

## STANDARDS COMMITTEE

Minutes of a meeting of the Standards Committee held in the Conference Room, Ty Nant, Prestatyn on Friday, 29<sup>th</sup> June, 2007 at 10.00 a.m.

### PRESENT

Mr C.B. Halliday (Chair), Councillors P. Glynn and R.L.I. Williams, Mr G.F. Roberts and Mrs P. White. Councillor R.E. Barton attended as an Observer.

### ALSO PRESENT

The Monitoring Officer and Administrative officer (C.I. Williams).

### APOLOGIES

Councillor P.A. Dobb.

### 174 URGENT MATTERS

No items were raised which in the opinion of the Chair, should be considered at the meeting as a matter of urgency pursuant to Section 100B(4) of the Local Government Act, 1972.

### 175 MINUTES

The Minutes of the Standards Committee held on Friday, 2<sup>nd</sup> March, 2007 were submitted.

Matters arising:-

3. Attendance at Meetings. (a) SACRE – In response to a question from Mr G.F. Roberts regarding the provision of training, the Monitoring Officer confirmed that although training for Members was currently available, if requested, it would be more beneficial and less confusing to offer further training following the introduction of the revised Code of Conduct. At the request of the Chair, the Monitoring Officer agreed to provide details of proposals of how to address the issue of the provision of training for the respective Members.

4. Monitoring the Code of Conduct - The Monitoring Officer explained that although no comprehensive guidance notes had been produced as yet he would, as suggested by Councillor R.L.I. Williams, provide copies of the guidance and protocol notes currently utilised by Members of the Planning Committee.

At the request of Mr G.F. Roberts, Members of the Committee agreed that future agendas for the Standards Committee include an Item on Matters Arising.

**RESOLVED** – *that, subject to the above, the Minutes be received and approved as a correct record.*

### 176 MEMBERSHIP

Members were informed that due to work commitments Mr Ian Lawson had regrettably resigned as an independent representative on the Standards Committee. The Monitoring Officer confirmed that the County Council had agreed the mechanisms to recruit a replacement Independent Member. He explained that this process was currently being undertaken and Members of the Standards Committee would be kept fully updated in respect of any progress made.

**RESOLVED** – *that the position be noted.*

### 177 ATTENDANCE AT MEETINGS

The Committee were informed that there were no reports to submit of attendance by Members of the Standards Committee at County, Town or Community Council meetings.

**RESOLVED** – *that the position be noted.*

## 178 DISPENSATIONS

A copy of a report by the Monitoring Officer, which sought dispensations for County Councillors in respect of education matters, had been circulated with the papers for the meeting.

The Monitoring Officer introduced the report and referred to the meeting of the Committee held on the 15<sup>th</sup> April, 2005 when dispensations had been granted to enable Governor Members to vote on matters relating to the management of school places.

He explained that he had not pursued the matter of the possibility of granting wider dispensations as the Welsh Assembly Government had embarked on a review of the Code of Conduct and it had been anticipated that the position of governors might be addressed in some manner in the new Code. It had also been considered that a new Code would be introduced prior to the Council having to take fundamental decisions relating to schools, he confirmed that this now seemed unlikely and the issue of dispensations would now require further consideration.

Reference was made to Section 81 of the Local Government Act 2000 which dealt with the disclosure and registration of Members' interests and sets out the basic framework which required registers of interest to be maintained and prescribed how interests should be dealt with.

It was explained by the Monitoring Officer that he had circulated a letter to Councillors outlining the need for Governor Members to seek dispensations to vote on matters relating to the management of school places. He confirmed that not all Councillors had responded and that Members would not be permitted to participate in debates if they had not been included on the list of Members who had been granted a dispensation. The Monitoring Officer assured Members of the Committee that a further letter would be circulated stressing the need and importance of Governor Members to seeking the required dispensations.

In response to questions regarding Councillors rights to speak and vote on matters which have an impact on the bodies on which they serve, it was explained by the Monitoring Officer that Councillors who were governors of schools or of further and higher education bodies were deemed to have an interest by virtue of paragraph 12 of the Code of Conduct. To enable the Councillors to vote on matters which had an impact on the various bodies on which they served, a dispensation would be necessary under the Standards Committee (Grant of Dispensations) (Wales) Regulations 2001. Members' attention was invited to Appendix 1 to the report which included the regulations which set out the circumstances in which dispensations could be granted.

