

GOXHILL PARISH COUNCIL
MINUTES of an ORDINARY MEETING HELD at GOXHILL CHAPEL ROOMS
On THURSDAY 5 MAY 2022 at 19.30

Councillors: M Gathercole (Chairman), F Dunkley, J Lawtey, T Simons, G Kirwan, S England, R Atkin, C Leaning, T Simons, V Gorbutt, M Stancer and Cllr Jones

Also, in attendance: V Haines (Proper Officer & RFO)

Members of the public: 10

Public Participation

Members of the public were present for planning applications, an update regarding the Best Kept Village and confirmation sought on the number sanctions imposed on Cllr England (Item 2205/5)

2205/1 **Election of the Chairman**

Proposed: Cllr Kirwan, Seconded Cllr Lawtey

Resolved: That Cllr M Gathercole is duly elected as the Chairman by the majority with 1 objection and 1 abstention

2205/2 **Election of the Vice-Chairman**

Proposed: Cllr Gathercole, Seconded Cllr Stancer

Resolved: That Cllr F Dunkley is duly elected as the Vice-Chairman by the majority with 1 Objection and 1 abstention

2205/3 **Apologies**

Apologies were received and approved by Ward Cllr Hannigan, Ward Cllr Clark and Ward Cllr Wells

2205/4 **Declarations of Interests / Dispensations**

Cllr Jones	- 2205/20 Bus Shelter	- Personal
Cllr Jones	- 2205/15 Notice boards	- Personal
Cllr England	- 2205/11 (ii) Planning	- Personal
Cllr England	- 2205/18 Memorial Hall	- Personal and Prejudicial

2205/5 **Cllr Sam England found guilty of breaching the code of conduct and sanctions issued**

The Chairman of the parish council read in the meeting the received report and letter to Cllr England (documentation enclosed within the minutes under appendix A and appendix B) and the current standards training to be emailed to Cllr England

2205/6 **Minute approval**

Proposed: Cllr Lawtey, Seconded Cllr Kirwan

Resolved That the previously circulated minutes of the ordinary meeting that took place 7 April 2022 were received and approved by the majority with 1 objection

2205/7 **Finance approval**

Proposed: Cllr Kirwan, Seconded Cllr Dunkley

Resolved: That the schedule of payments for May 2022 part A was approved unanimously

The cashbook summary for April 2022 was received by the full council prior to the meeting

2205/8 **Report from Ward Councillors – No ward councillors present**

2205/9 **Committees**

❖ Playing Field

Resolved: That Cllr Dunkley, Cllr Atkin, Cllr Simons and Cllr Gathercole be duly appointed to the playing field committee

❖ Parish Rooms

Resolved: That Cllr Stancer, Cllr Leaning, Cllr England, Cllr Lawtey and Cllr Gathercole be duly appointed to the Parish Rooms committee

❖ Public Rights of Way ‘PROW’ and Verges

Resolved: That Cllr Gorbutt, Cllr Kirwan, Cllr Simons, Cllr Lawtey and Cllr Gathercole be duly appointed to the PROW and Verges committee

❖ Cemetery

Resolved: That Cllr Gorbutt, Cllr Stancer, Cllr Dunkley, Cllr Leaning, Cllr Atkin and Cllr Gathercole be duly appointed to the Cemetery committee

❖ Personnel

Resolved: That Cllr Gorbutt, Cllr Stancer, Cllr Dunkley, Cllr Lawtey and Cllr Jones be duly appointed to the Personnel committee

2205/10 **External Bodies**

❖ Allotments

Proposed: Cllr Kirwan, Seconded Cllr Gorbutt

Resolved That the council unanimously voted Cllr Gathercole to be the representative for the allotments

❖ NATS (Police Liaison)

Proposed: Cllr Lawtey, Seconded Cllr Stancer

Resolved That the council unanimously voted Cllr Jones to be the representative for the NATS

❖ BCCRP ‘Barton Cleethorpes Community Rail Partnership’

Proposed: Cllr Kirwan, Seconded Cllr Gorbutt

Resolved That the council unanimously voted Cllr Gathercole to be the representative for the BCCRP

