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CYNGOR SIR
YNYS MÔN
ISLE OF ANGLESEY
COUNTY COUNCIL

Mr Richard Parry Jones, BA, MA.
Prif Weithredwr – Chief Executive

CYNGOR SIR YNYS MÔN
ISLE OF ANGLESEY COUNTY COUNCIL
Swyddfeydd y Cyngor - Council Offices
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RHYBUDD O GYFARFOD	NOTICE OF MEETING	
PWYLLGOR SAFONAU	STANDARDS COMMITTEE	
DYDD MAWRTH 11 RHAGFYR, 2012 am 2.00 o'r gloch	TUESDAY, 11 DECEMBER 2012 at 2.00 pm	
YSTAFELL BWYLLGOR 1, SWYDDFEYDD Y CYNGOR, LLANGFNI	COMMITTEE ROOM 1, COUNCIL OFFICES, LLANGFNI	
Swyddog Pwyllgor	John Gould (01248) 752 515	Committee Officer

Aelodau Annibynnol / Independent Members

Denise Harris Edwards
Islwyn Jones
Leslie Lord
Dilys Shaw
Michael Wilson

Yn cynrychioli'r Cyngor Sir / Representing the County Council

Councillor Trefor Lloyd Hughes
Councillor Ieuan Williams

Yn cynrychioli'r Cynghorau Tref/Cymuned / Representing the Town/Community Councils

William Raymond Evans
John Roberts

A G E N D A

1 DECLARATION OF INTEREST

2 MINUTES OF MEETING (Pages 1 - 8)

To confirm the minutes of the meetings held on:-

(i) 31st October meeting at 2pm

(ii) 31st October at 4pm, Dispensation Hearing

3 COMPLAINT AGAINST A COMMUNITY COUNCILLOR (Pages 9 - 42)

To receive a report from the Monitoring Officer

(i) to consider a complaint against a Councillor alleging breach of the Members' Code of Conduct following an investigation by the Public Service Ombudsman for Wales

(ii) to determine whether such complaint should proceed to a local hearing.

4 CONDUCT COMPLAINTS TO THE PUBLIC SERVICES OMBUDSMAN FOR WALES (Pages 43 - 46)

4.(a) A Report by the Customer Care Officer in the form of an up-dated matrix for County Councillors is provided for the Committee's attention. For information and any questions.

4.(b) A Report by the Customer Care Officer in the form of an up-dated matrix for Town and Community Councils is provided for the Committee's attention. For information and any questions.

5 ADJUDICATION PANEL DECISIONS (Pages 47 - 64)

Summary Report by the Customer Care Officer.

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

Verbal Report by the Chair of the Standards Committee on his reflections on the decision of the Adjudication Panel and his proposed meeting with the Group Leaders.

7 (A) STATUS OF MEMBER DEVELOPMENT PLAN (Pages 65 - 104)

(a) Update Report by the Senior Development Officer on matters arising from Member Development Plan and the Member Development Working Group.

(b) Introduction of Personal Development Reviews for Members

8 **NORTH WALES STANDARDS COMMITTEE'S FORUM** (Pages 105 - 106)

To discuss the agenda for the National Conference to be held at Venue Cymru, Llandudno on 19 April 2013 (copy attached) and for the Standards Committee to make recommendations on the draft agenda.

9 **PROPOSED CHANGES TO THE CONSTITUTION** (Pages 107 - 122)

(a) Protocol for Members and Officers and Multi-Member Wards

Report back by the Panel of 3 Members with their proposals regarding "The Relationship between Members and Officers : Multi Member Wards", contained in Section 5.3.6 of the Relationship Protocol for Members and Officers.

10 **PLANNING MATTERS PROCEDURE RULES (PART 4.6 OF THE CONSTITUTION), TO MAKE CHANGES PERMANENT** (Pages 123 - 162)

A report to the Executive and the 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 Procedure Rules, following the end of a 12 month trial period.

- The decision of the Executive of 3/12/2012.
- The decision of the Council of 6/12/2012 - will be provided at the meeting.
- For the Standards Committee's information.

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STANDARDS COMMITTEE

Minutes of the meeting held on 31 October, 2012

PRESENT:

Independent Members

Mr. Michael Wilson (Chair),
Mr. Islwyn Jones (Vice-Chair),
Ms. Denise Harris Edwards,
Mr. Leslie Lord,
Mrs. Dilys Shaw

Representing the County Council

Councillor Ieuan Williams.

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),
Housing Services Manager (HR) (In respect of Item 3),
Corporate Web & Information Manager (PA) (In respect of Item 4),
Customer Care Officer (BJ) (In respect of Items 5, 6, 7),
Senior Development Officer (MW) (In respect of Items 8 & 10.2),
Committee Officer (MEH).

APOLOGIES:

Councillor T.LI. Hughes.

ALSO PRESENT:

None

1 DECLARATION OF INTEREST

No declaration of interest made by a Member or Officer.

2 MINUTES

The minutes of the following meetings were confirmed :-

- Minutes of the meeting held on 25 July, 2012, subject to the inclusion of the names of Councillors Raymond Evans and John Roberts (Representing Town and Community Councils) to the list of those present at the meeting.
- Minutes of the Dispensation Hearing held on 25 July, 2012
- Minutes of the meeting held on 16 August, 2012

3 HOUSING ALLOCATIONS AND THE ROLE OF MEMBERS

Submitted – an update report by the Head of Service (Housing) in relation to the above.

