

STANDARDS COMMITTEE

Minutes of the meeting held 4th May 2012.

PRESENT : **Independent Members**

Mr Michael Wilson (Chair);
Mr Islwyn Jones (Vice Chair);
Mr Leslie Lord;

Representing the County Council

Councillor Trefor Lloyd Hughes;
Councillor Ieuan Williams;

IN ATTENDANCE : The Solicitor to the Monitoring Officer (RMJ);
Committee Officer (JMA);

APOLOGY : Ms Denise Harris Edwards; Mrs Dilys Shaw;

Prior to commencing the Agenda for the meeting, the Chair read a letter he had received from the Monitoring Officer giving her reasons for withdrawing from any further involvement with this matter. The Chair welcomed the Solicitor to the Monitoring Officer, who would be providing Legal Advice if as required by the Committee.

1 DECLARATION OF INTEREST

No declaration of interest made by a Member or Officer.

2 MINUTES

Minutes of the meeting held on 27th March 2012 were submitted and confirmed as correct subject to an amendment on Page 9 (vii) in the Welsh version which should readyr ymgeisydd wedi *wynebu costau* cyfreithiol sylweddol “.

3 COMPLAINT AGAINST A COUNCILLOR

A report prepared by the Monitoring Officer was submitted for consideration. The report requested Members to consider a self reported complaint by Councillor Hefin Thomas which he had made to the PSOW stating that he may have failed to observe the County Council's Code of Conduct for Members when he was convicted of a criminal offence on the 12th April 2011 and to determine whether the matter should proceed to a local hearing.

The Monitoring Officer's report advised that under the Local Government Investigations (Functions of Monitoring Officers and Standards Committees) Regulations 2001, the Standards Committee must determine **either** :

- (a) that there is no evidence of any failure by Councillor Thomas to comply with the County Council's Code of Conduct; **or**
- (b) that Councillor Thomas should be given an opportunity to make representations, either orally or in writing in respect of the findings of the investigation and any allegation that he may have failed to comply with the County Council's Code of Conduct.

3.1 Unless the PSOW's report exonerates Councillor Thomas, the Standards Committee must refer the matter for a local hearing.

The Monitoring Officer reported that:-

- The relevant passage is in paragraph 45: of the PSOW's Report "*My provisional finding was that there was evidence tht Councillor Thomas may have breached the Code of conduct for Members in relation to paragraph 6(1)(a) of that Code in that he incurred a criminal conviction on the 14th April 2012...*"
- *The remainder of the PSOW's Report provides an explanation of why he decided to refer his report to the Standards Committee but does not impact on his provisional finding in relation to breach of the Code;*
- *Accordingly, the PSOW has found evidence of a failure by Councillor Thomas to comply with the County Council's Code of Conduct. The Standards Committee must therefore determine in accordance with paragraph 3(b) above.*

The Chair advised the Members that they should carefully consider whether they agreed with either option (a) or (b) shown above.

The Chair invited Mr Gareth Parry, the Solicitor representing Councillor Thomas to address the meeting. Mr Parry confirmed he had represented Councillor Thomas in respect of the Criminal Case and the Complaint to the Ombudsman. He added that bearing in mind the recommendation within the Monitoring Officer's report his advice to his client was that this matter should be referred to the Standards Committee for a hearing. He believed any argument he presented at the meeting today would have little bearing on the Committee's decision and confirmed he would wish to address the Standards Committee in the event of a hearing be held in due course.

The Standards Committee retired into private session to consider their decision.

The Standards Committee returned to open session and the Chair announced that the Members had

RESOLVED that the Committee was in favour of moving to a local hearing to be held at a suitable date in the near future.

**MR MICHAEL WILSON
CHAIR**

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