2205/11 **Planning**

- (i) Application: PA/2022/646, Planning permission to erect a detached dwelling
Site Location: Stepmar, Elm Lane, Goxhill, DN19 7JU
Applicant: Mr M Mosey

Proposed: Cllr Jones, Seconded Cllr Lawtey

Resolved That the council unanimously agreed to strongly object to this planning application based on the following reasons:

1. The only access to the dwelling is through a bridal way which in accordance with the Road Traffic Act 1988 section 34 paragraph 1 states it is a criminal offence to drive any mechanically propelled vehicle.

2. The proposed planning land encroaches on to a public right of way which confirms the plans submitted are incorrect and do not show a true reflection

Cllr England left the meeting due to item PA/2022/658

- (ii) Application: PA/2022/658, Planning permission to erect a bungalow and an attached garage, with associated access works
Site Location: Land to the rear of The Gables, Willow Lane, Goxhill, DN19 7JP
Applicant: Jonathan Lowe, Wolds Homes Ltd

Proposed: Cllr Gathercole, Seconded Cllr Kirwan

Resolved That the council unanimously agreed to object to this planning application based on the previously raised concerns of flooding within this location and that this has not been addressed and still remains an issue

Cllr England re-joined the meeting

2205/12 **PA/2022/54**

Proposed: Cllr Jones, Seconded Cllr Lawtey

Resolved: That the parish council by majority with 1 objection and 1 abstention agreed to the following:

That North Lincolnshire Council PROW officer is contacted to discuss the option of an extension to footpath 62A to the dyke

That Goxhill Parish Council contact Keigar Homes Ltd asking to erect a foot bridge on to the land owned by Kiegar allowing residents from the newly built dwellings to access the park and to fund the extended proposed footpath

2205/13 **Earmarked Reserves**

Proposed: Cllr Lawtey, Seconded Cllr Gathercole

Resolved: That the parish council by majority agreed to the revised earmarked reserves which will be shown within the public finance document

2205/14 **Insurance**

Proposed: Cllr Kirwan, Seconded Cllr Stancer

Resolved That the council unanimously agreed to the insurance renewal costing £1097.69

2205/15 **Noticeboards** - Item deferred to June full council meeting and for the Clerk to seek pricing for a free standing noticeboard to be potentially located at South End

2205/16 **Queens Jubilee – Parish clerk involvements**

Resolved That the only involvement of the Proper Officer / RFO is to receive donations made directly in to the council's bank account on behalf of the Queens Platinum Jubilee working group. All Queen's Platinum Jubilee working group expenditure and received donations will be identified separately on the Parish Councils finance report which is made available to public viewing after every council meeting. All donations received will be notified to the Queens Platinum Jubilee working group for them to

formally thank the donor

2205/17 **National Grid carbon Capture pipeline project.** - Item deferred to June full council meeting

Cllr England left the meeting due to item 2205/18

2205/18 **Memorial Hall correspondence** – A discussion took place however due to lack of time the council agreed to deferred this item to the next full council meeting

Cllr England re-joined the meeting

2205/19 **Pidgeon cote lane land transfer**

Resolved: That the council noted that the transfer deed of land ‘North West side of Pidgeon Cote Lane, Goxhill’ from Goxhill Parish Council to Mr Michael Jones being completed on 7 April 2022

2205/20 **Bus Shelter** - - Item deferred to June full council meeting

2205/21 **General correspondence**

- ❖ A letter received from a parishioner located on North End complaining of dog waste being left on the section of grass they cut
- ❖ A letter received regarding anti-social behaviour by member of the public using the MUGA and Skatepark and the continuation of some vehicles parking on the double yellow lines located on Chapel Street. The parish clerk liaising with the parishioner regarding the double yellow lines
- ❖ A letter of correspondence received from a member of public relating to item 2205/5

2205/22 **Agenda for next and future meetings**

- ❖ Noticeboards
- ❖ National Grid Carbon Project
- ❖ Memorial Hall
- ❖ Bus Shelter