The Housing Services Manager reported that a leaflet has been produced by the Housing Section with information about social housing, comprising a section on frequently asked questions and answers, including a question clarifying the role of Elected Members in the process. An authorisation form has been introduced for the disclosure of information to Elected Members,

Members of Parliament, Assembly Members, family members or other individuals acting as advocates for the applicant.

The Officer further noted that a Customer Care Unit has been established since August 2012 and it is hoped that the Unit will be able to resolve issues and operate as a point of contact with the service for Elected Members.

It was noted that when Phase 1 of the Orchard IT system is implemented at the end of November 2012, and Phase 2 in the first quarter of 2013/14, the services for customers can be further improved.

It was **RESOLVED to note the report.**

ACTION : None

4 ON-LINE PUBLICATION OF STATUTORY REGISTERS

Submitted – an update report by the Corporate Web and Information Manager regarding extending on-line publication of Members' Declarations of Interest to include declarations of gifts and hospitality, in addition to interests in meetings, and to enable gifts and hospitality forms and Standing Register to be updated interactively.

The Corporate Web and Information Manager noted that Agenda's and Committee papers aspect of the new Mod.Gov system will be operational and published to the internet by the beginning of November with training needs addressed for the new Council.

It was **RESOLVED to note the report.**

ACTION : That the Corporate Web and Information Manager provide further update on progress, implementation and proposed induction training for new and returning Members, at the meeting of Standards Committee in March 2013.

5 COMPLAINTS MANAGEMENT PROJECT

Submitted – an update report by the Customer Care Officer on the Complaints Management Project.

It was reported that work has been completed to adapt the Policy to 'Anglesey's' circumstances and reflects the realities imposed by resource constraints. It is anticipated that the New Policy will be taken to the Executive on 19 November, 2012 for approval with a proposed implementation date of 1 April, 2013. The Customer Care Officer further noted that it is hoped that complaints can be dealt with more efficiently and that fewer complaints are forwarded to the Ombudsman.

It was **RESOLVED to note the report and support the proposal.**

ACTION : An update report to be received from the Customer Care Officer at the Standards Committee on 13th March, 2013.

6 CONDUCT COMPLAINTS TO THE PUBLIC SERVICES OMBUDSMAN FOR WALES

6.1 Submitted for information – a report by the Customer Care Officer in the form of an updated matrix for County Councillors.

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 11th December, 2012.

6.2 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 11th December, 2012.

6.3 ANNUAL REPORT OF THE PUBLIC SERVICES OMBUDSMAN FOR WALES

Submitted for information- a report by the Customer Care Officer including a summary of matters relevant to the Isle of Anglesey County Council.

The Monitoring Officer reported that the County Council has a Local Resolution Protocol which deals with low level complaints between elected members and elected members and officers; there has been one Panel Hearing. She noted that there is a role for the Standards Committee if the disagreement is not resolved then the Leader of the Council is able to request that the Standards Committee to meet informally.

Councillor Ieuan Williams expressed that the Council must show to the Ombudsman that it has procedures in place to reduce complaints received. He noted that complaints are still high within the Benefits Section and suggested that the matter should be referred to the Chair of the Corporate Scrutiny Committee to requested details of the weaknesses and the way forward to reduce complaints this service receives.

Following further deliberations it was **RESOLVED to note the report.**

ACTION : To request that the Chair of the Corporate Scrutiny Committee requests a report to discuss the issues of high levels of complaints within the Benefits Section.

7 SUMMARY OF ADJUDICATION PANEL DECISIONS

Submitted – 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 11th December, 2012.

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 Member Development Working Group.

RESOLVED to note the report.

(B) INTRODUCTION OF PERSONAL DEVELOPMENT REVIEWS FOR MEMBERS

Submitted – an update report by the Senior Development Officer regarding Personal Development Reviews for Members.

Councillor I. Williams referred to IT software available at other authorities for training. He considered that this authority should investigate the possibility of computerised training on different topics rather than arranging training sessions at the Council Offices with only minimal attendance.

RESOLVED to note the report.

ACTION : An update report be submitted by the Senior Development Officer at the next Standards Committee on 11th December, 2012.

9 NORTH WALES STANDARDS COMMITTEES FORUM

Submitted – the Agenda of the Standards Committees Forum meeting held on 17th July, 2012 and 4th October, 2012 together with the notes of the Monitoring Officer and Solicitor to the Monitoring Officer.

The Monitoring Officer referred to the forum she attended and noted that there was indepth discussion on training of members and whether training should be made compulsory and if sanctions are available for non-attendance.

Discussions arose in respect of poor attendance of Members and representatives from Town/Community Councils at training sessions. It was noted that slides from training sessions could be made available to persons unable to attend and feedback questionnaire be filled on the understanding of the material given.

The Senior Development Officer reported that training sessions are being arranged in respect of E-Learning in the near future.

The Monitoring Officer further reported that the Standards Committee Conferences have been convened every 2 years. It has now been decided that the Membership of the 6 North Wales Authorities Standards Committees should arrange the next Conference at Venue Cymru, Llandudno in April next year.

The Solicitor to the Monitoring Officer reported on the forum he attended and referred to the agenda items for the All Wales Conference next April.

