

**Medway Council**  
**Meeting of Councillor Conduct Committee**  
**Wednesday, 5 August 2026**  
**6.00pm to 7.55pm**

**Record of the meeting**

**Subject to approval as an accurate record at the next meeting of this committee**

|                       |                                                                                                                                                                                                          |
|-----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Present:</b>       | Councillors: McDonald (Chairperson), Howcroft-Scott (Vice-Chairperson), Brake, Peake, Louwella Prenter and Van Dyke                                                                                      |
| <b>Substitutes:</b>   | Councillors:<br>Etheridge (Substitute for Kemp)<br>Spring (Substitute for Tejan)<br>Mrs Turpin (Substitute for Pearce)                                                                                   |
| <b>In Attendance:</b> | Rebecca Bayoji, Independent Person<br>Laura Caiels, Assistant Head of Legal Services (Place)<br>Bhupinder Gill, Assistant Director, Legal and Governance<br>Wayne Hemingway, Head of Democratic Services |

**188 Apologies for absence**

Apologies for absence were received from Councillors Kemp, Pearce and Tejan.

**189 Record of meeting**

The record of the meeting held on 15 April 2026 was agreed by the Committee and signed by the Chairperson as correct.

**190 Urgent matters by reason of special circumstances**

There were none.

**191 Declarations of Disclosable Pecuniary Interests and Other Significant Interests**

Disclosable pecuniary interests

There were none.

Other significant interests (OSIs)

There were none.

**Councillor Conduct Committee, 5 August 2026**Other interests

There were none.

**192 Exclusion of the press and public**

It was agreed that the press and public be excluded from the meeting during consideration of the exempt material relating to agenda items 6 and 7 because consideration of these matters in public would disclose information falling within Paragraphs 1 and 2 of Part 1 of Schedule 12A to the Local Government Act 1972 as specified in agenda items 6 and 7, and, in all the circumstances of the case, the Committee considered that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

**193 Complaint CCC/2026/003****Discussion:**

The Monitoring Officer referred to representations which had been received on 27 July 2026 and 5 August 2026 from Councillor Spalding (the subject member), requesting that consideration of both reports (complaints CCC/2026/003 and CCC/2026/010) be deferred due to personal circumstances and the Committee carefully considered this request. The Committee also took into account the impact on the complainant in delaying consideration of the report and after deliberations the Committee agreed to proceed with the hearing.

The Investigating Officer then introduced the report which provided the outcome of an investigation into a complaint that Councillor Spalding may have breached the Member Code of Conduct.

Councillor Spalding and the complainant had been invited to the meeting to address the Committee under its procedures for dealing with complaints about Councillor Conduct, however neither person attended the meeting.

Before reaching a decision on this matter the Committee also considered the views of an Independent Person, in accordance with Section 28 of the Localism Act 2011, which were set out at section 5 of the report. An Independent Person was present at the meeting and also commented on the complaint.

**Decisions:**

- 1) The Committee agreed the following findings of fact:
  - (a) That Councillor Spalding was clearly acting as a Councillor during his correspondence, signing off his emails as a Medway Councillor and using Medway Council letter headed paper, therefore the Code of Conduct applied.

## Councillor Conduct Committee, 5 August 2026

- (b) That the email exchanges (provided by the complainant) provided evidence of the correspondence between Councillor Spalding and the complainant.
  - (c) That the Investigating Officer had invited Councillor Spalding to assist with the investigation of the matter, however he had failed to engage in the process.
  - (d) That there had been a meeting of members of the public (at which Councillor Spalding was not present) who determined to challenge a planning decision.
  - (e) That Councillor Spalding and another individual sought legal advice in a personal capacity.
  - (f) That once the Parish Council was quorate, it had invited the third party to submit details of the legal fees incurred for consideration for reimbursement.
  - (g) That Councillor Spalding had requested the Parish Council to reimburse him for legal fees incurred on a matter that the Parish Council had not requested him to incur.
  - (h) That the matter was unconnected to Councillor Spalding's role as a Medway Councillor.
- 2) The Committee agreed that Councillor Spalding had breached the Code of Conduct, specifically citing the following paragraphs of the code, which stated:

*"2.1 You must:*

- i) not conduct yourself in a manner which could reasonably be regarded as bringing the Council or your position into disrepute.*

### *4. Using the Council's Resources*

*4.1 You must, when using or authorising the use by others of the resources of the authority, ensure that such resources are not used improperly for political purposes (including party political purposes) and you must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986. You should have regard to the guidance issued by the Councillor Conduct Committee on the use of council resources".*

- 3) The Committee agreed that the following sanctions should be applied to Councillor Spalding:
- (a) a recommendation of censure be made to the next Full Council meeting on 15 October 2026;
  - (b) Councillor Spalding be required to send a sincere and fulsome letter of apology to the complainant and Medway Council for his actions which should first be shared with and approved by the Chairperson of the Councillor Conduct Committee;
  - (c) Councillor Spalding be required to undertake training on the Member Code of Conduct with the Monitoring Officer;

**Councillor Conduct Committee, 5 August 2026**

- (d) a recommendation to full Council for the removal of Councillor Spalding's laptop for a minimum of three months and that Councillor Spalding only be returned the laptop after this period once the training referred to above had been completed.
- 4) The Committee agreed that Councillor Spalding should be named in the minutes, as the subject member, in accordance with procedural guidance for investigations about Member conduct allegations.

