



ETHICS AND ENGAGEMENT HEARING SUB-COMMITTEE

1ST MARCH 2017

DECISION NOTICE

CITY OF LINCOLN COUNCIL
ETHICS AND ENGAGEMENT HEARING SUB-COMMITTEE
1ST MARCH 2017

DECISION NOTICE:

- (1) That Councillor Edmund Strengiel has breached the Member Code of Conduct.
- (2) That Councillor Karen Lee has not breached the Member Code of Conduct.

Date of the report – 21st February 2017

Subject Members – Councillors Edmund Strengiel and Karen Lee

Complainants – Councillors Karen Lee and Edmund Strengiel

Chair of the Hearing – Councillor Geoff Ellis

Members of the Hearing – Councillors Ronald Hills and Loraine Woolley
Mr Chris Elkington (Independent Member)

Monitoring Officer/Investigating Officer – Carolyn Wheeler

Advisor to the Sub-Committee – Graham Watts

1.0 Summary of the Complaints

Complaint by Councillor Karen Lee

Councillors Edmund Strenziel and Karen Lee are members of the City of Lincoln Council. Councillor Lee is the Chair of the Community Leadership Scrutiny Committee and Councillor Strenziel is a member of the Committee.

The Monitoring Officer received a telephone call from Councillor Lee on 28th November 2016 stating that she wished to make a complaint under the Member Code of Conduct against Councillor Strenziel with regards to his behaviour at the Community Leadership Scrutiny Committee on 22nd November 2016. Subsequent emails from Councillor Lee set out why she considered that Councillor Strenziel had breached the Member Code of Conduct, claiming that Councillor Strenziel was “rude, bullying and aggressive”, had accused her of poor chairing and that his behaviour was not ‘courteous or civil’. The correspondence went on to say that Councillor Strenziel made a number of comments at the meeting, which included an invitation to Councillor Bob Bushell to ‘go outside’.

Councillor Lee believes that the behaviour of Councillor Strenziel at the meeting of the Community Leadership Scrutiny Committee constitutes a breach of the Member Code of Conduct.

Complaint by Councillor Edmund Strenziel

On 24th January 2017 the Monitoring Officer received a Member Code of Conduct complaint from Councillor Strenziel against Councillor Lee, stating that the nature of the complaint related to Councillor Lee’s:

- chairing skills
- fairness in chairing the meeting
- attempt to embarrass a member in front of external representatives
- conduct in politicising a Scrutiny Committee

2.0 Code of Conduct

The Council has adopted the 2012 Model Code of Conduct as its Member Code of Conduct at the time of the complaint.

Paragraph 3.1 of the code states;

“when acting in your role as a member of the authority: do treat others with respect and not bully any person”.

3.0 Summary of the evidence considered

During the investigation the following were included as Appendices:

- Email from Councillor Lee dated 28th November 2016
- Email from Councillor Lee dated 29th November 2016
- Email from Councillor Burke dated 29th November 2016

- Email from Councillor Bushell dated 3rd December 2016
- Email from Councillor Strenziel to Ben Culling with apology dated 23rd November 2016
- Notes taken by Simon Colburn of the meeting dated 23rd November 2016
- Minutes of the meeting of the Community Leadership Scrutiny Committee of 22nd November 2016
- Member Code of Conduct
- Letter from Councillor Strenziel dated 24th January 2017

4.0 The findings of fact

Taking into consideration the content of witness statements, there is no doubt that Councillor Strenziel said words along the lines of “take you outside” to a fellow Councillor, which were said during a heated exchange.

5.0 The finding as to whether the respective members failed to follow the Code, including the reason for that finding

The Hearing Sub-Committee agreed with the Investigating Officer that Councillor Strenziel had failed to comply with the Member Code of Conduct. It concluded that Councillor Strenziel’s behaviour at the end of the meeting of the Community Leadership Scrutiny Committee on 22nd November 2016, with regard to his loss of temper and his ‘offering’ Councillor Bob Bushell to “go outside”, did constitute a breach of the Member Code of Conduct in failing to treat others with respect.

The Hearing Sub-Committee agreed with the Investigating Officer that Councillor Lee had not breached the Member Code of Conduct.

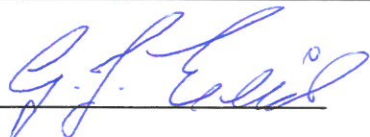
6.0 Action to be taken

The Hearing Sub-Committee directed that the breach of the Member Code of Conduct by Councillor Strenziel should be marked by reporting the Sub-Committee’s findings to the next meeting of the Council. The Sub-Committee also requested that a written apology be sent by Councillor Strenziel to Councillors Lee and Bushell.

In agreeing that Councillor Lee had not breached the Member Code of Conduct, the Sub-Committee noted that there had been a longstanding conflict between Councillors Lee and Strenziel as evidenced at this meeting. This clearly needed to be overcome in the interests of the smooth running of the Council and the Community Leadership Scrutiny Committee in particular.

7.0 The right to appeal

There is no right of appeal open to the Councillor.

Signed  Dated 3RD MARCH 2017

Chairman of the Hearing Sub-Committee