RESOLVED to note the report.

ACTION :

- (1) An update report be submitted by the Senior Development Officer at the next Standards Committee on 11th December, 2012 in relation to training issues raised.**
- (2) Arrangement and agenda items to be considered for the All Wales Conference in April at the next Standards Committee on 11th December, 2012.**

10 PROPOSED CHANGES TO THE CONSTITUTION

10.1 Protocol for Members in Multi-Member Wards

Submitted – a report by the Solicitor to the Monitoring Officer attaching multiple choice clauses for the Committee to agree and draft a protocol in readiness for consultation with Members.

Following discussions it was considered that a small Panel of 3 Members of the Standards Committee be established to meet informally to discuss the Protocol.

RESOLVED to note the report.

ACTION : That Ms. Denise Harris Edwards, Mr. Islwyn Jones and Councillor Ieuan Williams be nominated to meet informally to discuss the Protocol for members in Multi-Member Wards with the relevant Officers and to report back to the next Standards Committee on 11th December, 2012.

10.2 Member Training

Submitted – a report by the Solicitor to the Monitoring Officer regarding the training of Members on the Code of Conduct and other aspects including the issue of compulsory training on the Code and undertaking and recording continuous professional development on an annual basis and attaching a number of options for the Committee's consideration with a view to consulting Members thereon.

RESOLVED to recommend to the full Council :-

'that the Code of Conduct be amended to make training on the Code of Conduct mandatory; for newly elected Members of the County Council and those County Council Members without continuity of office, to attend one training session during the induction process and certainly within the first six months; and for other members of the County Council to attend one training session during their term of office'.

ACTION : A report by the Solicitor to the Monitoring Officer be submitted to the County Council in respect of amendments to the Code of Conduct.

11 ANNUAL REVIEW OF REGISTERS OF INTEREST OF MEMBERS AND CO-OPTED MEMBERS

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

Members of the Standards Committee were asked to carry out the annual review on the Declarations of Interest Forms of Members and Co-Opted Members with regard to the 'Standing Register' (pre-declaration information), Declarations in Meetings, Declarations of Gifts and Hospitality and Outside Bodies.

RESOLVED to note the report.

ACTION : Members of the Standards Committee to report their findings following their review of the Declarations of Interest Forms of Members and Co-Opted Members together with Declarations in Meetings, Declarations of Gifts and Hospitality and Outside Bodies.

12 THE CODE OF CONDUCT – GUIDANCE FROM THE PUBLIC SERVICE OMBUDSMAN FOR WALES

Submitted, for information – the link to the Guidance on the Ombudsman’s website. All Members of the Council have been advised.

**MR. M. WILSON
CHAIR**

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STANDARDS COMMITTEE

DISPENSATION PANEL

Minutes of the meeting held on 31 October, 2012

PRESENT:	Mr. Michael Wilson (Chair), Mr. Islwyn Jones Mr. Leslie Lord
IN ATTENDANCE:	Head of Function (Legal & Administration)/Monitoring Officer, Committee Officer (MEH).
APOLOGIES:	None
ALSO PRESENT:	Councillor O. Glyn Jones - Applicant

1 DECLARATION OF INTEREST

There was no declaration of interest by a Member or Officer.

2 APPLICATION FOR DISPENSATION

A report by the Monitoring Officer together with associated papers was submitted in relation to an application by Councillor O. Glyn Jones for dispensation to enable him speak as a local Member when a planning application is submitted by Tai Eryri to build social housing in Councillor Jones' Ward is presented to the Planning and Orders Committee for decision. It was noted that Councillor O. Glyn Jones is representing the County Council as Portfolio Holder for Housing on the Board of Tai Eryri. It was further noted that Councillor Jones is not a Member of the Planning and Orders Committee.

The Monitoring Officer reported that as a Member of the Board of Cymdeithas Tai Eryri, Councillor O. Glyn Jones would create a personal interest under Paragraph 10(2)(a)(viii) of the Code of Conduct. The interest is also likely to be prejudicial under Paragraph 12(1) of the Code of Conduct as the underlying project, which has developed into a planning application, was initiated by the Applicant although prior to his becoming a Member of the Board. Having advised the Chief Executive of Cymdeithas Tai Eryri that he will have no contact or influence on this application in his role as a Member of the Board, the Code of Conduct/Planning Procedure Rules enable the Applicant to undertake the local member role, both at community level and at Planning and Orders Committee, but this is subject to the following restrictions :-

1. The Planning Procedure Rules permit speaking at the Planning and Orders Committee, as local Member, but only entitles the Applicant to be present at the meeting in order to speak, He would then be required to withdraw from the meeting room.
2. By virtue of the prejudicial interest, the Applicant is precluded from communicating, orally or in writing, with any Council Officer in relation to the application.

Councillor Jones wishes to obtain a dispensation to remove these impediments as he believes it would better enable him to full serve the interests of his electorate and the community he is representing.

The Monitoring Officer reported that the Relevant Statutory Grounds in which a dispensation may be granted under the Standards Committee (Grant of Dispensation (Wales) Regulations 2001 are 2(d) and 2(f) :-

2(d) – ‘the nature of the member’s interest is such that the member’s participation in the business to which the interest relates would no damage public confidence in the conduct of the relevant authority’s business.’

