

To: Chair and Members of Standards  
Committee

Date: 27 November 2020

Direct Dial: 01824 712589

e-mail: democratic@denbighshire.gov.uk

Dear Member of the Committee,

You are invited to attend a meeting of the **STANDARDS COMMITTEE** to be held at **10.00 am** on **FRIDAY, 4 DECEMBER 2020 BY VIDEO CONFERENCE**.

**PLEASE NOTE: DUE TO THE CURRENT RESTRICTIONS ON TRAVEL AND THE REQUIREMENT FOR SOCIAL DISTANCING THIS MEETING WILL NOT BE HELD AT ITS USUAL LOCATION. THIS WILL BE A REMOTE MEETING BY VIDEO CONFERENCE AND NOT OPEN TO THE PUBLIC.**

Yours sincerely

G. Williams  
Head of Legal, HR and Democratic Services

## **AGENDA**

### **1 APOLOGIES**

### **2 DECLARATION OF INTERESTS (Pages 5 - 6)**

Members to declare any personal or prejudicial interests in any business identified to be considered at this meeting.

### **3 URGENT MATTERS AS AGREED BY THE CHAIR**

Notice of items 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.

### **4 MINUTES OF THE LAST MEETING (Pages 7 - 10)**

To receive the minutes of the Standards Committee meeting held on 4 September 2020 (copy enclosed).

### **5 ATTENDANCE AT MEETINGS**

To note the attendance by members of the Standards Committee at County, Town and Community Council and to receive their reports.

### **6 SPECIAL STANDARDS COMMITTEE HEARING - LESSONS LEARNED**

To receive a verbal report by the Monitoring Officer on the lessons learned following the Special Standards Committee Hearing.

**7 ANNUAL REPORT OF THE STANDARDS COMMITTEE**

To receive a verbal report by the Monitoring Officer on the annual report of the standards committee.

**8 STANDARDS COMMITTEE FORWARD WORK PROGRAMME (Pages 11 - 12)**

To consider the Standards Committee Forward Work Programme (copy attached).

**9 DATE OF NEXT MEETING**

The next meeting of the Standards Committee is scheduled for 5<sup>th</sup> March 2021.

**PART 2: CONFIDENTIAL ITEMS**

It is recommended in accordance with Section 100A(4) of the Local Government Act 1972, that the Press and Public be excluded from the meeting during consideration of the following item(s) of business because it is likely that exempt information (as defined in paragraph "12 and 13" of Part 4 of Schedule 12A of the Act would be disclosed.

**10 CODE OF CONDUCT - PART 3 LOCAL GOVERNMENT ACT 2000 (Pages 13 - 18)**

To consider a confidential report by the Monitoring Officer (copy enclosed) providing an overview of complaints against members lodged with the Public Services Ombudsman for Wales.

**11 INVESTIGATION REPORT OF THE PUBLIC SERVICES OMBUDSMAN FOR WALES**

To consider a confidential report under the Standards Committees Wales Regulations 2001 by the Monitoring Officer (copy not attached) regarding an investigation by the Public Services Ombudsman for Wales.

**MEMBERSHIP**

Independent Members:

Mr Ian Trigger (Chair), Julia Hughes (Vice-Chair), Anne Mellor and Peter Lamb

Town/Community Council Member  
Gordon Hughes

County Councillors  
Councillor Paul Penlington

Councillor Andrew Thomas

**COPIES TO:**

All Councillors for information  
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## LOCAL GOVERNMENT ACT 2000

### Code of Conduct for Members

### DISCLOSURE AND REGISTRATION OF INTERESTS

I, *(name)*

a \*member/co-opted member of

*(\*please delete as appropriate)*

**Denbighshire County Council**

**CONFIRM** that I have declared a **\*personal / personal and prejudicial** interest not previously declared in accordance with the provisions of Part III of the Council's Code of Conduct for Members, in respect of the following:-

*(\*please delete as appropriate)*

Date of Disclosure:

Committee *(please specify)*:

Agenda Item No.

Subject Matter:

Nature of Interest:

*(See the note below)\**

Signed

Date

\*Note: Please provide sufficient detail e.g. 'I am the owner of land adjacent to the application for planning permission made by Mr Jones', or 'My husband / wife is an employee of the company which has made an application for financial assistance'.

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## STANDARDS COMMITTEE

Minutes of a meeting of the Standards Committee held remotely on Friday, 4 September 2020 at 10.00 am.

### PRESENT

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

### ALSO PRESENT

Councillor Meirick Lloyd Davies (Cefn Meiriadog)

### POINT OF NOTICE

Due to the current restrictions on travel and requirement for social distancing as a result of the coronavirus pandemic the meeting was held remotely by video conference and was not open to the general public. All members had been given the opportunity to attend as observers and the Local Democracy Reporter had also been invited to observe.

#### 1 APOLOGIES

None.

#### 2 DECLARATION OF INTERESTS

Councillor Paul Penlington declared a personal interest in Agenda item 9 as reference to historical complaints had been included.

#### 3 URGENT MATTERS AS AGREED BY THE CHAIR

There were no urgent items.

#### 4 MINUTES OF THE LAST MEETING

The minutes of the Standards Committee meeting held on 06 March 2020 were submitted.

Matter Arising -

Page 8 – Item 4 – Minutes from the last meeting – It was highlighted that the report on ‘Special Standards hearing Lessons Learned’ had not been included on the agenda. The Monitoring Officer assured members it would be included on the forward work programme for the December meeting.

Page 10 – Item 7 – Attendance at meetings – Members felt it would be more appropriate to omit the ‘(if swift)’ from the minutes.

