

## **DECISION NOTICE:**

### **Refer to Determination Sub-Committee**

**Reference WC 06/12**

**Subject Member**

Councillor Roger Durie of Great Bedwyn Parish Council

**Complainant**

Mrs Jan Thornton

**Independent Person**

Stuart Middleton

**Deputy Monitoring Officer**

Frank Cain

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The Monitoring Officer has, in consultation with the Independent Person, considered a complaint by Mrs Jan Thornton that Councillor Durie, a member of Great Bedwyn Parish Council, breached the Parish Council's Code of Conduct.

The event giving rise to the complaint took place on 14 March 2012, and the complaint was therefore assessed against the statutory Code of Conduct which was in force at that date.

The Monitoring Officer for Wiltshire Council has carried out this function pursuant to the approved arrangements for dealing with Code of Conduct Complaints under the Localism Act 2011.

**Decision**

The Monitoring Officer's decision is that he is satisfied that the investigator's report is sufficient to determine this matter and that the matter be referred to a hearing in respect of the allegation concerning the allowing of the motion to adopt the vexatious policy to remain in part I.

The Monitoring Officer has made this decision, in consultation with the Independent Person, and having regard to the complaint, the Investigator's report, the complainant's and Councillor Durie's comments on the draft report.

**Reasons for decision**

The Monitoring Officer upholds the findings of the Investigating Officer of no breach in respect of the allegation concerning the use of the word "purported" in

regard to the Knapp's Resident's Association for the reasons given within the investigator's report.

In regard to the allegation concerning the allowing of the motion to adopt the vexatious policy to remain in Part 1 the Monitoring Officer is satisfied that the investigation has been conducted properly.

The investigating officer has concluded there is evidence of a failure to comply with the Code of Conduct and the Monitoring Officer is of the view that this matter is unlikely to be able to be resolved through alternative resolution.

Therefore pursuant to clause 6.4 the Monitoring Officer must refer the matter for hearing before the Hearing Sub-Committee.

### **Additional Help**

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