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Chapel Court , Chapel Lane ,
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Governance and Democratic Services
33-35 Union Street
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HR1 2HX

17th July 2018

Dear Madam ,

Complaint: 27th June by Mrs Tracey Iwanczuk. Received by me 11th July 2018

I am in receipt of the above complaint received by your office and would respond as follows:

Paragraph 1. I did not initiate the lengthsman scheme it was initiated by Cradley Parish Council of which I was a member and first noted in the minutes of the PC on 14th October 2014 for discussion at the following meeting on 11th November 2014 . I volunteered to gather the required information on the scheme and report my findings to the council at that meeting.

It should be noted that Mrs Iwanczuk was a serving Parish Councillor at that time.

At the meeting on 11th November 2014 I provided my report to the PC on the requirements of the proposed Lengthsman scheme

CPC minutes extract:

2) Appointment of a Lengthsman – Prior to the meeting GF had circulated all Councillors with information regarding a new Lengthsman scheme put forward by Herefordshire Council, together with his own proposals of what a Lengthsman could achieve in the Parish and how the proposed system would work, adding that he would volunteer to be the Co-ordinator and run it for the first year if it was decided to proceed with appointing a Lengthsman for the Parish Council. It was noted that the Lengthsman was responsible for his own insurance. The offer from Herefordshire Council of “match funding” could be taken up at a later date if the new scheme was found to be beneficial for the Parish and it was unanimously agreed that GF approach Herefordshire Council/Balfour Beatty about setting up a new Lengthsman Scheme and he agreed to report back at the next meeting in January 2015.

It must be noted that Mrs Iwanczuk voted for this action in council. It must also be noted that she resigned from the council following the November meeting

I reported back to the council at the PC meeting on 13th January 2015
CPC minutes extract:

“ Matters for consideration –

- 1) **Lengthsman scheme** – *an up to date Report on the proposed Lengthsman Scheme had been circulated by Geoff Fielding to all Councillors advising that on 8th January 2015 Herefordshire Council had advised they were scrapping the existing scheme and had put forward new proposals with effect from 1st April 2015. These new proposals were discussed and it was unanimously agreed that GF look further into the Parish Council joining the new scheme, he would attend the “workshop” in late January/early February and report back to the Council in due course. In the event of match funding being required, it was generally agreed that rather than increasing the Precept for 2015/16, the Council could cover this out of existing funds and adjust the Precept for the following year if required.*

At the PC meeting on 10th February 2015 a decision was made to continue with the Lengthsman scheme with myself as administrator

CPC minutes extract:

Lengthsman – GF reported on meeting that day attended by himself and Jeff White and advised on the great opportunity to the Parish Council in joining this scheme along with the P3 scheme as above. Under the extended Lengthsman Scheme, both “C” and “U” roads will be covered, GF agreed to act as Parish Council Administrator of the scheme and advised that he would draw up a plan within the next few weeks, and look into the appointment of a Lengthsman.

KN queried the difference between the old and new scheme, and SH queried the situation with regard to Rectory Lane which had been formally adopted onto Herefordshire Council Streets scheme in 2014, and which to date, had not received any substantial repairs and/or resurfacing.

Resolved – *On a proposal by CL seconded by AE and carried with ten votes in favour (one abstention) it was agreed to take up the new Lengthman and P3 Schemes with effect from 1st April 2015 on the strict proviso that Rectory Lane is not included in the roads which are to be maintained by the Lengthsman. In support of this proviso, KN advised that if satisfactory work was not carried out then the Parish Council would look at taking legal action as Herefordshire Council does have a statutory duty to maintain the Lane.*

As can be seen I was appointed by the PC to act as administrator of the scheme from the outset and did this diligently and with the full authority of the council until the scheme was revised in 2018.

Paragraph 2

As to tenders for the lengthsman scheme, the first lengthsman(2015) was appointed by the council directly as they did not have a policy in place at that time for competitive tendering. The appointment of the last lengthsman [REDACTED] was done on a recommendation of [REDACTED] who had extensive work experience and qualifications working for Herefordshires contractors Balfour Beatty. [REDACTED] arranged to supply his own vehicle for the work required but did not have sufficient space at his home address to store it when not in use in Cradley. I felt it supportive to facilitate his position to offer free storage of this vehicle on my private drive. It was eminently practical to do so as at that time we met at my house to plan work schedules and discuss the needs of the community. The materials purchased or supplied for the lengthsman's work were stored in my private garage as no local facilities were available.

As to rates paid these totally reflected the knowledge, qualifications and abilities of [REDACTED] over the previous Lengthsman. All of the rates were presented to the council for their agreement and covered in the annual budget and costings plan with Balfour Beatty.

Paragraph 3

I did indeed, along with 6 other councillors resign from the PC in October 2017 and placed ourselves for open election due to a situation that had made the council undemocratic with vested interests at work. I was indeed, along with others re-elected to the council and took my place in January 2018.

Her point that "no one else knew how the lengthsman scheme worked" is of course a complete fallacy in that I kept, as administrator, meticulous records of all aspects of the scheme from bids for funding, preparation of contracts, through to work schedules and payment to suppliers and the lengthsman. All of these were passed to the Clerk for processing and implementation, and then fully reported , monthly , to full council and is a matter of record.

Paragraph 4

At the meeting on 10th April Mrs Iwaczuk from the public gallery, did not suggest but demanded to know why I had not declared an interest in the lengthsman topics as his vehicle was housed on my driveway. She addressed me personally without going through the chair in a very aggressive manner which included the banging of the council meetings table. The chair allowed a full discussion with her on the matter and it was referred to the acting clerk Mr David Hunter-Miller (HALC stand in Clerk service) who ruled that there was no requirement for me to make any such a declaration.

It has to be pointed out that as [REDACTED] contract ran out at the end of March (after having not received any work instructions from the council since October 2017) and as

he was not going to take part in the tender process for the new contract that the parking of his vehicle on my private property was nothing to do with the PC.

Mrs Iwanczuk has totally miss interpreted my comments which were in answer to a question of my commitment to the lengthsman scheme in council. I stated that over the schemes history I had spent my own money in several areas in operating as the administrator. In administrative costs (printing photocopying), travel costs in collecting materials from suppliers and Balfour Beatty's depot, allowing my own personal equipment to be used when the PC had not acquired theirs (maintenance and sharpening & fuel) supplying my own protective clothing and footwear etc etc. I had willingly done this and had not sought any remuneration from PC funds so I cannot see why it was necessary to declare an interest. I feel that there is a certain amount of confusion with Mrs Iwanczuk's interpretation on declaration of interests.

Paragraph 5

The conclusions reached by Mrs Iwanczuk are misguided and have no basis in fact and can only be as a result of third party hearsay given to her.

Cradley Parish council is in fact engaged in removing misguided and unworkable proposals that were adopted and detrimental to good practice and is well on the way to once again returning to becoming an efficient and effective Parish Council by a fully informed and democratic process.



Geoffrey Fielding Chairman Cradley PC