



CENSURE NOTICE

Date of Decision: 5 March 2021

Subject Member: Councillor R Webb (Bardney Parish Council)

Effective until: 28 days from the date the notice was published.

Background and Decision

Having received a Code of Conduct Complaint on 23 April 2020

Following an initial assessment by the Monitoring Officer, in consultation with the Independent Person and given the issues raised within the complaint, an initial decision was made on 6 May that the matter should be referred for investigation.

On receiving the Independent Investigating Officer (IO)'s report, which had determined that a breach of the Code had likely occurred, the Monitoring Officer, in consultation with the Independent Person, on 21 October made a decision that local resolution would be the most appropriate course of action in this case.

The Local Resolution offered was as follows: -

- * That Councillor Webb issue a written apology to the complainant
- * That Councillor Webb considers how he interacts with members of the public given his position as a parish councillor, and to take a more conciliatory position to avoid matters getting out of hand, as happened in this case; and
- * That Councillor Webb if he genuinely believes the member of public had behaved as he has implied, that such matters should be dealt with through appropriate channels, and not face to face confrontations, as an elected member Councillor Webb's behaviour is subject to a greater degree of scrutiny than a member of the general public.

The IO had been fair in recognising that both parties played a part in the situation becoming so inflamed and it is not disputed that there was a heated exchange. It is not disputed that both parties behaved in manner that would not be defined as mutually respectful.

Councillor Webb did have multiple other courses of action he could have taken if he found himself in the position he stated throughout the Investigation, however he chose to respond how he did. Having identified himself as the Chairman of the

Parish Council the Code of Conduct was engaged and such Councillor Webb should have acted accordingly.

The complainant had indicated their willingness to accept the proposed local resolution, however the subject member has indicated he is unwilling to do so.

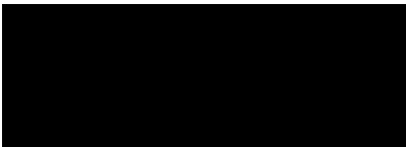
Sanction Imposed

The greatest sanction the Monitoring Officer could apply following a Hearing would be to recommend that Councillor Webb apologises to the complainant.

The Monitoring Officer remains of the view that a Hearing at the cost of the taxpayer is unwarranted and would bring no further resolution than that which was proposed.

The Monitoring Officer is unable to mandate a subject member to comply with a local resolution.

In recognition of the subject member's unwillingness to engage in the process, the Monitoring Officer, in consultation with the Independent Person, has made a decision to make public, by way of censure notice, the decision taken and the subject member's unwillingness to engage in the process a matter of public record for 28 days.



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Alan Robinson
Monitoring Officer