

**13 January 2026**

**DECISION NOTICE OF THE MONITORING OFFICER**

**CODE OF CONDUCT COMPLAINTS  
ABC/2024/05,10 & 16**

**Against: Mr Edward Barham**



## **Decision Notice of the Monitoring Officer**

**Complaint No: ABC/2024/05,10 & 16**

**Against: Mr Edward Barham**

### **The Complaint**

1. In February 2024, I received complaints from two members of the public (the Complainants) concerning the alleged conduct of former Councillor Edward Barham (Mr Barham). Mr Barham was, at that time, a Member of Rolvenden Parish Council (the Parish Council). On 13 March 2024, I referred both complaints to Estelle Culligan, Partner at Wilkin Chapman Rollitts Solicitors, who is an appointed Deputy Monitoring Officer (DMO) for the purpose of assessing complaints under the Code of Conduct. On 28 May 2024, I received a second complaint from one of the Complainants about additional allegations concerning Mr Barham's conduct. I referred that second complaint to the DMO for assessment on the same day.

### **The Investigation**

2. Following assessment, the DMO referred all three complaints (the Complaints) to CH&I Associates for further investigation, on 28 August 2024.
3. The details of the Complaints are set out in the report of CH&I Associates (the Final Report) appended to this Decision Notice.
4. In order to ensure that relevant parties are treated fairly in an investigation and its outcomes, it is common to provide parties whose conduct may be criticised an opportunity to comment on any draft findings (the Draft Report) before they are finalised. CH&I Associates sent copies of the Draft Report to Mr Barham and the Complainants for their comments, on 28 May 2025.
5. Mr Barham did not provide any comments. One Complainant provided comments on the Draft Report, and CH&I Associates took those comments into account in the Final Report. References to those comments are in footnotes to pages 19, 21 – 23, 25, 28, 32 – 33, 38 and 46.
6. CH&I Associates' Final Report is dated 10 July 2025. The Clerk of Rolvenden Parish Council confirmed to the DMO on 15 July 2025, that Mr Barham resigned from the Parish Council on 14 July 2025.

## **The Investigators' Conclusions**

7. The Final Report concluded that, in relation to Mr Barham's conduct at the Parish Council meeting on 7 December 2023, there had been:-
  - a breach of paragraph 9 of the Parish Council's Code of Conduct (registration and declaration of interests)
8. The Final Report concluded that, in relation to Mr Barham's conduct at or immediately after the Parish Council meeting on 19 January 2024, there had been:-
  - a breach of paragraph 1 of the Parish Council's Code of Conduct (respect)
  - no breach of paragraph 2 of the Parish Council's Code of Conduct (bullying)
  - a breach of paragraph 9 of the Parish Council's Code of Conduct (registration and declaration of interests)
9. The Final Report concluded that, in respect of Mr Barham's conduct at or immediately after the Parish Council meeting on 21 May 2024, there had been:-
  - a breach of paragraph 1 of the Parish Council's Code of Conduct (respect)
  - no breach of paragraph 2 of the Parish Council's Code of Conduct (bullying)

## **Consideration of the Investigators' Final Report**

10. After the Final Report was finished on 10 July 2025, and Mr Barham resigned his position on 14 July 2025, in subsequent discussion with the DMO, I confirmed that it was appropriate to circulate the Final Report to the parties, given both the nature of the allegations and the fact that it had been completed before Mr Barham resigned as a parish councillor.
11. As Mr Barham is no longer a councillor, there can be no formal action or sanction arising out of the Final Report – such as a hearing. In any event, there would be little or no public benefit in actions such as holding a Hearing under Ashford Borough Council's Arrangements for Dealing with Code of Conduct Complaints under the Localism Act 2011 (the Arrangements). However, it is appropriate to deal with the final report and bring closure to the investigation for the benefit of all parties.
12. The DMO wrote to Mr Barham, the Complainants and the Clerk on 2 September 2025, enclosing copies of the Final Report. and explaining that there could be no formal or informal sanctions as he had resigned his position, but that I would report the outcome to Standards Committee in due course. The DMO asked all parties if they have any final comments on the reports, and, if so, that I would take those comments into account in reporting to the Standards Committee. One Complainant provided comments.
13. In writing to Mr Barham, the DMO suggested that he might consider making a private apology to one of the Complainants by way of informal resolution and confirm when he had done that. Mr Barham did not reply.

## **Decision**

14. In light of the above, and considering that there can be no formal action or sanctions under the Arrangements, I have decided:-

- To make this Decision Notice publicly available on the Council's website, including CH&I Associates' redacted final report appended to it and;
- To take no other action on the Complaints.

## **Notification of Decision**

15. This Decision Notice is sent to:-

- The Complainants
- Mr Edward Barham
- The Clerk of the Parish Council

## **What Happens Next**

16. The Arrangements require me to report to the Council's Standards Committee following an attempted informal resolution process in relation to a complaint.

17. Moreover, the legal principle is that there is a strong public interest in the disclosure of the final findings made by an independent investigator who has followed a formal procedure to investigate a complaint about the conduct of an elected councillor when performing public duties. The public interest applies once any formal processes in relation to the investigator's final findings have been completed or terminated, because such transparency is essential to the maintenance of proper standards in public life, whether or not the councillor who is the subject of the complaint remains in public office at that time.

18. Therefore, I will report this Decision for information to the next meeting of the Standards Committee, which is scheduled to be held on 2 February 2026.

## **Appeal**

19. There is no right of appeal against this Decision.

## **Additional Help**

20. If you need help or support in relation to this Decision Notice or future contact with the Council, please let me know. If you have difficulty reading this Decision Notice, we can assist you, in accordance with our duties under the Equality Act 2010. We can also help if English is not your first language. Please contact our Customer Services: email: [customer.care@ashford.gov.uk](mailto:customer.care@ashford.gov.uk), telephone: (01233) 331111, or call in to International House, Dover Place, Ashford.

**Signed:**



**Date: 13/01/2026**

T.W. Mortimer, LL.B., Solicitor  
Solicitor to the Council and Monitoring Officer  
Ashford Borough Council  
International House  
Dover Place  
Ashford TN23 1HU