

AGENDA ITEM NO. 9
Conduct Committee

Date **7 November 2013**

Title **Member Conduct Complaint – Councillor Fielding**

1. PURPOSE/SUMMARY

To consider complaints under the member code of Conduct against Councillor Fielding.

2. KEY ISSUES

- A complaint has been raised by Councillor Jolley about the Conduct of Councillor Fielding of Manea Parish Council.
- Councillor Fielding has been offered the opportunity to provide an initial written response to the complaints; this is attached.
- The Conduct Committee is asked to consider the complaint and determine if they disclose a likely breach of the member code of conduct.

3. RECOMMENDATION(S)

Members consider the complaint and response and determine the initial consideration of the complaint.

Wards Affected	All
Forward Plan Reference No. (if applicable)	NA
Portfolio Holder(s)	
Report Originator	Alan Pain, Corporate Director and Monitoring Officer
Contact Officer(s)	Alan Pain, Corporate Director and Monitoring Officer Tom Lewis, Principle Solicitor and Deputy Monitoring Officer
Background Paper(s)	

1. BACKGROUND/INTRODUCTION

Councillor Jolley submitted a complaint about the conduct of Councillor Fielding on 30th September.

Councillor Fielding has been provided with the above complaint and offered the opportunity to respond; this is attached.

2. CONSIDERATIONS

Members must consider the complaint against the member code of conduct.

Members must consider whether or not there is a reasonable prospect of the complaint being proven based on the information held. In considering this members are to be aware of the fact that should an investigation occur further evidence or detail can be sought.

Members are advised that where a complaint contains a number of elements they may choose to consider each element separately or take the whole complaint together.

Where members consider that there is a reasonable prospect that a breach of the code of conduct has occurred they should give consideration as to whether or not there should be an investigation of the complaint.

Members should consider the following points in determining whether an investigation should occur:

- Has the Complaint already been investigated, or is it already the subject of investigation?
- Is the Complaint more appropriately dealt with through another regulatory channel?
- Is the complaint about something which happened so long ago that there would be little benefit in taking action now?
- Is the complaint too trivial to warrant further action?
- Does the complaint appear to be malicious or simply tit for tat?

Where members consider that an investigation is appropriate the Monitoring Officer will be asked to make suitable arrangements for such an investigation. Members are asked to give any particular comments on the scope or direction of the investigation.

If members do not consider that there is a potential breach of the code of conduct or that there is no reasonable prospect of any breach being disclosed or that the complaint does not merit further investigation then no further action is taken in respect of the complaint save for notifying the member and the complainant.

PAUL JOLLEY

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30th September 2013

Mr. Alan Pain
Monitoring Officer
Fenland District Council

Morning Alan

Reference: Code of Conduct complaint against Manea Parish Cllr Alan Fielding.

I wish to make a formal complaint against Cllr Alan Fielding who is making allegations against myself and the Chairman of Manea Parish Council, Mr. Steve Emery that we tried to stop him from reporting a Mr Tommy Savage who is reportably living in an unauthorised building.

This is totally untrue and his comments are without foundation.

I feel that this is bringing his position as a Councillor into disrepute.

Yours sincerely



Paul Jolley (Cllr)

From: Alan @ A.FieldingLtd <admin@afieldingltd.co.uk>
Sent: 10 October 2013 15:45
To: Alan Pain
Subject: conduct

i wish you to carry on with this matter of complaint about cllr jolley and cllr emery many thanks
cllr fielding