subject of complaints numbers LA/WD/736 and LA/WD/749. The complaints were made by Councillors Craig McLaughlin and Ronald McColl. Both complaints concerned the remark made by Councillor Bollan when the Committee was considering an item on grant awards. Councillor McLaughlin, as Chair, intervened to try and move the discussion forward and Councillor Bollan told him to 'zip it'.
- 5.5 It is part of the Chair's duties to ensure the efficient conduct of the meeting, consistent with allowing members to make their contributions to the business before the committee. Councillor Bollan felt he had not yet had sufficient opportunity to do so. There are, of course, ways of making such a point that do not require making an aggressive comment. To tell the Chair to 'zip it' was gratuitously impolite. However, it was a one-off remark which, taken on its own, would not lead to a finding of a breach of the Code of Conduct. Councillor McColl has said he saw it as a prelude to events which occurred later in the day, and he would not have made the complaint were it not for what happened at the Council meeting. In consideration of these circumstances, I have decided that the remark by Councillor Bollan did not go so far as to breach the provisions in section 2 relating to Respect for other councillors, or the requirements of paragraph 3.14 of the Code. I find, therefore, that there was no breach of the Code of Conduct by Councillor Bollan in regard to this part of the complaint.

West Dunbartonshire Council meeting held on 26 March 2008

- 5.6 All three complaints numbers LA/WD/732, 736 and 749 by Mr David McMillan, Councillor Ronald McColl and Councillor Craig McLaughlin raised allegations

about Councillor James Bollan's conduct at the Council meeting of 26 March 2008. I have noted that there are varying descriptions among the parties as to the precise use of words, phrases or expressions, or the gestures allegedly made by Councillor Bollan in the course of item 6 of the meeting. However, I am able to summarise what occurred and to make the following findings in regard to events at the meeting:-

5.6.1 Agenda Item 6 of the agenda of the Council meeting (Appendix D) was entitled "Changes to Membership of Committees and Outside Bodies" and included a report by the Executive Director of Corporate Services (Appendix E). The report was limited in nature and confined to asking the Council to consider making changes to nominations to outside bodies and to note changes to the membership of committees.

5.6.2 Preliminary Meeting - In the afternoon prior to the meeting, the Council Leader – Councillor Robertson - asked the Chief Executive, the Head of Legal and Administrative Services (the Legal Officer) and the Head of Human Resources to meet with him and they did so. He informed the officers there was a possibility of an amendment coming forward at item 6 on the agenda which would change the Administration. He also said there might be motions coming forward regarding single status, including one by his own SNP group. He asked for advice on the legality of these items being raised in terms of the business on the agenda. The Legal Officer advised the Council Leader that he saw no business on the agenda which would deal with these items; item 6 had nothing to do with single status and did not, in his opinion, allow an item to be introduced for a change in the Administration. Such an item should be lodged by way of motion and it could be dealt with by requisitioning a special Council meeting, or the Provost could allow the item as a matter of urgency. The Legal Officer asked if the Provost had been consulted and the Council Leader indicated he did not think so. The Legal Officer said that, irrespective of which group or which councillor raised an item, if it did not arise directly out of a matter before the Council, he would advise the Provost that it was not a competent motion, however, the decision would ultimately be for the Provost to make. The advice given to the Leader by the Legal Officer was consistent with the advice which he gave the Provost at the Council meeting later in the evening.

5.6.3 Council Meeting - Shortly after 9.30pm item 6 came up for discussion. Councillor Robertson circulated a motion on single status to all members of the Council (Appendix F). After hearing the Legal Officer, the Provost ruled that the motion was not competent as it did not relate directly to the item of business before the Council. Cllr Robertson then moved to approve the recommendations of the Executive Director's report (namely to make a nomination to the West of Scotland Road Safety Forum, to approve appointments to outside bodies and to note changes to committee membership) all as set out in the minute (Appendix J).

5.6.4 Cllr Rooney then circulated a copy of his amendment (proposing changes to the Council Leadership and membership and political balance of committees) to all Members of the Council (Appendix G). After hearing the Legal Officer, the Provost ruled that the motion was not competent as it did not relate directly to the item of business before the Council. A number of members questioned and

challenged the Provost's decision. In particular, the respondent challenged the ruling for a period of some two minutes gesticulating loudly during which he said,

- (i) there had been a "stitch up" and a 'secret' meeting between the officers - namely the Chief Executive, the Legal Officer and the Head of Human Resources - and the Council Leader
- (ii) that the officers - namely the Chief Executive and the Legal Officer - were "gagging the Council"

from both of which an inference could reasonably be taken that the officers were acting improperly to prevent the amendment by Councillor Rooney from being discussed and showing favour towards the SNP administration.

5.6.5 At this stage the Provost reminded the members of the importance of ensuring their conduct at the meeting was consistent with the requirements of the Councillors' Code of Conduct. Councillor Calvert opined that the motion did arise out of business of the meeting and in response the Provost said the motion could not be considered unless it appeared in the agenda issued at least 3 days in advance of the meeting, or if, by reason of special circumstances, it was considered a matter of urgency.

5.6.6 Having regard to the terms of Councillor Robertson's original motion and of Councillor Rooney's amendment, the Provost's ruling to regard them as incompetent was proper in law. It was open to any member to move that either the original motion or the amendment, be taken as a matter of urgency at the meeting or alternatively have them placed on the agenda of the next or a special meeting of the Council for debate. No proposal to have them treated as an urgent item of business was moved by any member at that time.

