

STANDARDS COMMITTEE

Minutes of the meeting held on 11 December 2012

PRESENT: **Independent Members**

Mr. Michael Wilson (Chair)
Mr. Islwyn Jones (Vice-Chair)

Mrs. Denise Harris Edwards
Mr. Leslie Lord
Mrs. Dilys Shaw

Representing Town and Community Councils

Councillor Raymond Evans
Councillor John Roberts

IN ATTENDANCE: Head of Function (Legal and Administration)/Monitoring Officer,
Solicitor to the Monitoring Officer (RMJ) (In attendance from Item 5
onwards),
Customer Care Officer (BJ) (In respect of Items 5(a)(b) and 6),
Senior Development Officer (MW) (In respect of Items 8(a)(b)),
Committee Services Manager (In attendance for Items 1 to 4),
Committee Officer (MEH) (In attendance from Item 5 onwards).

ALSO PRESENT: None

APOLOGIES: Councillors Trefor Lloyd Hughes, Ieuan Williams

The Chair stated that Mr. Meirion Jones, Solicitor to the Monitoring Officer, will be retiring at the end of this month. Members of the Standards Committee wished to thank Mr. Jones for his work for the Standards Committee over the years. Best wishes were extended to Mr. Jones for a healthy and happy retirement.

1 DECLARATION OF INTEREST

Councillor John Roberts declared an interest in respect of Item 4 and left the meeting during consideration thereof.

2 MINUTES OF MEETING

The minutes of the following meetings were confirmed :-

- Minutes of the meeting held on 31st October, 2012.
- Minutes of the Dispensation Hearing held on 31st October, 2012, subject to the amendment of the spelling mistake of the word 'speak' under Item 3, third paragraph.

3 EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED to adopt the following :-

“Under Section 100(1)(4) of the Local Government Act 1972, to exclude the press and public from the meeting for the following item on the grounds that it may involve the

likely disclosure of exempt information as defined in Paragraph 1, Part 1 of Schedule 12A of the said Act.”

4 COMPLAINT AGAINST A COMMUNITY COUNCILLOR

Submitted – a report by the Monitoring Officer in relation to the above.

The Monitoring Officer reported that the Public Services Ombudsman for Wales (PSOW) has investigated a complaint that a Community Councillor may have failed to observe the Code of Conduct for Members. Accordingly, the PSOW has found evidence of a failure by the Councillor to comply with his Code of Conduct and the Standards Committee must therefore determine in accordance with paragraph 2.1.b.

RESOLVED to accept the report.

ACTION : A local hearing is arranged at which the Community Councillor will be given the opportunity to make representations in respect of the findings of the investigation and the allegations that he has failed to comply with his Code of Conduct.

The meeting returning to public session.

5 CONDUCT COMPLAINTS TO THE PUBLIC SERVICES OMBUDSMAN FOR WALES

5.1 Submitted, for information – a report by the Customer Care Officer in the form of an updated matrix for County Councillors. It was reported that no live cases at present.

RESOLVED to note the report for information.

ACTION : An update on any further developments from the Customer Care Officer at the next Standards Committee on 13th March, 2013.

5.2 Submitted, for information – a report by the Customer Care Officer in the form of an updated matrix for Town and Community Councils.

RESOLVED to note the report for information.

ACTION : An update on any further developments from the Customer Care Officer at the next Standards Committee on 13th March, 2013.

6 ADJUDICATION PANEL DECISIONS

Submitted and noted – a report by the Customer Care Officer in relation to the above.

RESOLVED to note the report.

ACTION : An update on any further developments from the Customer Care Officer at the next Standards Committee on 13th March, 2013.

7 DECISION OF THE ADJUDICATION PANEL REGARDING THE APPEAL OF COUNCILLOR HEFIN THOMAS

The Chair of the Standards Committee gave a verbal report on his reflections on the decision of the Adjudication Panel and his proposed meeting with the Group Leaders.

RESOLVED to note the report.

ACTION : That a meeting be arranged with the Chair of the Standards Committee and the Group Leaders to discuss the findings of the Adjudication Panel.

