

STANDARDS COMPLAINT DECISION NOTICE

Complaint ref	IAT 016441
Complainant	Mrs T Iwanczuk
Subject Member	Councillor G Fielding
Council	Cradley Parish Council
Date of decision	16 October 2018
Breach of the code (Y/N)	Yes

DECISION

On 23 August 2018, the monitoring officer considered a complaint alleging that Councillor G Fielding may have acted in breach of the code of conduct for members. The appointed independent person was consulted in considering the matter.

The monitoring officer and the independent person concluded that Councillor Fielding did not breach the code of conduct. The reasons for this are:

- The lengthsman stored his vehicle on Councillor Fielding's drive as he did not have sufficient space at his home when it was not in use in Cradley.
- The materials purchased or supplied for the lengthsman work in connection with Cradley parish council were also stored in Councillor Fielding's garage due to the lack of local facilities.
- Councillor Fielding has stated that since the lengthsman ceased going to Cradley in October 2017, he has had no communication with him.
- The lengthsman contract expired in March 2018 and the current lengthsman did not take part in the tender process for the new contract.
- There was a discussion in connection with the lengthsman contact at parish council meeting in April 2018 and the acting clerk for the meeting advised that there was no requirement for Councillor Fielding to declare an interest.
- The lengthsman was not a member of the councillor's family or on the evidence provided a person with whom the councillor had a close association.

The section of the Cradley Parish Council code of conduct considered was 11 (a) which states

"A decision in relation to that business might reasonably be regarded as affecting the well-being or financial standing of you or a member of your family or a person with whom you have a close association to a greater extent than it would affect the majority of the Council Tax payers, ratepayers or inhabitants of the Ward or electoral area for which you have been elected or otherwise of the Authority's administrative area"

The complainant appealed the decision as it was 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 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.

In light of the additional information provided by the complainant, the panel upheld the appeal and found that Councillor G Fielding of Cradley Parish Council had breached para. 11 of the code of conduct.

The recommendation to Cradley Parish Council was that he undertake training to be provided by the monitoring officer of Herefordshire Council.