

STANDARDS COMMITTEE

Minutes of a meeting of the Standards Committee held in Conference Room 1a, County Hall, Ruthin LL15 1YN on Thursday, 24 January 2019 at 10.00 am.

PRESENT

Independent Members – Ian Trigger (Chair), Julia Hughes (Vice-Chair), Peter Lamb and Anne Mellor

Councillor Andrew Thomas

ALSO PRESENT

Monitoring Officer (GW) and Committee Administrator (SLW)

1 APOLOGIES

Apologies for absence were received from Councillors Gordon Hughes and Paul Penlington

2 DECLARATION OF INTERESTS

None.

EXCLUSION OF PRESS AND PUBLIC

***RESOLVED** that under Section 100A(4) of the Local Government Act 1972, and Regulation 26 Standards Committees (Wales) Regulations 2001, as amended, the Press and Public be excluded from the meeting during consideration of the following item of business, namely the deliberations of the Standards Committee established under the provisions of Part 3 Local Government Act 2000 in reaching a finding on any matter referred to it and it is considered that the information should not be disclosed so that none of the subject issues are prejudiced by any possible publicity of the case.*

3 CODE OF CONDUCT - PART 3 LOCAL GOVERNMENT ACT 2000

The Monitoring Officer (MO) presented a report (previously circulated) to consider a confidential report by the Public Services Ombudsman for Wales (PSOW) into a complaint that a Town Councillor may have breached the Code of Conduct of the Town Council.

A complaint had been submitted to the PSOW on 18 May 2017 by a Town Councillor following an alleged accumulation of incidents. Therefore, Section 69 Local Government Act 2000 (the Act) provided that the PSOW may, upon receipt of a complaint, decide to investigate. The PSOW decided to investigate this complaint. The purpose of the investigation was to determine which of the findings available under S69(4) of the Act was the most appropriate.

In this case, the PSOW concluded, on the balance of the evidence available, that the evidence suggested that the Town Councillor did not show respect and consideration towards the complainant and a Police Sergeant at meetings which took place on 2 November 2016 and 11 May 2017. Therefore, the PSOW determined that the matters which were the subject of the investigation should be referred to the MO for consideration by the Standards Committee.

The Chair outlined the case and stated that within the code of conduct, Councillors must:-

- show respect and consideration to others;
- not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute.

Discussion took place regarding the content of the report and the allegations submitted. It was unanimously determined that there was sufficient evidence for the matter to proceed to a Hearing for the Town Councillor to be given the opportunity to make representations.

It was confirmed that the MO would notify the Town Councillor of the Committee's decision and the procedure which the Committee proposed to adopt to receive and consider any representation that he may wish to make.

The MO and Chair went through the process for preparation of the Hearing to consider representations. Both the powers of the Standards Committee and the procedure at the Hearing were explained.

The Chair requested that the MO contact the PSOW regarding one aspect of the report and whether any witnesses would be called, prior to writing to the Town Councillor.

It was confirmed that the complainant would be entitled to attend the Hearing and could attend with representation whether or not legally qualified.

It was also confirmed that the PSOW representative (Investigating Officer) would be in attendance at the Hearing.

At this juncture, both the Chair and Councillor Andrew Thomas expressed their gratitude to the MO for guiding the Committee through the report and processes involved.

RESOLVED that the Town Councillor should 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 has failed or may have failed to comply with the Code of Conduct of Denbighshire County Council.

The meeting concluded at 11.20 a.m.