

## **Complaint Against Councillor Wayne Smith**

Following a Councillor Code of Conduct complaint, an investigation was conducted into an allegation that Councillor Wayne Smith should have declared an interest and not taken part in a decision on a planning application considered at the meeting of the Planning Committee on 14 February 2024 (Item 68). Councillor Smith had previously chaired a meeting of Hurst Parish Council which decided to submit an objection to the planning application. The complaint also alleged that Councillor Smith should have registered his membership of the Protect Hurst Action Group (PHAG). The Standards Committee Hearings Panel considered the complaint on 7 January 2025 and made the following decision.

### **Decision**

- 1) In relation to the declaration of interests, the Panel agrees with the conclusion reached by the Investigation Officer, that due to his previous involvement in the objection from Hurst Parish Council, Councillor Smith should have declared an interest relating to his attendance at the meeting which approved the objection and that he had submitted the objection to Wokingham Borough Council (WBC). Consequently, we believe that Councillor Smith should not have taken part in the subsequent decision at the WBC Planning Committee.
- 2) The Panel instructs the Monitoring Officer to arrange appropriate training for Councillor Smith on the declaration of interests.
- 3) In relation to registration of membership of the Protect Hurst Action Group (PHAG), the Panel finds that Councillor Smith's actions did not constitute a breach of the Councillor Code of Conduct. It recommends that the Standards Committee implements training for all Councillors on registration relating to membership of local campaign and Facebook groups and other social media.
- 4) The Panel has sympathy with Councillor Smith and does not believe that this was a deliberate or knowing breach of the Code of Conduct. Specifically, it notes that he sought legal advice relating to his participation at the WBC Planning Committee.

In accordance with Rule 9.1.13.3 of the Borough Council's Constitution, the Decision Notice has been published on the Council's website. A copy of the Decision Notice has been sent to the complainant, the Subject Member, and the Independent Person. Wokingham Borough Council will report the decision to the next appropriate full Council meeting.