

NORTH LINCOLNSHIRE COUNCIL
STANDARDS COMMITTEE HEARINGS PANEL

25 March 2021

A complaint alleging that Councillor John Smith, a member of Garthorpe and Fockerby Parish Council, breached Garthorpe and Fockerby Parish Council's Code of Conduct.

Monitoring Officer's Summary

1. The Complaint

The complainants, Mr Robert Ward, Mrs Tracey Ward, Mr Clive Snellgrove and Mr Warrick Buckman submitted a detailed complaint on 25 February 2020 alleging various breaches of the Code of Conduct. Such complaint was initially referred to Humberside Police for consideration in accordance with prescribed procedures before being considered by an Assessment Panel on 11 August 2020.

On the 11 August 2020 the Assessment Panel, after careful consideration and in consultation with Mr Wayne Harvie (Independent Person), directed that an investigation be undertaken against Cllr Smith to establish whether he had breached paragraph 3.4 of the Code of Conduct in the context of comments attributed to Cllr Smith concerning potential co-optees to the parish council who Cllr Smith is alleged to have referred to in an email as: "These people are trouble causers."

Samik Bhadra and Katy Hague were duly appointed as the Investigating Officers by the Monitoring Officer.

2. Investigating Officers Report

The Investigating Officers have completed their investigation and submitted their report.

The report established that Cllr Smith did send an email to the Parish Clerk on 18 June 2019 in which he referred to the potential co-optees as: "These people are trouble causers." (see attached). As a consequence the Investigating Officers found that Cllr Smith had breached paragraph 3.4 of the Code of Conduct: you must not conduct yourself in a manner which could reasonably be regarded as bringing the Authority or your office as a member of the Authority into disrepute.

The Investigating Officers have set out their rationale at sections 6 and 7 of their report.

3. Pre Hearing

In preparation for the hearing before the Hearings Panel both the complainants and Cllr Smith have been provided with a copy of the Investigating Officer's report. The matter was not considered appropriate for informal resolution.

Cllr Smith has confirmed that he does not wish to contest the findings of the Investigating Officers and accordingly the hearing of this matter will be dealt with in accordance with the Uncontested Hearings procedure detailed in the Council's Standards Arrangements.

4. Key Factors

Whether Cllr Smith in sending the email of 18 June 2019 and referring to the potential co-optees as: "These people are trouble causers." breached paragraph 3.4 of the Code of Conduct: you must not conduct yourself in a manner which could reasonably be regarded as bringing the Authority or your office as a member of the Authority into disrepute.

5. **Procedure**

The procedure to be followed by the Hearings Panel is enclosed with the agenda.

The Panel should note that its powers are purely recommendatory given that this matter concerns the conduct of a parish councillor.

Will Bell
Monitoring Officer
17 March 2021