

Graham Leach

From: Andrew Day [REDACTED]
Sent: 10 April 2012 17:00
To: Graham Leach
Cc: Corinne Hill
Subject: Code of Conduct - Complaint LSF.13.11AD | Hearing arrangements

Dear Mr Leach

Apology

I regret being unable to attend the Hearing to be called on Thursday 19 April, due to work commitments.

As I have previously explained, it is difficult for me too attend meetings in Leamington Spa during business hours. You'll appreciate that my employer has previously kindly given me leave to attend interviews with the investigating officer and the pre-hearing meeting. I do however, usually work from London offices and am required to attend client meetings across the country and abroad. I hope therefore that the committee will accept my apology for not being available to attend on this occasion.

I am also mindful of how long this complaint has been considered and do not wish to delay matters further, due to my work commitments.

Findings*Meeting - 21st January*

I have written to Mr Oliver on 6 January 2011 to explain why I do not support his finding in para 6.13 of his report that my interest in the St Chad's Centre was prejudicial to my ability to show good judgement in assessing the merits of project for Parish Council funding.

A reasonable man with the full knowledge of the work I have been doing as a Parish Councillor would know that this project is but one of many with which I have been involved and have played an active role in building community support. If my role is judged to be prejudicial in this matter then it surely must be so for most of my work as a Parish Councillor? Indeed, the St Chad's Centre (as well as many other projects) was a regular item of business at the Parish Council's Communications and Amenities Working Party and as Chair, it was my duty to make recommendations to the Parish Council for funding and other types of support.

I believe it has been viewed by many in Bishop's Tachbrook that my relevant professional experience and active involvement in a range of community capital projects made my judgement on a grant to the St Chad's Centre all the more 'sound'. There were competing interests and priorities that I was well-placed to form a judgement upon. To not particulate in the decision on this matter (and many others like it) would have been seen as a shirking of my duty as a Parish Councillor by the very people who elected me to do this particular work.

Meeting - 20th May

The Minute 709 concerned the results of the Parish Poll, not the St Chad's Centre (per se). As I explained at the pre-hearing, a motion calling for the Parish Council's previous decision to make a grant to the Centre to be rescinded was not on the agenda. The item should therefore not have been considered at this meeting by the Parish Council, according to our Standing Orders.

The fact that the Chairman took the motion and Parish Councillors were not given the opportunity to make declarations of interest compounded this procedural failing. If the motion had been properly presented for consideration by the Parish Council, then declarations of interest would have been made (as they had been on all previous occasions). It was our usual practice to make declarations at the beginning of a meeting having had an opportunity to reflect on the items on the agenda.

I would ask the Committee to consider that as the item was not properly put to the Parish Council, any further dealings on this item should then be considered 'out of order' and set aside from a procedural point of view.

Mitigation

I believe standards in public life are important and have voluntarily attended two training sessions on the Code of Conduct during my time as a Parish Councillor. I have regularly sought the advice of our Parish Clerk on these and other matters and continue to do so.

I also believe in the democratic process and have worked hard (with others) to encourage elections in Bishop's Tachbrook. Once elected, I have accepted the responsibilities of being a Parish Councillor and have been active in the role as a volunteer to serve the community. If the Committee conclude that I have acted in any way that is detrimental to good governance of our Parish, then I will welcome whatever instruction it chooses to give.

Yours sincerely

Andrew Day

Savage's House, Savage's Close, Bishop's Tachbrook Warwickshire CV33 9RL United Kingdom
<http://www.BishopsTachbrook.com>