2(f) – ‘the participation of the member in the business to which the interest relates is justified by the member’s particular role or expertise.’

Councillor O. Glyn Jones address the meeting and stated that he had been appointed on the Board of Cymdeithas Tai Eryri in his role as Portfolio Holder for Housing. He stated that he wished to represent the electorate of his Ward in his role as a County Councillor.

Having considered comments made by the Monitoring Officer and having asked questions for clarification purpose, the Chair announced that :-

The Standards Committee’s Dispensation Panel unanimously agreed to the following :-

- To grant Councillor O. Glyn Jones dispensation to participate in the discussion of the future planning application by Cymdeithas Tai Eryri within his Ward and thereafter at the Planning and Orders Committee;
- This dispensation is grated under Standards Committee (Grant of Dispensation)(Wales) Regulations 2001 – 2(d) and 2(f);
- The dispensation was granted until May 2013 and would need to be revisited due to the introduction of Multi-Member Wards representation following the County Councils elections in May 2013.

**MR. M. WILSON
CHAIR**

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**CWYNIION I AC YMHOLIADAU GAN YR OMBWDSMON – “O” -YNGLŶN Â CHYNGHORWYR CYNGOR SIR YNYS MÔN – MAI 2008
YMLAEN
COMPLAINTS TO AND INVESTIGATIONS BY THE OMBUDSMAN – “O” -REGARDING ISLE OF ANGLESEY COUNTY COUNCILLORS –
MAY 2008 ONWARDS
DIWEDDARIAD / UPDATED– 30 Tachwedd 2012 / 30 November 2012 - Current / New matters only
(diweddariad diwethaf / last update 11.10.12)**

Pwyllgor Safonau – 11.12.12 – Standards Committee

Enw'r Cynghorydd Name of Councillor	Enw'r Achwynydd Name of Complainant	Cyfeirnod y Ffeil File Reference (i) Un ni/Ours (ii) "O"	Dyddiad y Gŵyn - "O" Complaint date - "O"	Disgrifiad Byr o'r Gŵyn Short Description of Complaint	Adrannau'r Côt Sections of the Code	Canlyniad Ymholiad "O" a'r dyddiad neu'r sefyllfa gyfredol Result of "O" Investigation and date or the current situation	Datblygiad Pellach Further Development
Dim i'w adrodd gan nad oes unrhyw achos byw ar hyn o bryd. Nothing to report as there are no live cases at the present time							

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CWYNION I AC YMHOLIADAU GAN YR OMBWDSMON – “O” -YNGLŶN Â CHYNGHORWYR CYMUNEDOL A THREF

**COMPLAINTS TO AND INVESTIGATIONS BY THE OMBUDSMAN – “O” -REGARDING TOWN AND COMMUNITY COUNCILLORS
Diweddariad – 30 Tachwedd 2012 / Update 30 November 2012**

Pwyllgor Safonau- 11.12.12 – Standards Committee

Enw'r Cynghorydd Name of Councillor	Enw'r Achwynydd Name of Complainant	Cyfeirnod y Ffeil File Reference (i) Un ni/Ours (ii) "O"	Dyddiad y Gŵyn - "O" Complaint date - "O"	Disgrifiad Byr o'r Gŵyn Short Description of Complaint	Canlyniad Ymholiad "O" a'r dyddiad neu'r sefyllfa gyfredol Result of "O" Investigation and date or the current situation	Datblygiad Pellach Further Development
Cynghorydd Cymunedol / Community Councillor Penmynydd & Star	Aelodau o'r Cyhoedd x 5 / Members of the Public x 5	015776- RMJ 201102856	29.12.11	Methiant i ddatgan diddordeb mewn cais cynllunio ac wedi cymryd rhan yn y drafodaeth.	Gweler eitem rhif 4 ar y rhaglen.	
		015775 – RMJ 201102868	29.12.11		See item 4 on the agenda	
		015777-RMJ 201102860 201103060 201103282	30.12.11 09.01.12 26.01.12	Failure to declare an interest in a planning application and actively took part in the discussion		
Cynghorydd Cymunedol / Community Councillor Llanfaelog	Aelod o'r Cyngor Cymunedol x 5 / Member of the Community Council x 5	016435 – BJ 201201908 016436 – BJ 201201909 014647 – BJ 201201910 016438 – BJ 201201911 016439 – BJ 201201913	18.09.12	Defnyddio iaith ddifrifol ac ymddygiad ymosodol mewn cyfarfod o'r cyngor Abusive language and aggressive behaviour in a council meeting	11.10.12 – llythyr gan yr "O" – ym mynd I ymchwilio. 11.10.12 – letter from the "O" – going to investigate	Parhaus / Ongoing

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Cyngor Sir Ynys Môn / Isle of Anglesey

Committee	Standards Committee
Date of Meeting	11 December 2012
Title of Report	Findings of the Adjudication Panel for Wales 1st April 2011 to 30th November 2012.
Report By	Customer Care Officer
Purpose of Report	To provide information on the issues dealt with by the Adjudication Panel for Wales

1.0 Introduction & Background

The Adjudication Panel for Wales came into being as a result of the Local Government Act 2000 and has two statutory functions:-

- To form case or interim case tribunals to consider reports from the Ombudsman following the investigation of allegations that a member has failed to comply with their authority's code of conduct; and
- To consider appeals from members against the decisions of local authority standards committees that they have breached the code of conduct

This report covers decisions made by the Adjudication Panel between the 1st of April 2011 and the 30th November, 2012 and is intended as a factual summary of the issues that come before the Adjudication Panel. It will not replace the report that is presented to the Committee when a complaint relating to Anglesey County Council has been before the Adjudication Panel.

