



Chelmsford City Council

15 July 2026

Report from Governance Committee – proposed censure of City Councillor

Report from:

Governance Committee

Officer Contact:

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Purpose

To consider the report from the Governance Committee following the hearing on 11th March 2026 which determined that Councillor Paul Clark had breached the code of conduct through disrespectful behaviour to an officer and failure to co-operate with the Code of Conduct investigation. The Committee considered that formal censure was appropriate and certain other steps set out in the decision notice attached at Appendix 1. Full Council is asked to now consider formal censure.

Recommendations

That, arising from the breaches of the code of Conduct, Council: -

1. Formally censures Councillor Paul Clark in relation to the findings of the Governance Committee set out in Appendix 1.

1. Background

- 1.1. Members will be aware that the Council is required to adopt a Code of Conduct in relation to its members. The Council is also required to have in place arrangements to deal with code of conduct allegations against members,

including the ability to impose sanctions when a breach of the code of conduct is found to have occurred.

- 1.2. In accordance with those arrangements, a complaint which met the threshold for investigation, was referred to an external investigator to consider whether the Councillor had breached the code of conduct. Once the investigation had been completed, the matter was subsequently referred to the Governance Committee to undertake a hearing to decide whether there had been any breach of the code of conduct. A committee hearing took place on 11th March 2026.
- 1.3. The investigation arose from a complaint relating to the councillor's behaviour on 5th June 2025. It was alleged that the councillor had attended the Council offices unannounced and questioned the officer regarding an enforcement notice and the related decision. It was further alleged that the Councillor was hostile and argumentative from the outset. He reportedly raised his voice and repeatedly questioned the officer in a dismissive manner. Further that his challenge focused on the validity of the enforcement notice, which, in his view, should not have been issued. His demeanour was described as threatening. This behaviour was said to be consistent with previous occasions when he attended council offices unannounced and acted disrespectfully towards staff.
- 1.4. This was despite a reminder being issued by the Monitoring Officer to all councillors by email in November 2024 concerning member enquiries and specifically reminding councillors to make an appointment if they wished to have an in-person meeting with an officer.
- 1.5. The Committee considered an allegation of a breach of the Code and found that a breach has taken place. The Committee further determined that Councillor Paul Clark had also committed a further breach of the code of conduct in that he had not co-operated with the Code of Conduct investigation process. The Committee imposed the sanctions which are set out in appendix 1.
- 1.6. The Monitoring Officer has confirmed that this report is the final sanction to be actioned in accordance with the decision made by Governance Committee. All other items have been completed, including the requirement for Cllr Paul Clark to undertake training. This took place with the Monitoring Officer on 30th June and included the Member/Officer relationship protocol as required by the committee.

2. Conclusion

- 2.1.1 This report has been prepared because of the findings and recommendation of Governance Committee in accordance with the Council's arrangements for

dealing with such allegation(s). Full Council is now asked to consider formal censure of Cllr Paul Clark.

List of appendices:

Appendix 1 – Decision of Governance Committee 11th March 2026

Background papers:

Governance Committee agenda 11th March 2026 and code of conduct procedures

Corporate Implications

Legal/Constitutional: These are set out in the report and it can be confirmed that this matter falls to Full Council to determine.

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Financial: There are no direct financial implications associated with the determination but additional external costs of approximately £13k have been incurred through the appointment of an investigator and an advisor to the Governance Committee.

Potential impact on climate change and the environment: None

Contribution toward achieving a net zero carbon position by 2030: None

Personnel: None

Risk Management: None

Equality and Diversity: None.

Health and Safety: None

Digital: None

Other: None

Consultees:

The Chair of Governance Committee in March 2026 has been consulted in relation to this report.

Relevant Policies and Strategies:

None

Standards Hearing 11 March 2026

Councillor Paul Clark

Complaint 8/25

This Decision Notice relates to item 4 of the Governance Committee agenda for the meeting on 11 March 2026 and the Hearing which took place during this meeting. This decision notice should be read in conjunction with the detailed report to the committee and the minutes of the meeting.

The committee announced its decision with summary reasons after the Hearing to those people present. Councillor P. Clark did not attend the Hearing.

Complaint

The Committee considered the investigation report of Mr John Austin of John Austin Associates concerning the complaint raised by a member of staff about Councillor Clark's behaviour towards her on 5 June 2025.

The complainant alleged that Councillor P. Clark attended the Council offices unannounced and questioned the officer regarding an enforcement notice and the related decision. It was further alleged that the Councillor was hostile and argumentative from the outset. He reportedly raised his voice and repeatedly questioned the officer in a dismissive manner. Councillor P Clark's challenge focused on the validity of the enforcement notice, which, in his view, should not have been issued. His demeanour was described as threatening. This behaviour was said to be consistent with previous occasions when he attended council offices unannounced and acted disrespectfully towards staff.

Mr Austin considered whether there had been a breach of Paragraph 1 of the Code of Conduct, as follows:

1 Respect

Para 1.2 -

As a councillor:

1.2 I treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.

Mr Austin's report concluded that there was evidence to support a finding of a breach of the Code of Conduct by Councillor P Clark.

