

**SWINDON BOROUGH COUNCIL  
STANDARDS COMMITTEE HEARINGS PANEL**

**HEARING IN RELATION TO A POSSIBLE BREACH OF THE CODE OF  
CONDUCT BY MR W J SMITH**

**DECISION**

A meeting of the Standards Hearings Panel of Swindon Borough Council was convened on 23 March 2007 to conduct a Hearing of a complaint in respect of an allegation that Mr W J Smith, Parish Councillor of Wanborough Borough Council, had breached Wanborough Parish Council's Code of Conduct by either failing to declare an interest, or declaring an interest but failing to withdraw from meetings during which his planning application were discussed.

The complaint had been referred by the Standards Board for England to Swindon Borough Council's Monitoring Officer for local investigation and determination. The referral was dealt with in accordance with Statutory Guidance and the Council's own adopted Hearings Procedure.

Having considered the evidence presented by the Investigating Officer and by Mr Smith:

- The Hearings Panel finds that Mr W J Smith breached Wanborough Parish Council's Code of Conduct by failing to withdraw from the room as required by paragraph 10, during the Parish Council's discussion and determination of applications in which he had personal and prejudicial interests at meetings on 4<sup>th</sup> September 2002, 26<sup>th</sup> January 2004 and 2<sup>nd</sup> February 2006.
- The Hearings Panel notes that Mr W J Smith has admitted to a breach of the Code of Conduct and apologised.

**SANCTION**

- The Hearings Panel determines that Mr W J Smith be censured in relation to the failure to leaving the room following the declaration of a prejudicial interest.
- The Hearings Panel determines that Mr W J Smith must receive appropriate training, to the satisfaction of the Monitoring Officer, within 3 months of the date of this hearing.
- The Hearings Panel determines that if Mr W J Smith has not received the appropriate training as set out above by 22<sup>nd</sup> June 2007, he will suspended as a Parish Councillor for a period of 1 month from 23<sup>rd</sup> June 2007 to 22<sup>nd</sup> July 2007.

In addition to the formal sanction set out above the Standards Hearing Panel made the following recommendations:-

- That all Wanborough Parish Councillors should attend training on the Code of Conduct within the next 3 months.
- That the Clerk to Wanborough Parish Council should undertake training on the Code of Conduct, and receive a briefing from the Monitoring Officer as to her roles and responsibilities, within the next 3 months.
- That the Monitoring Officer should make available to Parish Council Chairs and Vice-Chairs any training sessions on chairing of meetings that are arranged for Borough Councillors.
- That Wanborough Parish Council be requested to invite the Monitoring Officer and a Standards Committee Independent Member to attend a future meeting of the Parish Council to discuss any issues arising from this matter.
- That the Monitoring Officer circulate a summary of this matter, together with this decision, to all Parish Councils in the Borough of Swindon and ask the Clerks to confirm that they are satisfied that their Parish Council is operating in accordance with the Code of Conduct.

Stephen P. Taylor  
Director of Law and Democratic Services  
and Monitoring Officer  
23<sup>rd</sup> March 2007