2.0 Decisions made between 1.4.11 and the date of this report

- 18.4.11 - Cllr. A James, Torfaen County Borough Council
- 18.5.11 - Cllr. M. Calver, Manorbier Community Council
- 06.06.11 - Cllr A. Brown, Merthyr Tydfil County Borough Council
- 29.06.11 – Cllr. J. Adams-Lewis, Ceredigion County Council
- 12.07.11 – Cllr P Rogers, North Wales Police and Anglesey County Council
- 27.10.11 – Former Cllr F. Wildgust – Torfaen County Borough Council
- 27.10.11 - Cllr P Seabourne – Torfaen County Borough Council
- 27.10.11 - Cllr D Thomas, City & County of Swansea
- 14.11.11 – Former Cllr L. Bailey – City & County of Swansea
- 14.11.11 – Cllr I. Tuck, Merthyr Tydfil County Borough Council
- 03.01.12 - Cllr. K. Armstong-Braun, Saltney Town Council
- 18.6.12 – Cllr. M. Eckersley, Denbighshire County Council

19.6.12 – Cllr B. Durkin, Anglesey County Council
22.8.12 – Cllr. A. Brown, Merthyr Tydfil County Borough Council
05.11.12 – Cllr. A. Moss, Llantrisant Community Council – **NEW**
16.11.12 – Cllr. H. Thomas, Isle of Anglesey County Council – **NEW**

See Table below which provides a summary of the issues dealt with and the results of the above cases.

Name	Allegations	Findings	Result
<p>Cllr. A. James – Torfaen County Borough Council (27.4.11) APW/007/2010-011/CT</p>	<p>Failing to declare an interest and using his position improperly when making donations to local organizations under the Council's Small Schemes Allowances</p>	<p>On the basis of the findings of fact, the Case Tribunal found by unanimous decision that there was a failure to comply with the Torfaen County Borough Council's code of conduct.</p>	<p>Breach - The Case Tribunal concluded by unanimous decision that a period of suspension is appropriate - Suspended for 1 month</p>
<p>Cllr. M. Calver of Manorbier Community Council (25.5.11) Appeal APW/009/2010-011/A</p>	<p>Appeal against Pembrokeshire County Council's Standards Committee, that he breached Manorbier Community Council's Code of Conduct and should be censured and undertake training on the Code. Original allegations:- Publishing draft minutes without permission Website comments constituted bullying and harassments and /or failed to show respect and consideration Disclosure of confidential (including financial) information not yet in the public domain Made comments which</p>	<p>The Adjudication Panel upheld the decision of the Standards Committee - that he breached Manorbier Community Council's Code of Conduct</p>	<p>The Appeal Tribunal considered all of the facts, submissions and representations made and its own sanction guidelines in appeal tribunals. The Appeal Tribunal saw no compelling reason here to interfere with the sanction imposed by the Standards Committee NOTE – the Appeal Tribunal and Standards Committee decisions were overturned following a Judicial Review by the High Court - Ref:[2012] EWHC 1172</p>

Name	Allegations	Findings	Result
<p>Cllr. A. Brown of Merthyr Tydfil County Borough Council APW/006/2010-011/CT And APW/010/2010-011/CT</p>	<p>brought his office and/or council into disrepute. Using the internet to publish inappropriate comments Misusing Council resources Breaking the Council's Internet Policies Failing to show respect and consideration for others Disclosing a confidential letter Sending inappropriate e-mails Publishing a deliberately misleading press release and thereby bringing the office of councillor and his authority into disrepute</p>	<p>The Case Tribunal did not consider, in all the circumstances, that there were, in accordance with its sanction guidelines, factors which could reasonably justify a disqualification. The Case Tribunal considered whether suspension would be an appropriate sanction, with reference to its sanction guidelines which indicate that a suspension may be appropriate where the circumstances are not so serious as to merit disqualification, but sufficiently grave to give rise to the need to reassure the public and impress upon the Respondent the severity of the matter and the need to avoid repetition.</p>	<p>Breach: The Case Tribunal decided by unanimous decision that the Councillor should be suspended from acting as a member of the Council for a period of nine months</p>
<p>Cllr. J. Adams- Lewis of Ceredigion County Council</p>	<p>Failing to act objectively and in the public interest in the consideration of a planning application at a site meeting of</p>	<p>The Case Tribunal found that the Councillor did act in a way, such that a member of the public might</p>	<p>Breach: Suspended from being a member of the Development Control Committee and Vice Chairman of</p>

