

## **Minutes of the meeting of Standards Panel held at Committee Room 1, Shire Hall on Tuesday 16 October 2018 at 4.00 pm**

**Present:** Councillor ACR Chappell (Chairperson)  
Councillor J Stone  
Councillor RM Wilson (HALC rep)

**Officers:** Annie, Brookes, Claire Ward

### **1. ELECTION OF CHAIRPERSON**

Councillor ACR Chappell was elected as chairperson for the meeting.

### **2. DECLARATIONS OF INTERESTS**

There were no declarations of interest.

### **3. EXCLUSION OF PRESS AND PUBLIC**

On a majority vote, it was resolved not to exclude the press and public.

### **4. APPEAL OF A MONITORING OFFICER RESOLUTION BY A COMPLAINANT**

The head of corporate governance introduced the item and explained that Councillor G Fielding, Cradley Parish Council had expressed his view that he believed the complaint to be part of a personal campaign against him and would not be attending the meeting.

The monitoring officer outlined the report and explained that the complaint was about whether or not Councillor Fielding had a close personal association with a former lengthsman as the lengthsman's vehicle was stored on Councillor Fielding's drive.

Councillor Fielding had explained that the vehicle and other materials were stored at his premises due to insufficient space being available to the lengthsman.

It was noted that Councillor Fielding had sought the advice of the clerk to Cradley Parish Council at a meeting in relation to whether a declaration of interest should be made and had received advice from the clerk that no declaration was necessary.

On the information available at the time the original complaint was considered, there was no evidence of close personal association and therefore a finding of no breach of the code had been determined under monitoring officer resolution.

As part of the appeal information supplied by the complainant, it was stated that Councillor Fielding had described the lengthsman as a "like a son" and as a "mate". This information had not been provided as part of the original complaint and may have impacted on the original decision.

The panel then heard from the complainant who highlighted the following:

- The comments as a son had been heard during another meeting and by the complainant's husband.
- The subject member's comments had not been seen prior to the appeal and the complainant expressed concern that the comments were inaccurate at best and untrue at worse.
- Councillor Fielding had had contact with the former lengthsman as he had been invited to meetings of the parish council working group so the statement was inaccurate.

As part of the panel's discussion, the following was highlighted:

- The former lengthsman did not live in the parish
- The complainant had no evidence that the former lengthsman went to social events with Councillor Fielding
- There were potentially other sites in Cradley where the vehicle could be stored as it was a quiet rural village.
- Upon re-election to Cradley Parish Council, Cllr Fielding had resumed the role of administrator for the lengthsman's scheme but this was not minuted but had been agreed informally by the parish council.
- The original lengthsman had been a gentleman from the village until the former lengthsman had been appointed. A new lengthsman has subsequently been appointed. The complainant confirmed there was no suggestion that the work undertaken by the former lengthsman had been at fault.
- There was uncertainty over whether Councillor Fielding owned the truck as until recently it had still been parked on his driveway.
- It was confirmed Councillor Fielding was the P3 officer which is separate funding to the lengthsman scheme.
- There had been abeyance of the lengthsman scheme between Councillor Fielding's resignation from the parish council in October 2018 and his re-election in January 2018.

The complainant confirmed that they were satisfied that there had been a fair hearing by the standards panel.

## **DECISION**

**In light of the additional information provided by the complainant, the panel upheld the appeal and found that Councillor G Fielding, Cradley Parish Council had breached the code of conduct in:**

- **Failing to recognise the need to declare an other interest which is item 11 of the Cradley Parish Council code of conduct in an item of business in his authority where that business that might reasonably be regarded as affecting the wellbeing or financial standing of someone with whom you have a close association;**
- **Failing to uphold the general principles of the code of conduct for Cradley Parish Council**

**The recommendation to the Cradley Parish Council is that Councillor Fielding be given training on the code of conduct. The training to be undertaken by the monitoring officer of Herefordshire Council.**