

STANDARDS COMMITTEE

Minutes of a meeting of the Standards Committee held in Conference Room 1A, County Hall, Wynnstay Road, Ruthin LL15 1YN on Tuesday, 3 April 2018 at 2.00 pm.

PRESENT

Independent Members Julia Hughes, Peter Lamb, Anne Mellor and Ian Trigger (Chair) together with Councillors Gordon Hughes, Paul Penlington and Andrew Thomas

Councillor Meirick Lloyd Davies and Councillor Mark Young were in attendance as observers.

ALSO PRESENT

Monitoring Officer (GW), Democratic Service Manager (SP) and Committee Administrator (SJ)

Also in attendance – Llanbedr Dyffryn Clwyd representatives (BB and LE)

The Chair welcomed Committee Members to the meeting and offered a warm welcome to two new members to the Committee Mr Peter Lamb and Councillor Gordon Hughes. The Chair also thanked members from Llanbedr Dyffryn Clwyd Community Council for their attendance.

1 APOLOGIES

None

2 APPOINTMENT OF VICE CHAIR

Nominations were sought for a Member to serve as the Standards Committee's Vice Chair. Councillor Andrew Thomas nominated Independent Member Julia Hughes, seconded by Councillor Paul Penlington. No other nominations were received and it was therefore;

***RESOLVED** that Independent member Julia Hughes be appointed as the Standards Committee's Vice Chair.*

3 DECLARATION OF INTERESTS

Councillor Paul Penlington declared a personal interest in item 12 as a member of Prestatyn Town Council.

Independent Lay Member Peter Lamb declared a personal interest in item 7 as a family member has had business discussions regarding the proposed site.

4 URGENT MATTERS AS AGREED BY THE CHAIR

No urgent matters had been raised.

5 MINUTES OF THE LAST MEETING

The minutes of Standards Committee held on 22 September 2017 were submitted.

Matters Arising –

Page 8 – item 4 – Minutes matters arising – The Monitoring Officer (MO) handed hard copies listing Community, Town and City Council Clerk contact details.

Page 9 – item 6 – Code of Conduct Training – the MO confirmed that training had taken place and a good attendance had been received. All Councillors had attended training.

***RESOLVED** that the minutes of the meeting held on 22 September 2017 be received and approved as a correct record.*

6 PUBLIC SERVICES OMBUDSMAN FOR WALES - CODE OF CONDUCT CASEBOOK

The Monitoring Officer (MO) submitted a report (previously circulated) informing members of the most recent editions of the Ombudsman's Code of Conduct Casebook covering the periods July 2017- September 2017 and October 2017- December 2017.

Details of the complaints investigated during these periods had been outlined in the report and were summarised by the MO.

For the quarter July 2017 to September 2017 there were 4 case summaries, 3 cases there was found to be no further action necessary as there was no evidence of breach and 1 to the Adjudication Panel for Wales.

The case that was considered by the Adjudication Panel for Wales concerned a former member of Flintshire City Council. The allegation concerned two emails which the former Councillor has sent to a team manager in the Council's planning department. The Panel concluded that the former Councillor had failed to show respect and consideration for the Council officer and such behaviour amounted to bullying and harassment of the Council officer. The Panel decided by unanimous decision that the former Councillor should be disqualified for re-election of Flintshire County Council or any other relevant authority for a 14 month period.

For the quarter October 2017 to December 2017 there were 5 case summaries, 4 cases there was found to be no further action necessary as there was no evidence of breach with 1 case with no action necessary.

The MO emphasised to members that every individual had the right to complain and object to applications and decisions. The process and procedure they do so had to follow policy and procedures.

The Chair explained to the Committee that he and the MO had attended a meeting with the Ombudsman for Wales and had gained an insight to the procedures

followed when prioritising complaints. The decision to investigate complaints is within the power of the Ombudsman.

The Chair thanked the MO for the update and for the insight to some of the complaints received.

RESOLVED that, the Standards Committee note the information contained within the Code of Conduct Casebook.

7 LLANBEDR DC COMMUNITY COUNCIL DISPENSATION REQUEST

The Monitoring Officer (MO) presented the Application for Dispensation by members of Llanbedr DC Community Council (copy attached) to allow the Committee to consider the application, determine whether or not to grant a dispensation and any conditions to be attached to the dispensation.

The Chair welcomed and introduced representatives from Llanbedr D.C Community Council, Councillors Lyn Evans and Bob Barton.

Councillor Bob Barton gave a brief background to the reason for the request for a dispensation. In the Annual Community Council meeting in March 2107 discussion had taken place to address the recent closure of local businesses. A group had been set up to look at the potential for the Pub to be used as a community HUB. Councillor Barton expressed the intention of the HUB would allow the community to proactively work with the community and groups. A number of avenues had been looked at and explored.

Councillor Lyn Evans explained that an association had been formed. The new association had included 2 members from the Community Council. For this reason they were seeking the dispensation request.

The Chair raised a question regarding the ownership of the pub and it being leased to the newly formed association. Councillor Barton confirmed discussion had taken place regarding the establishment being leased back, but was at the early stages of discussion. The Community Council had meetings arranged to discuss the development further as the project developed.