2205/23 **Date of next meeting**

9th June 2022, 7.30pm @ Goxhill Chapel Rooms

Cllr England left the meeting

2205/24 Exclusion of the Public & Press to resolve the exclusion of the public and press, under powers granted by the Local Government (Public Bodies Admission to Meetings) Act, section 1(2), owing due to the confidential nature of the business be discussed

Resolved That the council agreed to exclude the press and public

2205/25 **Proper Officer finance approval**

To approve the following the staff salary and expense’s part B that are to be paid in May 2022

Proposed: Cllr Lawtey, Seconded Cllr Dunkley

Resolved That the council unanimously agreed the staff salary and expense’s part B to be paid in May 2022

APPENDIX A

NORTH LINCOLNSHIRE COUNCIL

STANDARDS COMMITTEE HEARINGS PANEL

DECISION RECORD

REFERENCE SC/20/10, SC/21/01 AND TWO ADDITIONAL COMPLAINTS.

HEARING DATE:	04 APRIL 2022
RESPONDENT:	COUNCILLOR S ENGLAND
RELEVANT AUTHORITY:	GOXHILL PARISH COUNCIL
PANEL MEMBERS:	COUNCILLORS POOLE (CHAIRMAN), WELLS AND O'SULLIVAN
INDEPENDENT PERSON:	DR W HARVIE

1. The Referral

- 1.1 The Panel considered four complaints that had been referred for investigation by the Standards Committee Assessment Panel (reference SC/20/10, SC/21/01, plus two additional complaints which were not assigned a reference, and which were integrated into the investigation). Mrs K Hague (Principal Lawyer) and Mr Matthew Nundy (Senior Democratic Services Officer) were appointed as the Investigating Officers, investigated the complaints, and subsequently produced a report.
- 1.2 The Respondent and all other interviewees had been provided with a copy of the Investigating Officer's report. In accordance with the pre-hearing process, the Respondent was asked whether they wished to contest the findings of the report and confirmed that they wished to do so.

2. Attendance

Cllrs N Poole (Chairman), Cllr O'Sullivan, and Cllr D Wells comprised the Hearings Panel.

Mr W Bell, Monitoring Officer, provided advice to the Panel.

The Respondent, Cllr S England, attended the Hearing.

Mrs K Hague and Mr M Nundy, Investigating Officers, presented their report.

The Independent Person, Dr W Harvie, attended and submitted his views.

Mr D Gillon, Senior Democratic Services Officer, was also present.

3. The Complaint

3.1 Four complaints had been received in the period 18 November 2020 to 23 February 2021 from the Clerk, Miss V Haines, and other Goxhill Parish Councillors, concerning the conduct of the Respondent alleging that he had breached several paragraphs of the Code of Conduct.

3.2 Following an assessment of the complaint by an Assessment Panel on 16 February 2021 and 25 March 2021, in consultation with the Independent Person, two Investigating Officers were appointed to consider whether paragraphs 3.1 and 3.2 of the Code of Conduct had been breached. The Code of Conduct provides as follows:

Paragraph 3.1 – You must treat others with respect and courtesy.

Paragraph 3.2 – You must not bully or harass any person, as further defined in Appendix 2.

3.3. The Investigating Officers did not uphold three of the complaints submitted and found that the Respondent had not breached the Code of Conduct in relation to these complaints.

3.4 The Investigating Officers did uphold the complaint submitted by the Clerk, Miss Haines on 18 February 2021 and found that the Respondent had breached paragraphs 3.1 and 3.2 of the Code of Conduct. This complaint centred on three emails sent by the Respondent to the Clerk between the 15 and 16 February 2021. It was this complaint that the Hearings Panel was convened to determine.

3.5 The Hearings Panel decided not to exclude the press and public from the meeting.

3.6 As the Respondent chose to contest the findings of the Investigating Officers' report the Panel followed the 'Contested Procedure' for hearings.

3.7 The Investigating Officers and the Respondent agreed that the focus of the hearing should be on the emails referred to in paragraph 3.4 and there was no dispute, as a matter of fact, that these had been sent by the Respondent.