Name	Allegations	Findings	Result
APW/007/2009-010/CT	the Council's Development Control Committee on 28/8 and 10/9 2008 and by failing to declare a personal interest and to withdraw at these meetings	reasonably perceive a conflict between his role as a local Councillor and his role in taking a decision on behalf of the Authority	the Council for a period of 3 months
Cllr. P. S. Rogers of Anglesey County Council / North Wales Police Authority APW/011/2010-011/CT	<p>NWP Authority - Attempting to engage in conversation in connection with a complaint against his constituent Sending an email criticising the way the police were dealing with an investigation Displaying overbearing and intimidating behaviour towards three police officers during his visit to Holyhead Police Station and attempting to influence the course of a police investigation.</p> <p>IAOCC - Failing to show respect and consideration for others and bullying and harassing behaviour Disclosing confidential information about the health of a fellow councillor Conduct could be reasonably regarded as bringing his office or authority into disrepute.</p>	<p>Not satisfied that the NWPA code was engaged – Cllr Rogers never gave the impression that he was acting as a representative of the NWPA.</p> <p>Failing to show respect & consideration - Breach Bullying and Harassment – No breach No breach Breach</p>	<p>Breach and the Tribunal concluded that the appropriate sanction was one of censure.</p>

Name	Allegations	Findings	Result
<p>Former Cllr. F. Wildgust of Torfaen County Borough Council APW/001/2011-012/CT</p>	<p>Making unsubstantiated allegations in press releases dated 13.15 and 22 January 2011 about the Council and its senior officers and by repeating those allegations in an e-mail to the Council's Chief Executive and showing utter disrespect to the Monitoring Officer and Chief Executive personally and to their senior officers.</p>	<p>2nd Case Tribunal – 1st held on 24.2.11 the Case Tribunal gave very serious consideration to imposing a disqualification and but for Cllr Wildgust's apology to those concerned, his acknowledgement of his now understanding of the importance of the Code of Conduct and to his having to adhere to it, his undertaking [to the Case Tribunal] to do so and to moderate his behaviour and act in a non-adversarial fashion in the future, the Case Tribunal would have disqualified him from office. However, in reliance on the undertaking and so as to give Cllr Wildgust the opportunity of moderating his behaviour, the Case Tribunal decided to suspend Cllr Wildgust for a period of 12 months with immediate effect".</p>	<p>The First Case Tribunal decision was clear that but for Mr Wildgust's undertakings to comply with the terms of the Code of Conduct, to moderate his behaviour, to apologise and to act in a non-adversarial way in the future, they would have sanctioned a disqualification against him.</p> <p>Mr Wildgust disregarded those undertakings the day following the First Case Tribunal hearing.</p> <p>The Case Tribunal considers that Mr Wildgust's conduct merits a disqualification and that he should be disqualified from holding the office of councillor for a period of 3 years with immediate effect.</p>
<p>Cllr. P. Seabourne of Torfaen County Borough Council</p>	<p>Appeal against the decision of the Standards Committee</p>	<p>Following the decision by the Ethics and Standards Committee, the</p>	<p>The Tribunal was satisfied, on the basis of the evidence given by Cllr. Seabourne that he had not</p>

Name	Allegations	Findings	Result
<p>Appeal APW/012/2010-011/A</p>	<p>Failed to maintain accurate records of his appointments and interests in the statutory register. Failed to declare a personal and prejudicial interest on 27 November 2008 when completing a Small Scheme Application requesting that a payment of £200 be made to Torfaen Access Coalition when he was Chair of the Coalition. Failed to declare a personal interest on 22 September 2009 when completing a Small Scheme Application requesting that a payment of £500 be made to Fairwater Comprehensive School when he was an LEA appointed governor of the School Further in respect of the donation to Fairwater Comprehensive School, failed to declare a personal and prejudicial interest in that his wife was the Chair of governors at the School at the time of the donation.</p>	<p>Ombudsman received a further complaint that Cllr Seabourne had misled that Committee when he stated that the information about his interests was on his website. This was not in fact the case at the time of the Committee hearing as that information was not placed on the website until 14 October 2009.</p> <p>The Appeal was confined to the sanction imposed and not the findings.</p>	<p>misled the committee and had not, either in correspondence or otherwise, suggested that the information regarding his interests was on his website prior to 14 October 2009. On that basis the Tribunal was satisfied that there was no additional aggravating factor to weigh into the balance.</p> <p>The Tribunal accepted that Cllr Seabourne had updated his Declaration of Interests on 14 October 2009 and that this did alter the balance of aggravating and mitigating factors considered by the Ethics and Standards Committee. This was not so substantial an alteration, however, as to lessen the seriousness of the breaches of the Code and, therefore, the need for censure. Decision of the Ethics and Standards Committee upheld – The Tribunal was satisfied in all the circumstances</p>

Name	Allegations	Findings	Result
<p>Cllr. D. Thomas of City & County of Swansea Council Appeal APW/002/2007-08/A</p>	<p>Appeal against the decision of the Standards Committee Failing to reach a decision on the basis of the merits of the circumstances involved when attending a meeting of the Planning Committee on 20 July 2006 and, in so doing, had also failed to have regard to the advice of the authority's Monitoring Officer.</p>	<p>Appeal Tribunal unanimous in their decision that there was a failure to comply with the Code of Conduct. "Having regard" to advice taken to mean accepting such advice in the absence of good reasons not to – no such reasons given</p>	<p>that a censure was an appropriate sanction Decision of Standards Committee upheld. Censure and suspension for 1 month.</p>
<p>Former Cllr. L. Bailey of City & County of Swansea Council APW/001/2007-08/CT</p>	<p>Making improper use of Council-owned computer equipment for private purposes by downloading inappropriate images and sending letters to a local newspaper, which he falsely represented as being from members of the public. In so doing brought the office of member into disrepute. Failed to show respect and consideration for others by failing to take account of the impact of his actions on</p>	<p>Tribunal felt that the breaches were so serious that disqualification was appropriate and that a period in excess of 3 years would be justified</p>	<p>Breach. Disqualification for 2 years and 6 months – reduced length of disqualification due to mitigating factors</p>

