



**Directorate of Corporate Services**  
Assistant Director and Monitoring Officer **Helen Miles**

## **Written Decision**

Complaints against Councillor Millington of

Bembridge Parish Council

86/18, 87/18 and 92/18

Chair – Councillor John Kilpatrick

Other Members - Cllrs Stuart Hutchinson, Karl Love

Town and Parish representative member – Cllr Margaret Webster

Monitoring Officer – Helen Miles

Investigating Officer – Mr Simon Wiggins

Tuesday 15 January 2019 10.00 am, Council Chamber County Hall,  
Newport Isle of Wight

Date of Report – 1 November 2018

## **Summary of the Complaint**

86/18

The complainant alleged that Councillor Millington had brought the office into disrepute through two independent actions. Firstly, the email response from Councillor Millington to the complainant dated 19 March 2018 contains a threat that if he finds money has been used he will have everybody sacked. Separately it is alleged Councillor Millington has breached the Code through his driving offence conviction.

87/18

Complainant alleged that Councillor Millington has failed to “treat others with respect” and conducted themselves in a manner that could reasonably be regarded as bringing the office of Bembridge Parish Council into disrepute.

The complainant alleged Councillor Millington interjected during a debate on an item at an Extraordinary Finance and Assets Committee on 13 March 2018 using language that was not befitting of an elected member.

92/18

It is alleged that Councillor Millington has breached the Code through the language he adopted within a post on a social media site. Councillor Millington asks “how does everyone feel, that we have a bunch of crooks running things..... Patronising is an understatement.”

## **Relevant Sections of the Code of Conduct**

The council has adopted a Code of Conduct in which the following paragraphs are included:

Paragraph 2(a)

“Subject to the sub-paragraphs b to e you must comply with this Code whenever you:

- i. Conduct the business of the Bembridge Parish Council (which, in this code, includes the business of the office to which you are elected or appointed); or

- ii. Act, claim to act or give the impression you are acting as a representative of Bembridge Parish Council, and references to your official capacity are construed accordingly.”

Paragraph 2(b)

“This Code does not have effect in relation to your conduct, other than where it is in your official capacity.”

Paragraph 3(a)

“You must treat others with respect.”

Paragraph 5

“You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or the Bembridge Parish Council into disrepute.”

### **Summary of the Evidence Considered and Representations Made**

The report of the Investigating officer was considered, together with representations from the Investigating officer. Cllr Millington did not attend the hearing or submit any representations. He was provided with the report and was notified of the hearing but has not engaged in the process.

### **The Findings of Fact, including the reasons for them**

The facts, as set out in the report have not, through the investigation process been disputed by Councillor Millington, and the Sub-Committee accepted these factual issues as presented.

### **Finding as to whether the member failed to follow the Code, including the reasons for that finding**

We find that Councillor Millington has breached the Code of Conduct by:

#### **86/18**

Using language and tone in an email to the clerk that was of unacceptable for use by a person in public office and failed to treat the clerk with respect and brought the council into disrepute

The driving conviction was not incurred in his role as a councillor and so does not amount to a breach of the Code of Conduct.

**87/18**

Using language during a meeting of the Parish Council that was unacceptable for use by a person in public office and that breached the code by failing to treat others with respect and bringing the office of councillor or Bembridge Parish Council into disrepute.

**92/18**

Using language within a post on social media site, that was unacceptable for use by a person in public office and that brought the council into disrepute.

### **Reasons**

That in relation to each of these breaches, Cllr Millington has used language, either in an email, in person or on social media that is not acceptable for a person in public office.

### **The Sanctions Imposed, if any, including the reasons for any Sanctions**

The recommendation to Bembridge Parish Council is that censure is an appropriate sanction, and that censure should highlight Cllr Millington has not undertaken Code of Conduct training, and that he should do so, and that it is still open to Cllr Millington to provide an apology which he should do.

### **Reasons**

The breaches of the code are serious enough to justify the recommended sanction of censure.