The Monitoring Officer explained that circumstances which had arisen in the case of Governor Members had been those set out in Regulation 2(a) and 2(i) and that the whole spectrum of education and learning had been and continued to be very much in the public eye. He confirmed that the granting of dispensations would enable democratically elected Members to participate fully in the broader public interest and particularly in the achievement of the vision for the County. Members were also informed that, as in previous instances, dispensations be qualified to exclude the very personal and pecuniary interests as outlined in the Monitoring Officers report.

During the ensuing discussion, Members supported the suggestion made by Mr G.F. Roberts that an explanation note, outlining and detailing the right to speak, be circulated to the respective Members.

**RESOLVED** –*that*

- (a) *dispensations be granted to Members of the County Council to vote on matters where those Members declare interests as Governors of schools or further or higher education bodies in which they hold a position of general control or management or to which they have been appointed or nominated by the Council as a representative provided that the dispensation does not apply where the proposed decision could benefit or disadvantage the Member, one of the Member's family or friends or any person with whom the Member has a close personal association, and*

- (b) *an explanation note, outlining and detailing the right to speak, be circulated to the respective Members.*

## **179 COMMITTEE ON STANDARDS IN PUBLIC LIFE: ANNUAL REPORT 2006**

The Monitoring Officer explained that extracts from the Committee on Standards in Public Life: Annual Report 2006 which he had considered pertinent to the Standards Committee had been circulated with the papers for the meeting.

He explained that he had felt it had been important to provide details relating to the Seven Principles of Life which included Selflessness, Integrity, Objectivity, Accountability, Openness, Honesty and Leadership, the Forward by Sir Alistair Graham, Chairman of the Standards in Public Life Committee.

He also referred to Appendix 1 to the report which provided information relating to the Committee and included details relating to:-

Terms of Reference  
Status  
Method of Working  
Policy on Openness  
Funding and Administration  
Freedom of Information Act  
Contact Details

In reply to concerns raised by Councillor R.L.I. Williams that Councillors at local level did not enjoy the freedom afforded to Members of Parliament and Welsh Assembly Government Members, the Monitoring Officer explained that surveys were undertaken from time to time and that this issue could be raised utilising this process.

**RESOLVED** –*that the report be received and the position noted.*

## **180 MONITORING THE CODE OF CONDUCT**

The Monitoring Officer informed Members that no date had yet been identified for the issue of the revised Code of Conduct. However, a meeting of Welsh Assembly Government Officials, the Local Government Ombudsman and Monitoring Officers had been held to discuss the issue of the revised Code of Conduct and a meeting of the Welsh Assembly Government Working Group would be held on the 17<sup>th</sup> July, 2007 to consider the matter.

He explained that the respective Monitoring officers had expressed concerns that it appeared that the new Code of Conduct would not be issued prior to the County Council Elections in 2008. It was also highlighted that there were a number of legislative complexities and reference was made to the recent case involving the Mayor of London, Ken Livingstone.

The Monitoring Officer stressed that the delays which had been experienced with regard to the issue of the revised Code of Conduct had been very frustrating and he agreed to report any future progress made to Members of the Standards Committee.

**RESOLVED** –*that the report be received and the position noted.*

## **181 FUTURE MEETINGS**

The Monitoring Officer informed Members that the next meeting of the Standards Committee had been scheduled to be held, as previously agreed, at 10.00 a.m. on Friday, 14<sup>th</sup> September, 2007 with subsequent meetings to be held on the 2<sup>nd</sup> November, 2007, 14<sup>th</sup> December, 2007, 25<sup>th</sup> January, 2008, 7<sup>th</sup> March, 2008 and 18<sup>th</sup> April, 2008.

Members were invited to inform the Monitoring Officer of any problems arising in respect of the dates listed in the schedule.

**RESOLVED** –that the next meeting of the Standards Committee be held at 10.00 a.m. on Friday, 14<sup>th</sup> September, 2007.

Meeting ended at 11.25 a.m.

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