

STANDARDS COMMITTEE

Minutes of a meeting of the Standards Committee held in the Committee Room, Ty Nant, Prestatyn on Friday, 29th May, 2009 at 10.00 a.m.

PRESENT

Mr C.B. Halliday (Chair) and Ms M.E. Medley and Mr G.F. Roberts, Councillors G.A. Green, H.L. Jones and D.A. Thomas.

ALSO PRESENT

The Monitoring Officer, Solicitor (L. Jones) and Administrative Officer (C.I. Williams).

APOLOGIES

Mrs P White

1. URGENT MATTERS

In accordance with the requirements of Section 100B(4) of the Local Government Act 1972, the Chair declared that he intended to include for discussion the following matter requiring urgent attention:-

- (1) Independent Remuneration Panel for Wales
- (2) Training

2. MINUTES

The Minutes of the Standards Committee held on Friday, 28th March, 2008 were submitted.

Matters arising:-

3. Attendance at Meetings – In response to concerns raised by Councillor G.A. Green regarding the lack of information relating to meetings attended by Members of the Standards Committee, the Committee agreed that details of any future County, Town or Community Council meetings attended by Members of the Standards Committee, including dates, be recorded in the minutes.

In reply to a question from Mr G.F. Roberts regarding the recording of the attendance of Standards Committee Members in the minutes of the meetings attended, the Monitoring Officer explained that the attendance of Members of the Standards Committee at County, Town and Community Council meetings would not be recorded in the minutes, however, their attendance at these meetings would be recorded in the minutes of the Standards Committee, together with, any relevant matters or issues raised.

The Chair informed the Committee that prior to attending County, Town and Community Council meetings he had, as a matter of courtesy, informed the respective Clerk to the Committee of his intention to attend the meeting.

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

3. ATTENDANCE AT MEETINGS

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

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

4. DISPENSATIONS

A copy of a report by the Monitoring Officer had been circulated with the papers for the meeting.

The Monitoring Officer explained that an application had been received from the Clerk of Rhyl Town Council, on behalf of Rhyl Town Councillors, requesting consideration of the granting of dispensations. Copies of the letters received from the Town Clerk of Rhyl Town Council were circulated to Members of the Committee at the meeting.

The Monitoring officer introduced the report and informed the Committee that the Town Council had now adopted the new model Code of Conduct which was quite different from the old Code. He explained that the new Code now had a two stage test of 'personal interest' and 'prejudicial interest'. A Member whose interest was personal could now stay in a meeting, formally declare the interest, speak and vote. If a Member considered it was also a prejudicial interest they must declare the interest and leave the room, unless they had obtained a dispensation from the Standards Committee.

The Monitoring Officer provided a summary of the dispensations requested, which had been included in the report, in respect of the Clwyd Coast Credit Union and Denbighshire County Councillors. He referred to the letter received from the Clerk of Rhyl Town Council, dated 13th October, 2009, and explained that in view of the complicated and confusing circumstances arising for Town Councillors seeking to ensure that they act within the parameters of the Code of Conduct in respect of matters pertaining to the Clwyd Coast Credit Union, it had been agreed that the application in respect of the Clwyd Coast Credit Union be withdrawn.

Members' attention was invited by the Monitoring Officer to Appendix 2 to the report, which outlined the circumstances in which dispensations may be granted, and particular reference was made to sections 2 (e) and 2 (f). In reply to concerns which had been raised by the Clerk to Rhyl Town Council regarding the need for a general declaration and the provision of guidance notes, the Monitoring Officer referred to

paragraph 10.2 (b) of the Members Code of Conduct and the importance of the need for Members who serve on more than one of the County, Town and Community Councils to ensure compliance with the requirements of the Members Code of Conduct. A copy of the Codes and Protocols, Part 5 of the Members Code of Conduct Section, had been included as Appendix 3 to the report.

Members considered the application in respect of those Town Councillors who were also County Councillors, and the Monitoring Officer agreed that the appropriate wording would be included in the resolution of the minutes of the meeting.

Following further discussion, it was:-

RESOLVED – *that the Standards Committee:-*

(a) considers that a dispensation be granted to all Members of Rhyl Town Council when considering grant applications made by the Clwyd Coast Credit Union under Paragraph 2(e) of the Standards Committee Grant of Dispensations (Wales) Regulations 2001 in that the interest is common to the member and a significant proportion of the general public, providing the Member does not have any investment exceeding £500 or is not in a position of management or control

(b) reserves for further consideration the issuing of guidance for councillors who are both County and Town/Community Councillors

5 TIMETABLE OF MEETINGS

A copy of a list of proposed dates for future meetings of the Standards Committee to be held in 2010 had been circulated to each Member of the Committee with the papers for the meeting.

Members noted the following dates previously considered and agreed at the meeting of the Standards Committee held on the 3rd March, 2009:-

Friday, 10th July, 2009.

Friday, 25th September, 2009

Friday, 13th November, 2009.

The Committee considered the matrix covering possible dates for future meetings of the Standards Committee, from January, 2010 to May, 2010, and agreed the following dates:-

15th January, 2010.

26th February, 2010.

9th April, 2010.

21st May, 2010.

RESOLVED – *that the list of proposed dates for future meetings of the Standards Committee to be held in 2010 be received and agreed.*

6. URGENT MATTERS

(1) Independent Remuneration Panel for Wales – The Monitoring Officer informed Members that the Independent Remuneration Panel for Wales had been set up by the Welsh Assembly Government and would be visiting County Councils in Wales to examine Members allowances. He explained that the Panel would be visiting Denbighshire on the 10th June, 2009 and any Independent Members of the Standards Committee wishing to attend were invited to contact the Monitoring Officer's Personal Assistant to confirm their interest.

RESOLVED – *that the position be noted.*

(2) Training – The Monitoring Officer explained that he had previously attended approximately thirteen Town and Community Council meetings to provide advice and training in respect of the Code of Conduct. Reference was made to the suggestion of the possibility of the introduction of cluster meetings to which the Chairs, Vice Chairs and Clerks of the respective Town and Community Councils could be invited to attend. It was explained that it had been intended that the County be divided into three regions with Members being invited to attend any of the respective meetings of their choice.

In response to questions from Members of the Committee, the Monitoring Officer confirmed that it had been anticipated that funding for training might be provided by the Welsh Assembly Government through the Public Services Ombudsman for Wales Office. Members supported the suggestion by Ms L. Jones, Solicitor, that a new pocket guide be provided for all Council Members.

Councillor G.A. Green stressed the importance of need for the clarification of the role and responsibilities of Councillors with regard to the Code of Conduct. He referred to the problems arising from legalistic matters and highlighted the need to engage and gain the interest of the respective Council Members. The Monitoring Officer confirmed that further training would be provided in respect of the Code of Conduct for County, Town and Community Council Members who wished to attend.

RESOLVED –*that*

(a) the report be received and the position be noted, and

(b) further training be provided in respect of the Code of Conduct for County, Town and Community Council Members.

Meeting ended at 11.55 a.m.