The reason for the Committee's decision was that it considered that Councillor Spalding was acting in his capacity as a Councillor, through his use of Council resources, when he contacted the complainant, where he had no jurisdiction to do so on the basis that the matter did not relate to his duties as a Councillor. Councillor Spalding's actions were an inappropriate use of Council resources and had brought both himself and the Council into disrepute.

The Committee also expressed concern that Councillor Spalding had not complied with the sanctions set out in case CCC/2025/003, which was reported to full Council on 16 October 2025, therefore, it was necessary that greater sanctions were applied in this case.

**194 Complaint CCC/2026/010****Discussion:**

(Please note that under Complaint CCC/2026/003 above, the Committee had also agreed to proceed with consideration of this item).

The Monitoring Officer introduced the report which stated that he considered that Councillor Spalding may have breached the Member Code of Conduct. He advised the Committee that he had undertaken an initial screening and the Committee agreed that the complaint passed the initial screening process and ratified his decision to present a report to Committee to enable the Committee to proceed immediately to a hearing.

The report had set out that the Monitoring Officer had contacted Councillor Spalding on 3 June 2026 and had received a written response on 4 June 2026. The Monitoring Officer had subsequently contacted Councillor Spalding on 4 June 2026 to which he received no response.

Before reaching a decision on this matter the Committee also considered the views of an Independent Person, in accordance with Section 28 of the Localism Act 2011, which were set out at section 9 of the report. An Independent Person was present at the meeting and also commented on the complaint.

**Decisions:**

- 1) The Committee agreed the following findings of fact:

## Councillor Conduct Committee, 5 August 2026

- (a) That Councillor Spalding was clearly acting as a Councillor during his correspondence, using his Medway Council email address and signing off his emails as a Councillor, therefore the Code of Conduct applied.
  - (b) That the Investigating Officer had invited Councillor Spalding to assist with the investigation of the matter, however that he had failed to engage constructively in the process.
  - (c) That the email was unambiguous, Councillor Spalding was seeking to advance a personal financial matter.
  - (d) That Councillor Spalding sought financial information about an individual person from the Council.
  - (e) That the matter was unconnected with Councillor Spalding's role as a Medway Councillor.
- 2) The Committee agreed that Councillor Spalding had breached the Code of Conduct, specifically citing the following paragraphs of the code, which stated:
- "2. General Conduct*
- 2.1 You must:*
- i. not conduct yourself in a manner which could reasonably be regarded as bringing the Council or your position into disrepute.*
- 4. Using the Council's Resources*
- 4.1 You must, when using or authorising the use by others of the resources of the authority, ensure that such resources are not used improperly for political purposes (including party political purposes) and you must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986. You should have regard to the guidance issued by the Councillor Conduct Committee on the use of council resources.*
- 6. Acting in the Public Interest*
- 6.1 You must act solely in the public interest and should never improperly confer an advantage or disadvantage on any person or act to gain financial or other material benefits for yourself, your family, a friend or close associate".*
- 3) The Committee agreed that the following sanctions should be applied to Councillor Spalding:
- a) a recommendation of censure be made to the next Full Council meeting on 15 October 2026;
  - b) Councillor Spalding be required to send a sincere and fulsome letter of apology to the individual for his actions which should first be

**Councillor Conduct Committee, 5 August 2026**

shared with and approved by the Chairperson of the Councillor Conduct Committee.

- c) Councillor Spalding be required to undertake training on the Member Code of Conduct with the Monitoring Officer **[this is the same training as specified in minute no 193(3c)/2026 above]**.
  - d) a recommendation to full Council for the removal of Councillor Spalding's laptop for a minimum of three months, which will commence following the expiry of the three-month period specified in minute no. 193(3)/2026 above, and that Councillor Spalding only be returned the laptop after this period once the training referred to above had been completed.
- 4) The Committee noted that the matter of there being a Single Point of Contact at the Council for Councillor Spalding should remain a matter for the Monitoring Officer to determine.
  - 5) The Committee agreed that Councillor Spalding should be named in the minutes, as the subject member, in accordance with procedural guidance for investigations about Member conduct allegations

The reason for the Committee's decision was that it considered that Councillor Spalding was acting in his capacity as a Councillor when he contacted the individual and had sought to confer an advantage to gain a financial benefit for himself. Councillor Spalding's actions had brought his office into disrepute.

The Committee also expressed concern that Councillor Spalding had not complied with the sanctions set out in case CCC/2025/003, which was reported to full Council on 16 October 2025, therefore, it was necessary that greater sanctions were applied in this case.

**Chairperson**

**Date:**

**Wayne Hemingway, Head of Democratic Services**

Telephone: 01634 332104

Email: [democratic.services@medway.gov.uk](mailto:democratic.services@medway.gov.uk)