The Hearing

The Committee heard from Mr Austin, who summarised his report and in particular emphasised the following points:

- The meaning of Respect is politeness in speech and conduct.
- The Local Government Association Guidance on the meaning of Respect in the Code of Conduct includes unreasonable or demeaning behaviour.
- He noted that it was clear from Officer A that Councillor P Clark's behaviour had got to a point that officers are hesitant to speak up in front of him.
- There are no recordings of what happened so Mr Austin had to weigh up the evidence from the complainant and the witnesses. He found the officers' evidence credible.
- He noted that it is rare for officers to complain about councillors and it is a brave act.
- He had also tried to speak to Councillor P. Clark on several occasions as stated in the Report, but Councillor P. Clark had refused to meet him. Councillor P. Clark had, however, provided comments after the report was complete, refuting the report.
- Mr Austin stated that, weighing everything up, he found Councillor P. Clark had demonstrate a lack of respect.

The Committee also heard from the complainant and two witnesses. The Committee also heard from the complainant's supervisor. In particular:

- Councillor P Clark's behaviour had previously been difficult. For example, he had interrupted the complainant's supervisor during an online teams meeting while she had been wearing headphones.
- The supervisor had not been in the office during the incident on 5 June 2025 but had seen her staff afterwards and they were shaken. They are a robust team and they deal with other emotive issues in other Wards, but had not been affected by interactions with other members as they had been affected by Councillor P Clark.
- The complainant confirmed that she had been left angry and frustrated by the interaction with Councillor P Clark. She is an experienced officer with 5 years' experience, but Councillor P. Clark spoke to her as if she was an idiot or a child.

The Committee asked if Councillor P. Clark had asked the complainant to do anything against normal planning procedure. The complainant said she felt the implication from Councillor P. Clark was that she should remove the notice. He had asked them in the past to drop particular cases.

The Committee asked Mr Austin and the witnesses several questions. They also considered how the Monitoring Officer had previously communicated with Councillor P. Clark about access to officers. The Committee noted that, in November 2024, the Monitoring Officer had emailed all councillors reminding them of the process by which to raise questions with officers, providing them with an email address to use to raise queries and asking them to make appointments to speak to officers.

The Committee noted also that on 18th June 2025, following this complaint, the Monitoring Officer had confirmed to Councillor P. Clark the Management Team's decision to impose temporary measures to control Councillor P Clark's access to

officers, including restricting his access to those areas to which he needs access as a councillor e.g. publicly accessible meeting rooms and the members' area.

The Committee was concerned that Councillor P. Clark had ignored specific advice from the Monitoring Officer, i.e. the email she sent to all councillors in November 2024.

The Committee was also concerned – and mentioned on several occasions – that relations between councillors and officers at the Council is generally excellent and that the Committee would be very concerned if one councillor's behaviour negatively impacted relationships between members and officers.

The Committee recognised that members are often put under a lot of pressure from their constituents, but that that does not excuse poor behaviour towards officers. The Committee also commented that although officers – particularly senior officers – are meant to demonstrate a level of robustness, members are in a position of power in their relationship with officers and must not abuse that authority.

The Committee was also grateful to the complainant for bringing the complaint and wished to record its thanks to her for raising this important issue.

Independent Person

The Committee also heard from the Independent Person, who stated that, having worked for other councils, she had seen poor behaviour from members towards officers before and it was therefore very important that this behaviour was not allowed at the Council. She felt that Councillor P. Clark had shown a lack of respect towards the complainant and the whole team. She was also concerned about his refusal to cooperate with the investigation. Balanced against that, the Independent Person said that councillors should be able to challenge officers, but she commented that this should always be done in a respectful way.

Decision

Having heard from Mr Austin, the complainant, her supervisor and witnesses, and in consultation with the Independent Person, the Committee agreed that Councillor P. Clark had breached paragraph 1.2 – Respect – in the Code of Conduct.

The Committee also considered:

- Councillor P Clark's failure to meet with Mr Austin, despite several requests;
- the tone of his written response to the Report, which was felt to be dismissive, and;
- the disrespect that Councillor P. Clark had shown to the Code of Conduct process and this Committee in failing to attend the Hearing, despite several emails to him from the Monitoring Officer and her team; and in his attitude to the process.

The Committee noted that it is open to it to consider other breaches of the Code of Conduct and found that Councillor P. Clark was also in breach of paragraph 8 - Complying with the Code of Conduct - specifically paragraph 8.2, which states:

As a Councillor:

8.2 I cooperate with any Code of Conduct investigation and/or determination.

Sanctions

After a further period of deliberation, hearing from Mr Austin about his views on appropriate sanctions and, in consultation with the Independent Person, the Committee imposed the following sanctions:

1. To publish its findings in respect of Councillor P Clark's conduct.
2. To recommend to Council that Councillor P. Clark be issued with a formal censure.
3. To instruct the Monitoring Officer to arrange training for the Councillor P. Clark on the Code of Conduct, with specific emphasis on the 'Protocol for Relationships between Councillors and Officers'.
4. Exclude the Councillor from the Council's Offices or other premises, with the exception of meeting rooms and the members' area as necessary for attending Council, Committee and Sub-Committee meetings for a period of 12 months, reduced to 6 months upon compliance with attendance at the training arranged under No. 3 above.