

**STANDARDS COMMITTEE**

Minutes of a meeting of the Standards Committee held in the Conference Room, Ty Nant, Prestatyn on Friday, 25th September 2009 at 10.00 a.m.

**PRESENT**

Mr. C.B. Halliday (Chair), Ms. M.E. Medley, Mr. G.F. Roberts and Mrs. P. White together with Councillors H.LI. Jones and D.A. Thomas

**ALSO PRESENT**

Monitoring Officer (IKH), Solicitor (LJ) and Committee Administrator (KEJ)

**1 URGENT MATTERS**

There were no urgent matters for consideration by the committee.

**2 MINUTES**

The minutes of the Standards Committee held on 29th May 2009 (previously circulated) were submitted.

**Matters Arising –**

Page 3 – Item No. 4 – Dispensations – In response to a question from Councillor D.A. Thomas the County Clerk advised that, following receipt of guidance from the Ombudsman, he would address the matter of issuing guidance to those councillors who were both County and Town/Community Councillors.

Page 4 – Item No. 6 – Urgent Matters – Independent Remuneration Panel for Wales – Mrs. P. White referred to her absence from the committee's last meeting when members had discussed the Remuneration Panel's visit to the authority. The County Clerk apologised that Mrs. White had not subsequently been made aware of the opportunity for committee members to be involved within that process. He advised that the Panel had since produced an interim report which could be made available to members if required.

**RESOLVED** that the minutes of the Standards Committee meeting held on 29th May, 2009 be received and approved as a correct record.

**3 ATTENDANCE AT MEETINGS**

The County Clerk advised that no reports of attendance at County, Town or Community Council meetings had been submitted by members of the Standards Committee. He reminded members that any significant issues arising from their attendance at meetings should be included on the agenda and it would also be useful to record any meetings attended. The Chair added that it would be good practice to contact the relevant committee clerk prior to attending council meetings.

Mrs. M.E. Medley advised that she had attended a meeting of Cefn Meiriadog Community Council earlier that week after contacting the clerk but had nothing to report. However, the visit had given her an insight into how such meetings were conducted and she felt that this authority should be offering more training to town/community councils. Members referred to their attendance at a training session earlier in the week on the Code of Conduct which they had found to be extremely beneficial and felt it would be useful to offer such training to town/community councillors. The committee also discussed the different approaches taken by town/community councils in conducting meetings with some taking a formalised approach and others being much less strict in terms of processes and procedures. The County Clerk suggested that it may be a future issue for the committee to consider. In response to a question from Mr. G.F. Roberts the County Clerk advised that most councils met on a monthly basis and confirmed he would report back on the minimum number of meetings required by councils. Councillor D. Thomas referred to the requirement for councillors to attend a minimum of one meeting every six months.

**RESOLVED** that the position be noted.

#### **4 MEETING WITH INDEPENDENT REMUNERATION PANEL**

Members were informed that the Independent Remuneration Panel for Wales had visited County Councils in Wales to examine members' allowances. The Panel had visited Denbighshire on 10th June, 2009 and a number of councillors and officers had been interviewed, including the Chair of the Standards Committee.

The Chair reported upon his meeting with the Remuneration Panel when his opinion had been sought on the review of the allowances payable by county councils. He advised that he was specifically asked for his views on payments to co-opted members when he had expressed his support for an allowance to be paid to co-opted members in recognition of their work.

The County Clerk referred to the interim report from the Remuneration Panel which had been issued in July as a consultation document and advised that he had forwarded the documentation on to councillors to respond back directly. The Panel had also sought councils' support for widening the legislative powers to include town and community councils and the County Clerk agreed to keep members informed of any developments in that regard. As an aside the County Clerk advised that, on occasion, he had received representations from councillors who felt that political groups were manipulating the allowance system in order to maximise the number of allowances paid. He felt that it may be useful for members to consider whether that was a matter for the Standards Committee if further representations were received.

In response to a question from Councillor D.A. Thomas the County Clerk elaborated on the Panel's recommendation to reduce the category of allowance from six to four. He also advised there was a widely held view that chairs of committees outside of Cabinet had the same level of responsibility but the Panel did not feel that the amount of work carried out by Vice Chairs warranted an additional allowance. Denbighshire had advocated a special allowance payable to their representative on the Adoption and Fostering Panel in view of the work involved.

**RESOLVED** that:-

- (a) *the verbal report on the work of the Independent Remuneration Panel and meeting with the Chair be noted, and*
- (b) *subject to further representations being received in that regard, consideration be given as to whether manipulating the system of allowances to maximise the number of allowances received was a matter for the Standards Committee.*

## **EXCLUSION OF PRESS AND PUBLIC**

**RESOLVED** that under Section 100A of the Local Government Act 1972, the Press and Public be excluded from the meeting for the following item of business on the grounds that it would involve the likely disclosure of exempt information as defined in Paragraphs 12 and 13 of Part 4 of Schedule 12A of the Act.

## **5 CODE OF CONDUCT**

The Monitoring Officer submitted a confidential report (previously circulated) in accordance with Part III of the Local Government Act 2000 regarding an investigation carried out by the Public Services Ombudsman into an allegation of a breach of the Code of Conduct made against a councillor. [The Ombudsman's report had been circulated with the papers for the meeting.]

The Monitoring Officer referred to the prescribed mechanisms for dealing with such allegations and sought the committee's determination as to the appropriate course of action having regard to the Ombudsman's report and options detailed within his covering report.

The committee was pleased to note the comprehensive nature of the investigation carried out by the Ombudsman and took the opportunity to clarify particular aspects of the report and evidence presented with the County Clerk. Members considered the Ombudsman's report in detail and on the strength of the evidence presented the committee's preliminary conclusion was that the councillor should be given the opportunity to make representations in respect of this matter to the committee in accordance with the legislation. The County Clerk advised members of the next stage in the hearing process and the committee's options depending upon their final determination. The committee agreed to hear the case at their next meeting on 13th November 2009 and asked that any necessary paperwork be circulated to members in advance of the meeting.

**RESOLVED** that the person subject of the investigation be given the opportunity to make representations, either orally or in writing in respect of the findings of the investigation and any allegation that he or she had failed, or may have failed, to comply with the relevant authority's Code of Conduct.

The meeting concluded at 11.15 a.m.

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