



SOUTH
KESTEVEN
DISTRICT
COUNCIL

Hearing Review Panel

Friday, 17 January 2025

Report of Graham Watts, Monitoring
Officer

Councillor Code of Conduct Hearing

Councillor Graham Jeal v Councillor Steven Cunnington

Report Author

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Purpose of Report

This report provides the Hearing Review Panel with information relating to three complaints by Councillor Graham Jeal against Councillor Steven Cunnington which are the subject of a Hearing, in accordance with the Council's procedure for dealing with complaints against Councillors.

Information within the report has been redacted because of the likelihood information that is exempt under paragraph 1 of Schedule 12A of the Local Government Act 1972 (as amended) will be disclosed and is considered not to have passed the public interest test. This is due to contents including personal information not relevant to the case under consideration or personal information relating to other third parties. The press and public may be excluded from the meeting should any of this redacted information be referenced or relied upon as part of proceedings.

Recommendations

That the Hearing Review Panel:

1. **Determines whether or not a breach of the Councillor Code of Conduct has occurred.**

2. Determines what sanctions to impose, if any, should a breach of the Councillor Code of Conduct have occurred.

Decision Information

Does the report contain any exempt or confidential information not for publication? Yes

What are the relevant corporate priorities? Effective council

Which wards are impacted? Not applicable

1. Background to the Report

- 1.1 The Council has a procedure in place for dealing with complaints against Councillors, which is included as part of the Council's Constitution at Part 5 (Codes and Protocols).
- 1.2 Any complaint received by the Council regarding the conduct of its Councillors will be dealt with in accordance with this procedure.
- 1.3 The complaints scheduled for consideration at this Hearing were submitted by Councillor Graham Jeal against Councillor Steven Cunningham.
- 1.4 In accordance with the Council's procedure, the complaints were referred for formal investigation.
- 1.5 Wilkin Chapman LLP were appointed by the Monitoring Officer to conduct the formal investigation relating to these complaints. Given the similarities between the three complaints, they were amalgamated into one investigation.
- 1.6 The Investigating Officer has found that Councillor Steven Cunningham acted in breach of the Councillor Code of Conduct in terms of treating others with respect and failing to co-operate with a Code of Conduct investigation.
- 1.7 The Monitoring Officer determined, in consultation with the Council's Independent Persons, that this finding be referred to a Hearing and that this would be heard by a Hearing Review Panel.

2. Key Considerations

- 2.1 The final report from the Investigating Officer at Wilkin Chapman LLP is attached to this covering report for the Hearing Review Panel's consideration at **Appendix A**. This is supported by a schedule of evidence document which is attached at **Appendix B**.

- 2.2 As stated under the 'purpose of report' section of this covering report, there are a number of redactions in the Investigating Officer's report and schedule of evidence. This is due to the fact that these do not relate to the specific matter that has been referred to the Hearing Review Panel or contain personal information relating to other third parties.
- 2.3 In addition to the Investigating Officer's report, the Hearing Review Panel is requested to give due consideration to further evidence attached at **Appendix C** regarding Councillor Cunnington's conduct, which has been brought to the attention of the Monitoring Officer since submission of the final Investigation Officer's report. This relates to a number of comments and posts published on social media during this investigation and other Code of Conduct complaint investigations currently ongoing, the details of which at the time were confidential.
- 2.4 The procedure to be followed for this Hearing is outlined in the Council's procedure for dealing with complaints against Councillors. This is set out in **Appendix D** of this report.

3. Appendices

Appendix A – Investigating Officer's report

Appendix B – Schedule of evidence

Appendix C – Additional evidence from the Monitoring Officer

Appendix D – Procedure for Hearing