Name	Allegations	Findings	Result
<p>Cllr. I. Tuck of Merthyr Tydfil County Borough Council APW/004/2007-08/CT</p>	<p>council employees who later saw the images on the computer equipment.</p> <p>Pattern of persistent misconduct demonstrated a failure to promote the principles of the code by leadership and example</p> <p>Behaviour at a fact-finding site visit by the Council's Planning and Regulatory Committee on 11 October 2006 could be reasonably regarded as bringing the office of member and the Council into disrepute. Using his position as a member of the Planning and Regulatory Committee improperly to secure an advantage for himself and his father at the meeting on 11 October 2006 meeting. At the meeting did not adequately declare a personal interest and did not withdraw.</p>	<p>Finding that there was a failure to comply with the Code of Conduct on all 3 counts.</p> <p>Councillor had resigned and had no desire to stand for public office again.</p>	<p>Breach. Disqualified for 12 months</p>
<p>Cllr. K. Armstrong-Braun Saltney Town Council APW/008/2010-11/CT</p>	<p>Breach of paras 4(b), 5(a), 6(1)(a) and 8(a) of the code of conduct :-</p> <p>That he acted inappropriately</p>	<p>The Case Tribunal found</p>	<p>Breach. Suspended for 12 months</p>

Name	Allegations	Findings	Result
	<p>during Council meetings; caused distress to another person;</p> <p>failed to account for his mayoral allowance</p>	<p>that Cllr Armstrong-Braun, when Mayor, had made inappropriate remarks about Saltney and had subsequently refused to withdraw his remarks; he adjourned the council meeting on 9 July 2008 contrary to the decision of the Town Council; he decided to prematurely close the meeting on 10 September 2008; he was abusive and discourteous to the Town Clerk and Deputy Mayor at the agenda meeting held on 9 September 2008;</p> <p>The Case Tribunal found that Cllr Armstrong-Braun ignored the advice of the Town Clerk concerning his obligation to account for his Mayoral allowance in accordance with Standing Order 40 of the Council's procedure rules as set out in the letter dated 20 November 2009 from the</p>	

Name	Allegations	Findings	Result
	disclosed confidential information and that in respect of both Saltney Town Council and Flintshire County Council his conduct had brought his office and the authorities into disrepute.	Town Clerk to him. The Case Tribunal found that Cllr Armstrong-Braun had written a letter to the Head Teacher of the local Secondary School in breach of the decision of the Town Council's task group that their meetings on 14 and 28 March 2009 were to be held in confidential session and that any matters shared in those meetings should not be shared with third parties.	
Former Cllr. M. Eckersley Denbighshire County Council APW/004/2011-012/CT	Breach of paras 4(a), 4(b) and 6(1)(a) of the Code of Conduct that at a meeting of the Corporate Equalities Group on 22 July 2010, during a discussion about an ancient bye-law which allows individuals to be hanged for speaking Welsh in Chester after 9.00pm, former Cllr Eckersley commented "maybe we should take a load of Welsh Muslims to Chester to test this out" ("the first alleged failure");	The Case Tribunal found by unanimous decision with regard to both allegations that former Cllr Eckersley failed to comply with the Denbighshire County Council's Code of Conduct as follows: Paragraph 4(b) of the Code of Conduct states that "you must show respect and consideration for others".	The Case Tribunal considers that former Cllr Eckersley's conduct merits a censure.

Name	Allegations	Findings	Result
<p>Cllr. B. Durkin Anglesey County Council APW/002/2011-012/CT</p>	<p>and that at a meeting of the Corporate Equalities Group on 14 October 2010 former Cllr Eckersley commented that “Adolf Hitler had the right idea, and that they should be got rid of out of the country” with reference to gypsies and travellers (“the second alleged failure”).</p> <p>making repeated personal attacks of an offensive nature against the then Director of Legal and Democratic Services and Monitoring Officer (Miss Ball) and Mr David Bowles, the former Interim Managing Director; and by making numerous requests for information thereby placing excessive demands and significant burden upon the</p>	<p>The Case Tribunal further finds by unanimous decision that former Cllr Eckersley did not breach paragraphs 4(a) and 6(1)(b) of Denbighshire County Council’s Code of Conduct.</p> <p>The Tribunal found that Cllr Durkin by his actions towards the Miss Ball, in particular the language he used, failed to show respect and consideration and that his actions in relation to Miss Ball also amounted to bullying and harassment. The Tribunal concluded that making repeated serious allegations with no foundation against Miss Ball and suggesting that she was dishonest and corrupt</p>	<p>The Case Tribunal concluded by unanimous decision that Cllr Durkin should be suspended from acting as a member of the Isle of Anglesey County Council for a period of 12 months or, if shorter, the remainder of his term of office, with effect from 17 May 2012.</p>

