

Borough Council of  
**King's Lynn &  
West Norfolk**



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**Standards Committee Hearing**

**Date: 11, 12, 18 and 25 September 2013**

**Complaint Reference Numbers: 22/11, 31/11 and 32/11**

**Terrington St Clement Parish Councillor Mrs H Bobbins**

**DECISION NOTICE**

Complainants	Terrington St Clement Parish Councillor Miss B Hill Terrington St Clement Parish Councillor Mrs S Young
Standards Committee Members	Borough Councillor Mrs K Mellish (Chairman) Borough Councillor G McGuinness Borough Councillor D Whitby
Council Officers	Wendy Vincent, Democratic Services Officer Cara Jordan, Legal Adviser
Local Investigator	Emma Duncan
Date of Investigator's Report	12/01/13

## Decision Notice

**Standards Committee Hearing**  
**Borough Council of King's Lynn and West Norfolk**  
**Date: 11, 12, 18 and 25 September 2013**  
**Reference: 22/11, 31/11 and 32/11**

### **1. Summary of the Complaint:**

It is alleged that Councillor Bobbins:

- (a) Failed to declare an interest in land acquired by the Parish Council which Councillor Thompson had also tendered for (22/11).
- (b) On 14 March 2012 failed to treat other Members with respect by shouting and gesticulating at the Chairman (31/11 and 32/11).
- (c) On 14 March 2012 failed to declare interests on item relating to youth facilities (31/11 and 32/11).
- (d) On 14 March 2012 bullied other Members by shouting, gesticulating and ridiculing (31/11 and 32/11).
- (e) On 14 March 2012 brought the Council into disrepute by her conduct (31/11 and 32/11).
- (f) On 14 March 2012 attempted to secure an advantage for herself or PACT (31/11 and 32/11).

### **2. Relevant sections of the Code of Conduct**

Paragraphs 5, 6, 8, 9, 10, 11, 12.

### **3. Summary of evidence considered and representations made**

The Local Investigator found no breach in respect of allegations (a), (b) and (d) above. The Standards Committee of 18/4/13 agreed with the Investigating Officer's findings where no breach was found. Those findings are confirmed by this Standards Committee.

The Committee considered allegations (c), (e) and (f) above.

The Committee read the report and the relevant documentation. The Investigating Officer presented her report and Councillor Bobbins gave evidence in person. The Committee listened to evidence given by the witnesses.

### **4. Facts and Reasons**

The Committee carefully considered the report and the oral evidence, CCTV, documents and witness statements in coming to their decision as to whether there had been a breach of the Code of Conduct, and in particular a breach of paragraphs 5, 6, 8, 9, 10, 11 and 12.

The Committee received a number of witness statements in support of the Subject Member. However, these statements were so strikingly similar in format and content, that it was the Committee's view that a common assistance was provided. As such, the Committee attaches little weight to these witness statements.

The Committee found that the witnesses on behalf of the Subject Member generally lacked detail and clear independent recollection of what was said at the relevant meetings.

Councillor Bobbins signed a declaration as to her interests on the register of interests in May 2011. These interests included her membership of PACT and her husband and son's connection to the Terrington Tigers. She also received training from NALC in relation to the Code of Conduct in February 2012.

The Chairman, at the beginning of the meeting of 14<sup>th</sup> March 2012, spoke to Members about needing to leave the room if they had a prejudicial interest. In particular, he mentioned that a prejudicial interest would arise where a relevant item was discussed and a Councillor was a member of PACT and a sporting club. Councillor Bobbins is a member of PACT, her husband is the coach and her son plays for the Terrington Tigers.

At the beginning of the Parish Council meeting of 14<sup>th</sup> March 2012, Councillor Bobbins declared an interest in item 12.

At this same Parish Council meeting, there was an item listed as 'item 11' called "Planning Application re Field Extension Land for facilities". Councillor Bobbins remained in the room. She said she did not know what item 11 was about until papers were circulated which occurred when other Councillors left the room. Two witnesses, Councillor Hodgson and Councillor Spooner of the Parish Council, gave evidence that they believed, before the meeting, that item 11 related to the skate park. The Committee is of the view that although item 11 is not fully detailed in the Agenda, there had been a history of differing views, which had caused some discord, as to what this piece of land should be used for. It considers it likely that, with regard to the history and the wording in the Agenda, Parish Councillors would think that the item related to the piece of land purchased as an extension to the field for youth facilities. In any event, the content of item 11 became apparent to Councillor Bobbins when the papers were passed round.