Independent Member Julia Hughes enquired, the dispensation request was for two Community Councillors would this remain the same in the future or likely to change. In response to the question raised Councillor Evans responded saying his intentions had been to establish the HUB and ensure it is set up and running efficiently, then to hand on to other interested parties.

The MO informed the Committee that an exemption or dispensation could be granted by the Standards Committee by virtue of the Local Government Act 2000. He referred them to the regulation extract in Appendix 2 and those specifically applicable in this case – Regulation 2 (d) and (h).

Whilst the Standards Committee need only select one ground for granting the dispensation they were not obliged to grant it. The Committee could attach time limits and financial conditions to the dispensation.

At this juncture the committee adjourned to consider the Dispensation request and it was –

RESOLVED that, Dispensation be granted to Two Members of Llanbedr DC Community Council pursuant to Regulation 2(h) of the Standards Committees (Grant of Dispensations) (Wales) Regulations 2001:

- i. the Dispensation applies only to the two members nominated;
- ii. the Dispensation will apply for 6 months from the date of this Standards Committee meeting (3 April 2018);
- iii. the name and constitution of the association be provided to the Monitoring Officer within 7 days of the Standards Committee meeting (3 April 2018);
- iv. the Dispensation applies only to matters relating to the association and financial matters would require an additional Dispensation.

The Chair thanked the Councillors from Llanbedr D.C Community Council for attending the meeting.

At this junction (15:45 p.m.) the meeting adjourned for a refreshment break.

The meeting re-convened at 16:00 p.m.

8 LAY MEMBER REMUNERATION AND RESPONSIBILITIES

The Democratic Services Manager (DM) guided members through the report (previously circulated). The DM reminded members that at the 22 September Standards Committee meeting members requested a report on Lay Member Remuneration and responsibilities be presented to the Committee.

Members were informed the Independent Remuneration Panel for Wales set the salary and payment amounts. Lay members with voting rights were entitled to claim daily or half daily fees for attending meetings or authorised events, preparation time and travelling would be included.

The DM confirmed that Standards Committee members could claim travel expenses if they attended Town, Community and City Council meetings on behalf of the Standards Committee. The Chair encouraged members to attend meetings to show support and guidance to Town, Community and City Councils.

The Chair thanked the DM for the report and for clarifying questions members raised.

RESOLVED that, the Standards Committee note the information contained within the Lay Member Remuneration and Responsibilities report.

9 ATTENDANCE AT MEETINGS

The Chair had attended the North Wales Standards Forum in Wrexham in November 2017. The meeting was very informative and well run. The Chair

highlighted the Chair of the meeting and praised the way he conducted the meeting.

Independent member Julia Hughes (JH) had attended Betws Gwerfil Goch community council meeting. JH had found the meeting to be very pleasant and had been made to feel most welcome. The meeting had been well attended and followed the agenda. Presentations were made to the members and questions were answered in full. New members to the Community Council had details and pictures taken to be put on the website. JH felt the meeting was very productive and structured. Discussions regarding Code of Conduct Training had taken place and with current members and new members due to attend training. JH informed the committee she felt the meeting was well organized and helpful.

The Chair reminded members of the importance of Committee member's attending Community/ Town and City councils to offer support and knowledge. The Monitoring Officer (MO) noted JH attendance and confirmed to update the attendance report to reflect this. The MO stated an updated list of Community/ Town and City Councils visits would be circulated to members to be reviewed and visits proposed for members to attend.

RESOLVED that,

- I. the attendance be noted and the attendance report updated to reflect this.*
- II. an updated list of Community, Town and City councils be circulated to members*

10 STANDARDS COMMITTEE FORWARD WORK PROGRAMME

The Standards Committee Forward Work Programme was presented for consideration and members agreed the following additions:-

- Chairs Annual Report – 29 June 2018
- Social Media (WLGA) Report – 29 June 2018
- Local Government Reform – 21 September 2018
- Overall briefing of complaints – 21 September 2018

RESOLVED that, *subject to the above amendments, the Standards Committee's Forward Work Programme be agreed.*

11 DATE OF NEXT MEETING

Members noted the Standards Committee's next meeting had been scheduled for 10.00 a.m. on Friday 29 June 2018 in Conference Room 1A, County Hall, Ruthin.

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.*

12 CODE OF CONDUCT - PART 3 LOCAL GOVERNMENT ACT 2000

The Monitoring Officer (MO) presented the confidential report (previously circulated) to provide Members with an overview of complaints lodged with the Public Services Ombudsman for Wales (PSOW) since 1 April 2014.

The Standards Committee had previously requested to be regularly informed of the level of complaints lodged with the PSOW. The tables in Appendix 1 provided an overview of complaints lodged since 1st April 2014. 13 cases had not been pursued, 2 cases had been discontinued, 9 cases not investigated and 2 cases with no action taken.

The MO provided some context and explanation of the background on the two ongoing complaints with further updates reported to the Committee as investigations took place.

RESOLVED that, the Standards Committee receive and note the contents on the report.

The meeting concluded at 16:40 p.m.