5.6.7 A number of members had continued to question the Provost's ruling, but none of them questioned the Legal Officer's personal standing in the manner exhibited by the respondent. Councillor Bollan continued to challenge the Legal Officer's advice and the ruling for a further period of some three minutes, again gesticulating loudly, during which he said that officers, namely the Chief Executive and the Legal Officer, were "gagging the Council", and "contorting the truth, it's despicable". An inference could readily be taken that the officers, namely the Chief Executive and the Legal Officer, were acting improperly and showing favour towards the SNP administration. Indeed, exactly such a conclusion was drawn in one of the press articles (Appendix H) which reported Councillor Bollan as having "launched a verbal attack on the Legal Officer, suggesting he had been conspiring with SNP councillors and had attempted to gag the Council". Another press article (Appendix I) described his contribution as a "tirade".

5.6.8 In the interest of completeness, I should record that I do not consider there is evidence that Councillor Bollan used the word 'fucking' or that he accused the Legal Officer outrightly of 'lying' or 'being a liar' during the meeting.

5.6.9 The Legal Officer was considerably upset by the respondent's statements saying at one point "I'm not prepared to accept this. Are you accusing me of gagging this Council, of contortion? Councillor Bollan who are you accusing?" The Chief Executive then intervened and said he was not prepared to accept the inappropriate accusations being made by the respondent against the Legal Officer and that he would be reporting the respondent to the Standards Commission. The respondent did not withdraw any of his comments.

5.6.10 The respondent picked up his papers and prepared to leave the meeting room and, as he did so, he reacted to a comment by Cllr McElhill (SNP) who has generally been quoted as saying, "What's up Jim, is it because you can't get your pals in the Labour party in power?" or words to that effect. The respondent then pointed towards SNP members and said, "they couldn't do worse than that load of shite and I tell you it's not going to end here" or words to that effect.

5.6.11 The respondent then left the meeting which was adjourned for a short period. On reconvening and after hearing Councillor Craig McLaughlin, the Provost agreed to accept the paper previously circulated by Councillor Rooney which proposed changes to the political composition and membership of committees, working groups etc., as an urgent item of business. Councillor McLaughlin, seconded by Councillor R McColl, moved that the Council approve the paper circulated by Councillor Rooney as set out in the minute (Appendix J). As an amendment, Councillor Robertson seconded by Councillor J. McColl, moved that the status quo be maintained. On a vote being taken, 11 Members voted for the amendment and 10 for the motion. The amendment was accordingly declared carried.

- 5.7 The findings set out in paragraphs 5.6.4 to 5.6.7 above are to the effect that Councillor Bollan used words which implied the Legal Officer was improperly siding with the administration in terms of the advice he was giving to the Provost. The fact was that officers had been asked by the Council Leader to attend a meeting with him and advise on matters which the Leader was aware were going to come up at the meeting. It is the duty of officers to give advice and the Legal Officer consistently did that, including informing the Leader that he would advise the Provost that the SNP's own motion was not competent. Councillor Bollan made accusations in open forum against the Chief Executive and the Legal Officer and he did so with no foundation and in such a manner that a reasonable inference could be drawn that the Chief Executive and the Legal Officer had acted partially towards the SNP administration and improperly prevented Councillor Rooney's amendment from being discussed, thereby impugning their professional integrity, being disrespectful and causing significant stress to both, particularly to the Legal Officer. While other councillors challenged the decision, it is notable from the evidence of witnesses and from the press reports that only Councillor Bollan made personal allegations and accusations against the Legal Officer. I find that Councillor Bollan's general conduct at the meeting towards the Chief Executive and the Legal Officer amounted to a breach of the Code of Conduct and contravened the Key Principle of Respect in paragraph 2.1, the rules of general conduct in paragraphs 3.2, 3.3, 3.4 and 3.14 and the provisions in paragraphs 2 and 20 of Annex C of the Code.

- 5.8 The findings set out in paragraph 5.6.10 above are that in his comments directed towards SNP members, Councillor Bollan did resort to foul language which has no place in the conduct of public business - and he did so in the presence of public and press. Councillor Bollan sees his duty as an opposition councillor to scrutinise, expose, question and hold the administration to account. There is nothing to stop him doing that, but it should not become an excuse for referring to other members of the Council in the manner in which he referred to SNP councillors as he left the meeting. He states that it was a political gesture; it was not; it was an ill-natured, foul mouthed action showing considerable disrespect to SNP councillors, and is tempered only by the fact that it was made in immediate reaction to a remark by an SNP member. Moreover, it was said in public and made headlines. This cannot inspire much public confidence in the way in which Council business is carried out in West Dunbartonshire. I find, therefore, that Councillor Bollan's conduct towards other councillors breached the Code of Conduct and contravened the Key Principle of Respect in paragraph 2.1 and the rules of General Conduct in paragraph 3.14 of the Code.
- 5.9 In relation to complaint numbers LA/WD/732, 736 and 749, in so far as they relate to the actions of Councillor James Bollan at the meeting of West Dunbartonshire Council on 26 March 2008, I have come to the conclusion that, having regard to the findings in section 5 and in particular paragraphs 5.7 and 5.8 of this Report, Councillor James Bollan has contravened the Councillors' Code of Conduct.

D Stuart Allan
Chief Investigating Officer

Forsyth House
Innova Campus
Rosyth Europarc
Rosyth
KY11 2UU

30 December 2008