In oral evidence Councillor Bobbins gave a confused account. She said she thought that she did not have to declare an interest for item 11 because there was going to be a new Code in the near future and because she did not have a financial interest. She also said that she did not fully understand what the Register of Interests meant, despite apparently completing it correctly. The Committee considers it of note that Councillor Bobbins, with other Parish Councillors, received Code of Conduct training not long before the March 2012 meeting. The Committee notes, and finds it of relevance, that Councillor Bobbins did make a declaration at the beginning of this meeting for item 12 which suggests that she did know that she still needed to make declarations under the now 'old' Code.

As a member of PACT, and her husband and son's connection to the Terrington Tigers, the Committee is of the view that Councillor Bobbins had a prejudicial interest in item 11 on the Agenda of the Parish Council meeting of 14<sup>th</sup> March 2012. PACT is a stand alone working group as detailed in its Constitution. PACT was considering the whole of the Memorial Field in its plans for sports facilities. In oral evidence, Councillor Bobbins made it clear that as a member of PACT she did not think that the new piece of land was the appropriate site for a skate park. She further said that she had made her mind up about this prior to the meeting and that she had joined PACT to see if they could do a better job than the Parish Council. Planning permission for a skate park would be likely to affect the facilities of the Terrington Tigers and would be contrary to her views as a member of PACT that the skate park should not be sited on that piece of land. The Committee finds it is likely that a member of the public would consider that her connection to PACT and her family's connection with the Terrington Tigers, would affect her consideration of a planning application for a skate park on the land in issue.

These are interests which should have been declared at the beginning of the meeting or when the content of item 11 became apparent to her. If not aware at the start of the meeting, Councillor Bobbins was made aware when the papers were circulated. Councillor Bobbins, now knowing the content of item 11, was active in the discussion and remained in the room throughout without making any declaration. Item 11 was not concluded at this meeting. The Committee finds that her presence in the room, during this controversial item for which she held strong views and her asking questions and contributing to the debate was an attempt to secure an advantage for herself or for the organisations in which she had an interest.

The Committee further finds, as a result of this conduct, that Councillor Bobbins has brought the Council into disrepute.

**5. Finding of Breach/non Breach of Terrington St Clement Parish Council Code of Conduct on allegation (c), (e) and (f)**

- (a) Standards Committee of 18/4/13 refers.
- (b) Standards Committee of 18/4/13 refers.
- (c) On 14 March 2012 failed to declare interests on item relating to youth facilities (31/11 and 32/11). **COUNCILLOR BOBBINS DID BREACH TERRINGTON PARISH COUNCIL'S CODE OF CONDUCT.**
- (d) Standards Committee of 18/4/13 refers.
- (e) On 14 March 2012 brought the Parish Council into disrepute by her conduct (31/11 & 32/11). **COUNCILLOR BOBBINS DID BREACH TERRINGTON ST CLEMENT PARISH COUNCIL'S CODE OF CONDUCT.**
- (f) On 14 March 2012 attempted to secure an advantage for herself or PACT (31/11 & 32/11). **COUNCILLOR BOBBINS DID BREACH TERRINGTON ST CLEMENT PARISH COUNCIL'S CODE OF CONDUCT.**

**6. Sanctions**

The Panel recommends that Terrington St Clement Parish Council arrange training for Councillor Bobbins in the following terms:

A tailored training course provided by NALC or other appropriate provider dealing with the following topics to be completed by 31 March 2014:

- Role of the Parish Council.
- Roles of the Councillors and the Chairman.
- Role of the Clerk.
- Code of Conduct.
- Disclosable Interests.
- Conduct of Meetings.
- Records/Minutes.
- Committees.
- Sources of help and advice and where to obtain this information from.
- Dealing with Difficult situations.

Signed..... Date: 27 September 2013

(Councillor Mrs K Mellish, Chairman of the Standards Committee Hearing)