

Report to: Standards Complaint Hearing Panel: 10 October 2025

Director Lead: Sue Bearman, Assistant Director Legal & Democratic Services, Monitoring Officer

Report Summary	
<b>Report Title</b>	<p>Code of Conduct Hearing</p> <p>Open Report with Exempt Appendix</p> <p>The appendix contains exempt information as defined under Schedule 12A of the Local Government Act 1972, Paragraphs 1 and 2 (personal information) under which the Committee has the power to exclude the press and public if it so wishes.</p> <p>It is considered that the need to treat the information in this report as exempt outweighs the public interest in disclosure because it contains personal information which is relates to one or more individuals.</p>
<b>Purpose of Report</b>	To consider a complaint under the Council's Code of Conduct against District Councillor John Lee
<b>Recommendations</b>	That the Hearing Panel considers whether there has been one or more breaches of the Code of Conduct, and if so, what sanction should be imposed
<b>Reason for Recommendations</b>	<p>The Council's Community Plan includes our 'Purpose and Values' to make it clear what it is we are here to do and how it will go about it – as public servants we place great emphasis on adopting a public sector ethos and seek to embody this in how we interact with residents and each other. This includes a commitment to being professional and trustworthy.</p> <p>All councils are required to have a local Councillor Code of Conduct to promote and maintain high standards of conduct by its Councillors. The Council's Code of Conduct is designed to protect the democratic role of Councillors, encourage good conduct and safeguard the public's trust in local government. It is based on the principles of selflessness, integrity, objectivity, accountability, openness, honesty and leadership ("The Nolan Principles").</p>

## **1.0 Background**

1.1 Four complaints were raised in relation to the conduct of Councillor John Lee which the Monitoring Officer, in consultation with the Council's Independent Person, decided warranted further investigation.

1.2 East Midlands Councils were commissioned in March 2025 to undertake the independent investigation. The investigation was paused for a period between mid-April and mid-May 2025 due to the County Council elections, in relation to which Councillor Lee and two of the witnesses were also candidates. East Midlands Councils produced their final report on 26 August 2025. The investigation found evidence of breach in relation to two complaints: -

1.2.1 Complaint Number 20241126: This complaint was made by Cllr Mike Pringle and relates to Cllr Lee's alleged conduct at a meeting of the Council's Policy and Performance Improvement Committee which took place on the evening of the 25th November 2024.

The investigation concluded that Councillor Lee failed to treat two Councillors with respect and did not lead by example in a way that secures public confidence in the role of a councillor - and that as a result Cllr Lee's conduct brought the Council into disrepute.

1.2.2 Complaint Number 20250205: This complaint was made by Cllr Forde but also supported by the Chief Executive and relates to a 'Facebook' post published by Cllr Lee the 29th January 2025 detailing the alleged poor performance of the Council, the substance of which was repeated by Cllr Lee at a meeting of Balderton Parish Council on the same day. The investigation concluded that the information posted was entirely fictitious and therefore calculated to unfairly damage the reputation of the Council.

Accordingly, it was concluded that Cllr Lee brought the Council into disrepute through first publishing fictional information, then failing remove that information when advised to so by the Monitoring Officer, and further by repeating verbally it at a meeting of Balderton Parish Council.

1.3 The investigation found no evidence of breach in relation to two of the complaints. Considering this the Monitoring Officer decided to take no further action in relation to those complaints.

1.4 A draft of the investigation report was sent to Cllr Lee for comment on the 28 July 2025. It was made clear in the covering email that, consistent with the Council's procedure for Code of Conduct investigations, the draft report and the investigation itself should remain strictly confidential. Subsequently, the investigators were sent copies of an email written by Councillor Lee to four parish councils on the 29 July 2025 clearly referencing aspects of the draft investigation report, and a Facebook post by Councillor Lee (made on or around the 29 July 2025 and subsequently removed) which does similar.

In their final report, the investigators concluded that this amounted to a further breach of the Code of Conduct by Councillor Lee; breach of confidentiality.

- 1.5 Following receipt of the final report, the Monitoring Officer, in line with the Council's Arrangements for dealing with Complaints, considered the report and was satisfied the investigation had been conducted properly. In relation to the findings of breach, the Monitoring Officer concluded, after consultation with the Independent Person, that there was evidence of a failure to comply with the Code of Conduct, and that the matter should be referred to a Standards Complaint Hearing Panel. It was not considered appropriate to resolve by local informal resolution, although it was acknowledged that Councillor Lee had offered apologies and to attend Code of Conduct training. This was due to the belated nature of these actions.
- 1.6 In line with the Council's arrangements, the matter has now been progressed to a hearing. For the avoidance of doubt, the Hearing Panel is asked to consider the complaints detailed in paragraph 1.2.1, 1.2.2 and 1.4 above.

## **2.0 Proposal/Options Considered**

- 2.1 It is proposed that the Panel consider the information attached to this report and presented at the hearing and determine whether there has been a breach of the District Council's Code of Conduct by Councillor Lee, and, if appropriate, determine what sanction should be imposed.
- 2.2 In order to assist the Panel, the following information is attached to this report:
- Appendix 1 - Council's Procedure for Dealing with Code of Conduct Complaints  
(including the Code of Conduct and sanctions available)
  - Appendix 2 - Investigator's report (redacted)
  - Appendix 3 - transcript of the relevant extracts of an audio recording of the meeting of Balderton Parish Council of 29 January 2025
  - Appendix 4 - Representations made by Wilkin Chapman Rollits on behalf of Councillor Lee
  - Appendix 5 – relevant extracts from Local Government Association Guidance
  - Appendix 6 – procedure for the hearing

The Committee meeting of 25 November 2024 was live streamed and published online. A link is included in the Background Papers section to this report.

The information has been redacted to ensure that only information relevant to the finding of breach is presented to the Panel.

- 2.3 Under the Council's Arrangements for Dealing with Complaints, the complaint must now progress to the hearing stage. The options available to the Panel are to determine whether there has or has not been a breach of the Code of Conduct. It should be noted that the Panel and the Monitoring Officer have the right to depart

from the arrangements where it considers that it is expedient to do so in order to secure the effective and fair consideration of any matter.

- 2.4 Councillor Lee's legal advisor confirmed prior to the publication of this report that Councillor Lee would not be attending the hearing and would not be represented at the hearing. Instead, written submissions were submitted on 29 September 2025, and these are attached at Appendix 4.

### **3.0 Implications**

In writing this report and in putting forward recommendations, officers have considered the following implications: Data Protection; Digital & Cyber Security; Equality & Diversity; Financial; Human Resources; Human Rights; Legal; Safeguarding & Sustainability and where appropriate they have made reference to these implications and added suitable expert comment where appropriate.

### **3.2 Legal Implications LEG2526/3997**

Code of Conduct complaints must be dealt with in accordance with the Council's Approved Arrangements for Dealing with Complaints made under s.28 (6) Localism Act 2011.

### **Background Papers and Published Documents**

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

The Policy & Performance Improvement Committee meeting of 25 November 2024 is available to view online - <https://democracy.newark-sherwooddc.gov.uk/ieListDocuments.aspx?CId=290&MId=997>