Page 10 – Item 7 – Attendance at meetings – It was noted that it had been the expenditure associated with bookkeeping that had caused an issue not the standard practice as recorded in the minutes.

**RESOLVED** that the minutes of the Standards Committee meeting held on the 06 March 2020 be received and confirmed as correct records.

## **5 PUBLIC SERVICES OMBUDSMAN FOR WALES - CODE OF CONDUCT CASEBOOK**

The Monitoring Officer (MO) introduced a report on the Public Services Ombudsman for Wales – Code of Conduct Casebook (previously circulated). The MO informed the Committee that the Casebook was intended to help members and others in considering whether circumstances that they were experiencing amounted to a breach of the Code. It also provided information about the way the Ombudsman and other standards committees in Wales dealt with cases.

The MO highlighted cases in the Casebook relating to:

- Case Number: 201805269 – Duty to uphold the law – Merthyr Tydfil County Borough Council – No action taken
- Case Number: 201807334 – Disclosure and registration of Interests – Merthyr Tydfil County Borough Council – No action taken

The MO explained due to the Covid-19 Pandemic a rise in cases may be seen later in the year. The Chair noted his concern that the first case was not investigated. It was stressed that the background and details had not been provided. Thus making it difficult to understand the reasoning as to why it had not been investigated. Members and Councillors of Denbighshire are advised to set up a direct debit to pay Council Tax to maintain payments.

The Chair thanked the Monitoring Officer for providing details of the two cases.

**RESOLVED** – that the Committee notes the information contained within the Code of Conduct Casebook.

## **6 ATTENDANCE AT MEETINGS**

It was noted that since the last meeting, due to restrictions members had not been able to attend any meetings.

The Monitoring Officer (MO) confirmed that Welsh Government had reviewed the regulations regarding remote meetings. The authority would encourage City Town and Community Council to hold remote meetings going forward. The MO stated the authority had been testing methods of holding remote working work on alternative platforms. A briefing note had been circulated to clerks to offer guidance. Guidance had also been provided by One Voice Wales.

The MO stated if members wished to attend any meetings to inform him. He would then consult with the relevant clerk to make arrangements to attend in person or remotely. Members were pleased to hear the potential to attend meetings remotely



would be available. It was highlighted that if meetings could be held remotely it would potentially encourage more public interest in City, Town and Community meetings.

The Chair thanked the MO for his support to City, Town and Community Councils and encouraged members to contact the MO direct for support in attending meetings.

**RESOLVED** that the above mentioned points be noted.

## **7 STANDARDS COMMITTEE FORWARD WORK PROGRAMME**

The Monitoring Officer (MO) introduced the Standards Committee Forward Work Programme (previously circulated).

It was confirmed the report on Special Standards hearing Lessons Learned had been included on the FWP for the December 2020 meeting.

It was noted the timetable of meetings for 2021 had not been approved by Full Council to date so was not on the FWP report. Confirmation that the approved dates would be included in the next meeting's agenda.

**RESOLVED** that subject to the above, the Standards Committee's forward work programme be approved.

## **8 DATE OF NEXT MEETING**

The next meetings of the Standards Committee were scheduled for Friday 04 December 2020. It was confirmed this meeting would potentially be remotely conducted.

**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.

## **9 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 since 1<sup>st</sup> January 2018.

The MO reported on complaints submitted involving councils in Denbighshire, giving outline details of the nature of the complaints made and the actions taken by the Public Services Ombudsman for Wales.

It was confirmed that the Ombudsman had continued to use the same procedure to ascertain if a complaint needed investigation. Local resolution had still been encouraged.

**RESOLVED** that the Standards Committee notes the contents of the report.

**The meeting concluded at 11.15 a.m.**

## STANDARDS COMMITTEE FORWARD WORK PROGRAMME

DATE OF MEETING	REPORT ITEMS / AREAS	REPORT AUTHOR
<b>05 March 2021</b>	Standing Item: Attendance at Meetings	N/A
	Standing Item: PSOW Code of Conduct Casebook	Gary Williams (Monitoring Officer)
	Standing Item: Standards Committee Forward Work Programme	Gary Williams (Monitoring Officer)
	Standing Part 2 Item: Overview of Complaints in Denbighshire	Gary Williams (Monitoring Officer)
<b>11 June 2021</b>	Standing Item: Attendance at Meetings	N/A
	Standing Item: PSOW Code of Conduct Casebook	Gary Williams (Monitoring Officer)
	Standing Item: Standards Committee Forward Work Programme	Gary Williams (Monitoring Officer)
	Standing Part 2 Item: Overview of Complaints in Denbighshire	Gary Williams (Monitoring Officer)
<b>17 September 2021</b>	Standing Item: Attendance at Meetings	N/A
	Standing Item: PSOW Code of Conduct Casebook	Gary Williams (Monitoring Officer)
	Standing Item: Standards Committee Forward Work Programme	Gary Williams (Monitoring Officer)
	Standing Part 2 Item: Overview of Complaints in Denbighshire	Gary Williams (Monitoring Officer)
<b>3 December 2021</b>	Standing Item: Attendance at Meetings	N/A
	Standing Item: PSOW Code of Conduct Casebook	Gary Williams (Monitoring Officer)

	Standing Item: Standards Committee Forward Work Programme	Gary Williams (Monitoring Officer)
	Standing Part 2 Item: Overview of Complaints in Denbighshire	Gary Williams (Monitoring Officer)

By virtue of paragraph(s) 12, 13 of Part 4 of Schedule 12A of the Local Government Act 1972.

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