

Borough Council of  
**King's Lynn &  
West Norfolk**



**Borough Council of King's Lynn and West Norfolk**  
**Standards Committee Hearing**

**Date: 11, 12, 18 and 25 September 2013**

**Complaint Reference Numbers: 31/11 and 32/11**

**Terrington St Clement Parish Councillor G Girdlestone**

**DECISION NOTICE**

Complainants	Terrington St Clement Parish Councillor Miss B Hill Terrington St Clement Parish Councillor Mrs S Young
Standards Committee Members	Borough Councillor Mrs K Mellish (Chairman) Borough Councillor G McGuinness Borough Councillor D Whitby
Council Officers	Wendy Vincent, Democratic Services Officer Cara Jordan
Local Investigator	Emma Duncan
Date of Investigator's Report	12/01/13

## Decision Notice

**Standards Committee Hearing**  
**Borough Council of King's Lynn and West Norfolk**  
**Date: 11, 12, 18 and 25 September 2013**  
**Reference: 31/11 and 32/11**

### **1. Summary of the Complaint:**

It is alleged that Councillor Girdlestone:

- (a) On 14 March 2012 failed to treat other Members with respect by shouting and gesticulating at the Chairman (31/11 and 32/11).
- (b) On 14 March 2012 failed to declare interests on item relating to youth facilities (31/11 and 32/11).
- (c) On 14 March 2012 bullied other Members by shouting, gesticulating and ridiculing (31/11 and 32/11).
- (d) On 14 March 2012 brought the Parish Council into disrepute by conduct (31/11 and 32/11).
- (e) On 14 March attempted to secure an advantage for himself or PACT 31/11 and 32/11).

### **2. Relevant sections of the Code of Conduct**

Paragraphs 5, 6, 8, 9, 10, 11 and 12.

### **3. Summary of evidence considered and representations made**

The Local Investigator found no breach in respect of allegations (a), (c) and (e) above. The Standards Committee of 18/4/13 agreed with the Investigating Officer's findings where no breach was found. Those findings are confirmed by this Standards Committee.

The Committee considered allegations (b) and (d) above

The Committee read the report and the relevant documentation. The Investigating Officer presented her report and Councillor Girdlestone gave evidence in person. The Committee considered all of the written evidence and oral evidence from witnesses at the Hearing.

### **4. Facts and Reasons**

The Committee carefully considered the report, documents, the oral evidence and witness statements in coming to their decision as to whether there had been a breach of the Code of Conduct, and in particular a breach of paragraphs 5, 6, 8, 9, 10, 11 and 12.

The Chairman, at the beginning of the meeting, spoke to Members about needing to leave the room if they had a prejudicial interest. In particular, he mentioned that a prejudicial interest would arise where a relevant item was discussed and a Councillor was a member of PACT and a sporting club. Councillor Girdlestone is a member of PACT and Chairman of the Bowls Club. He did leave the room at item 11. In oral evidence, he said that prior to leaving the room he did not know the substance of item 11 and that when he returned some minutes later, he still did not know. This contradicts what he wrote to the Investigating Officer in an earlier letter, that whilst in the waiting area, the Parish Clerk informed him that item 11 was to do with a planning application for a skate park. In oral evidence he said that he had difficulty remembering but that he could remember the position when he wrote the letter.

The Committee is of the view that although item 11 is not fully detailed in the Agenda, there had been a history of differing views, which had caused some discord, as to what this piece of land should be used for. It considers it likely that, with regard to the history and the wording in the agenda, Parish Councillors would think that the item related to the piece of land purchased as an extension to the field for youth facilities.

The Bowls Club's facilities may have been adversely affected by a successful planning application for a skate park on the land in issue. The Committee considers it likely that a member of the public would consider Councillor Girdlestone's membership of PACT and the Bowls Club as likely to prejudice his view of a planning application on that land. The Committee considers that membership of PACT and the Bowls Club was a prejudicial interest with reference to this item. Councillor Girdlestone should have declared such an interest at the beginning of item 11 or at such time as he became aware of the contents, left the room and remained out of the room for the remainder of the item. Despite the earlier advice from the Chairman, he chose to return, albeit for a short period.

By his conduct in failing to declare these interests the Committee finds that he has brought the Council into disrepute.

**5. Finding of Breach/non Breach of Terrington St Clement Parish Council Code of Conduct**

- (a) Standards Committee of 18/4/13 refers.
- (b) On 14 March 2012 failed to declare interests on item relating to youth facilities (31/11 and 32/11). **COUNCILLOR GIRDLESTONE DID BREACH TERRINGTON ST CLEMENT PARISH COUNCIL'S CODE OF CONDUCT.**
- (c) Standards Committee of 18/4/13 refers.
- (d) On 14 March 2012 brought the Parish Council into disrepute by his conduct (31/11 and 32/11). **COUNCILLOR GIRDLESTONE DID BREACH TERRINGTON ST CLEMENT PARISH COUNCIL'S CODE OF CONDUCT.**
- (e) Standards Committee of 18/4/13 refers.

**6. Sanctions imposed**

The Panel recommends that Terrington St Clement Parish Council arrange training for Councillor Girdlestone in the following terms:

A tailored training course provided by NALC or other appropriate provider dealing with the following topics to be completed by 31 March 2014:

- Role of the Parish Council.
- Roles of the Councillors and the Chairman.
- Role of the Clerk.
- Code of Conduct.
- Disclosable Interests.
- Conduct of Meetings.
- Records/Minutes.
- Committees.
- Sources of help and advice and where to obtain this information from.
- Dealing with Difficult situations

Signed.....Date: 27 September 2013

(Councillor Mrs K Mellish, Chairman of the Standards Committee Hearing)