8 (A) STATUS OF MEMBER DEVELOPMENT PLAN

Submitted – an update report by the Senior Development Officer on matters arising from Member Development Plan and the Members Development Working Group together with Personal Development Reviews for Members.

Concerns were expressed as to the lack of attendance by Members at Training Sessions and the need to address this issue. It was suggested that the Chair of the Standards Committee should meet with the Chair of the Democratic Services Committee and thereafter meet informally with the Group Leaders.

Questions were raised in respect of training for the Members of the Audit Committee and to ascertain if training could be mandatory. The Monitoring Officer responded that she would make enquiries and report back to the Standards Committee.

RESOLVED to note the report.

ACTION : That arrangements be made for the Chair of the Standards Committee to meet with the Democratic Services Committee to discuss matters raised in respect of lack of attendance of Members at Training Sessions.

9 NORTH WALES STANDARDS COMMITTEE'S FORUM

Submitted – draft agenda for the National Conference to be held at Venue Cymru, Llandudno on 19 April, 2013.

The Vice-Chair raised that following the critical Corporate Governance Report 2009 by the Isle of Anglesey County Council and the suggestions within that report that the Standards Committee should be proactive and suggested that a representative from the Wales Audit Office or the Local Government and Communities be invited to the Forum to explain what they expect from local authorities in terms of the activities of Standards Committees.

RESOLVED that an item be placed on the Agenda of the Forum to invite a representative from the Wales Audit Office or the Local Government & Communities Department be invited to explain what they consider is expected by local authorities in respect of the activities of Standards Committees.

ACTION :

- (1) That an item be placed on the Agenda of the Forum as noted above.**
- (2) That nominations to attend the North Wales Standards Committee's Forum to be held on 19 April, 2013 be discussed at the next Standards Committee to be held on 13th March, 2013.**

10 PROPOSED CHANGES TO THE CONSTITUTION

(A) PROTOCOL FOR MEMBERS AND OFFICERS AND MULTI-MEMBER WARDS

Submitted – report by the Panel of 3 Members with proposal regarding 'The Relationship between Members and Officer : Multi Member Wards', contained in Section 5.3.6 of the Relationship Protocol for Members and Officers.

A copy of the 'New Draft regarding Relationship Protocol for Members and Officers' was circulated at the meeting which included :-

Addition to 5.3.17 to follow on from wording already there so that the full 17.5 reads as follows :-

*'A serious breach of this Protocol by an Officer may lead to an investigation under the Council's **disciplinary procedure, which is available on the Council's website.** If the matter cannot be resolved at first instance as described in 17.3 and 17.4 above with the Officer concerned or the Officer's Manager or relevant Head of Service, and if the Member wishes to continue to make a complaint against any Officer any such complaint would be rejected unless it is put in writing, signed, and supported by evidence. Any Member, who is also a Member of a Group, would also be expected to have a complaint endorsed in writing by their Group Leader.'*

The Vice-Chair has slight concern with the wording of the above protocol and Members of the Committee agreed that he meet with the Officers to seek an appropriate wording in this respect.

RESOLVED to note the report and to authorise the Vice-Chair to meeting with the relevant Officers to seek appropriate wording in respect of 17.5 above.

ACTION : As noted within the resolution and to report back to the Standards Committee at its meeting to be held don 13th March, 2013.

11 PLANNING MATTERS PROCEDURE RULES (PART 4.6 OF THE CONSTITUTION), TO MAKE CHANGES PERMANENT

Submitted, for information – a report to the Executive Committee and the full Council by the Head of Service (Planning and Public Protection) and the Legal Services Manager regarding making permanent changes to the Constitution, Section 4.6 Planning Matters Rules, following the end of a 12 month trial period. A copy of the decision of the Executive held on 3 December, 2012 and the decision of the full Council held on 6 December, 2012 was attached for information to the Standards Committee and it was noted that a further 12 month trial period will commence.

RESOLVED to note the report.

ACTION : None.

**MR. MICHAEL WILSON
CHAIR**