

**PANEL DYFARNU CYMRU
ADJUDICATION PANEL FOR WALES**

NOTICE OF DECISION

TRIBUNAL REFERENCE NUMBER: APW003/2020-021/CT

RESPONDENT: Councillor David Vincent Poole

RELEVANT AUTHORITY: Caerphilly County Borough Council

1. A Case Tribunal convened by the President of the Adjudication Panel for Wales has considered a reference in respect of the above Respondent.
2. In a letter dated 23 February 2021, the Adjudication Panel for Wales received a referral from the Public Services Ombudsman for Wales (“the Ombudsman”) in relation to allegations made against Councillor Poole. The allegations were that he had breached Caerphilly County Borough Council’s Code of Conduct in that he had;
 - (i) Used his position to secure advantage by buying shares in a company, IQE plc, on the basis of confidential information that he had received through his position as a Councillor at a meeting on 8 October 2018 (alleged breach of paragraph 7 (a) of the Code) and thereby brought the Authority and his office as a member into disrepute (alleged breach of paragraph 6 (1)(a) of the Code);
 - (ii) Failed to disclose an interest and/or withdraw from a meeting on 18 February 2019 when a matter in which he had a personal and prejudicial interest was being discussed, namely financial dealings with that same company (alleged breaches of paragraphs 11 (1) and 14 (1) of the Code).
3. The Case Tribunal determined its adjudication by way of written representations at a meeting on 28 June 2021 which was held by video. The Case Tribunal unanimously found that the Councillor had acted in breach of the Code as set out in paragraph 2 above.
4. The Case Tribunal concluded by unanimous decision that Councillor Poole should be suspended from acting as a member of Caerphilly County Borough Council for a period of 5 months in respect of the matters set out in paragraph 2 (i) above and for a period of two months concurrently in respect of the matters set out in paragraph 2 (ii).
5. The Authority and its Standards Committee are notified accordingly.
6. The Respondent has the right to seek the leave of the High Court to appeal the above decision.

7. The Case Tribunal makes the following recommendation to the Authority and its Standards Committee;

7.1.1 That the Monitoring Officer re-emphasises the requirement for members to register interests as/when they arise and that the duty does not arise annually.

A handwritten signature in black ink, appearing to read 'J Livesey', with a horizontal line underneath the name.

Signed..... Date.....28 June 2021.....

Mr J Livesey
Chairperson of the Case Tribunal

Dr G Jones
Panel Member

Mrs S McRobie
Panel Member