4. Submissions by the Investigating Officers and Respondent

- 4.1 The Investigating Officers made submissions on their investigation report and contended that in sending the three emails over the period 15 and 16 February to the Clerk, that the Respondent had breached paragraphs 3.1 and 3.2 of the Code of Conduct.
- 4.2 The Respondent made submissions to the effect that he did not consider that the language or content of the emails constituted a breach of the Code of Conduct and that it had not been his intention to show the Clerk disrespect or to cause her to feel bullied or harassed. Rather his intention was to raise an issue of public interest with the Clerk who he considered to be the relevant officer.

5. Decision of the Hearings Panel – Breach of the Code of Conduct

- 5.1 The Panel, having carefully considered the Investigating Officers' report, the submission by the Respondent, together with the views of the Independent Person, and having found as a matter of fact that the Respondent had sent the emails referred to in paragraph 3.4 determined as follows -
- 5.2 The Respondent had breached paragraph 3.1 of the Code of Conduct on account of the matters stated.
- 5.3 The Respondent had not breached paragraph 3.2 of the Code of Conduct on account of the matters stated.

6. Decision - Sanction

- 6.1 Having determined that the Respondent had breached paragraph 3.1 of the Code of Conduct, the Panel considered whether a sanction should be imposed and, if so, what sanction. Accordingly, the Panel sought advice from the Monitoring Officer on the range of sanctions available under the published Arrangements. The Panel then invited the views of the Investigating Officers, the Respondent, and the Independent Person. The Panel noted the Respondent's constructive offer to apologise to the Clerk for his conduct.
- 6.2 Having carefully considered such matters the Panel recommended the following sanctions:
 - (i) That the Monitoring Officer write an appropriate letter of censure to the Respondent reflecting that the Panel had found him to have breached paragraph 3.1 of the Code of Conduct.
 - (ii) That the Respondent send a letter of personal apology to the Clerk, copied to the Monitoring Officer, within the next 14 days.

- (iii) That the outcome of today's hearing be made available to the public via North Lincolnshire Council's website and the minutes of today's Hearing Panel
- (iv) That the outcome of today's hearing, including the Monitoring Officer's letter of censure, be reported to a future public meeting of Goxhill Parish Council
- (v) That Goxhill Parish Council offer the Respondent relevant Code of Conduct and Nolan principle training.

7 Appeal

7.1 The decision of the Panel is final and there is no right of appeal.

Will Bell
Monitoring Officer
13 April 2022

APPENDIX B

Contact: Mr. D Gillon
Direct Dial: 01724 296356
Our Ref: SC/20/10 & SC/21/01
E-mail: dean.gillon@northlincs.gov.uk
Date: 13 April 2022

North Lincolnshire Council

www.northlincs.gov.uk

Becky McIntyre
Director Governance and Communities
Church Square House
30-40 High Street
Scunthorpe
North Lincolnshire
DN15 6NL

Dear Cllr England,

LOCALISM ACT 2011 – STANDARDS COMPLAINT – SC/20/10 & SC/21/01

As you know, the above complaints were considered by a Standards Committee – Hearings Panel on Monday, 4 April 2022, in accordance with the council's published Arrangements for a contested hearing. I enclose a copy of the Decision Record arising from the hearing, which details the findings and sanctions.

As part of its sanctions, the Panel requested that I issue this letter of censure and relay their strongly held view that your conduct in breaching paragraph 3.1 of the Code of Conduct was unacceptable and should not, under any circumstances, be repeated. Elected Councillors are, quite rightly, expected to behave in a professional and appropriate manner and uphold the highest standards in accordance with the Nolan principles when acting in an official capacity and undertaking council business. The Panel's clear view is that your conduct fell below this level.

The Panel acknowledge though your constructive offer to apologise to the complainant which is referred to in paragraph 6.2 (ii) of the Decision Record, I and would ask that such written apology is made to the complainant within the next 14 days with a copy provided to me at (Will.Bell@northlincs.gov.uk).

Thank you again for your attendance at the Hearing.

Yours sincerely,



Will Bell

Monitoring Officer