Name	Allegations	Findings	Result
	<p>Council's Corporate Information Officer (Mr Pritchard)</p>	<p>undermined her authority and position and amounted to bullying and harassment.</p> <p>The Tribunal found that as a more senior officer the actions of Cllr Durkin did not amount to bullying or harassment of Mr Bowles and that Mr Bowles had robustly dealt with Cllr Durkin. The Tribunal did however find that making unfounded allegations in the public media that Mr Bowles was dishonest and corrupt did fail to show Mr Bowles respect and consideration in breach of paragraph 4(b) of the Code.</p> <p>The Tribunal found no breach in relation to his conduct towards Mr Pritchard. The Tribunal did not accept that the Code was not engaged in relation to Mr Pritchard and noted that although the Freedom of Information Act treated everyone as members of the</p>	

Name	Allegations	Findings	Result
		<p>public from the point of view of the Act, Cllr Durkin was making the requests in his capacity as a councillor and for political purposes. However, when considering the evidence the Tribunal was satisfied that Cllr Durkin had made his requests perfectly properly and his letters to Mr Pritchard were appropriate in content and tone.</p> <p>The Tribunal found that Cllr Durkin's actions also amounted to a breach of paragraph 6(1)(a) of the Code. The Tribunal concluded that Cllr Durkin's repeated unfounded allegations of a serious nature against senior officers of the Council in public was bound to undermine the authority and bring it into disrepute. In addition the language used by Cllr Durkin and the fact that the Tribunal found his</p>	

Name	Allegations	Findings	Result
<p>Former Cllr. A. Brown Merthyr Tydfil County Borough Council APW/002/2012-013/CT</p>	<p>Persistently and deliberately misrepresented his position as a councillor following his suspension by a previous Tribunal, in emails, blogs, letters and articles to the press and a radio phone-in in a 3 month period following the Tribunal finding;</p> <p>Deliberately and persistently misrepresented the findings of the previous Tribunal;</p> <p>Misrepresented the Council and its policies; and</p> <p>Despite the finding of the Tribunal on 13 April 2011, he had knowingly published confidential information and failed to</p>	<p>motives were not genuine, further brought the office into disrepute.</p> <p>The Case Tribunal considered all the facts of the case. It had regard to its sanctions guidance which indicates that a disqualification may be appropriate in circumstances where had a person still been a member of their authority a suspension would have been the likely sanction. However, in this case disqualification was considered because former Cllr Brown had deliberately failed to abide by the code and had persistently breached the Code. There were a number of aggravating factors:</p> <p>a) Repeated breaches b) Actions brought the Council into disrepute</p>	<p>The Case Tribunal concluded by unanimous decision that former Cllr Brown should be disqualified for 3 years from being or becoming a member of Merthyr Tydfil County Borough Council or of any other relevant authority within the meaning of the Local Government Act 2000, with immediate effect.</p>

Name	Allegations	Findings	Result
	seek advice from the appropriate authorities.	<ul style="list-style-type: none"> c) Intentionality d) Challenging the investigation and adjudication to the end e) Seeking unfairly to blame others f) Persisting with a pattern of behaviour g) Failing to heed appropriate advice or warnings 	
Cllr. A. Moss Llantrisant Community Council APW/001/2012-013/CT	Breach of paragraph. 6(1)(a) of the Code of Conduct	Decision not yet published	Breach: Suspended for 6 months
Cllr. Hefin Thomas Isle of Anglesey County Council Appeal APW/003/2012-013/A	In June 2012, the Adjudication Panel for Wales received an appeal on behalf of Cllr Thomas against the Isle of Anglesey County Council's Standards Committee's determination that Cllr Thomas should be suspended for a period of 6 months for a breach of	The Appeal Tribunal is satisfied that the Standards Committee gave Cllr Thomas every opportunity to substantiate his mitigation during the Standards Committee hearing. The Appeal Tribunal has duly considered the mitigation put to the Standards Committee and to the	The Appeal Tribunal considers that the 6 month suspension imposed by the Standards Committee was not disproportionate in view of the circumstances of the case. The Appeal Tribunal accordingly decided by unanimous decision to endorse the decision of the Isle

Name	Allegations	Findings	Result
	<p>paragraph 6(1)(a) of the code of conduct</p>	<p>Appeal Tribunal. The Appeal Tribunal is satisfied that appropriate credit was given by the Standards Committee for the mitigation put forward by Cllr Thomas but that the mitigation was outweighed by other factors of the case including Cllr Thomas' credibility. The Appeal Tribunal is satisfied that the Standards Committee applied due proportionality having regard to all the facts in deciding on the sanction that should be applied to Cllr Thomas.</p>	<p>of Anglesey County Council's Standards Committee that Cllr Thomas should be suspended for 6 months.</p>

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**PAPUR / ENCLOSURE
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ISLE OF ANGLESEY COUNTY COUNCIL	
MEETING:	STANDARDS COMMITTEE
DATE:	11 th December 2012
TITLE OF REPORT :	MEMBER DEVELOPMENT
REPORT BY :	SENIOR HUMAN RESOURCES DEVELOPMENT OFFICER
CONTACT OFFICER :	MIRIAM WILLIAMS (ext 2512)
PURPOSE OF REPORT :	TO PROVIDE AN UPDATE ON MEMBER DEVELOPMENT ISSUES

Background

The purpose of this report is to provide the Standards Committee with an update on the following development issues:

- Member Development Plan for 2012 – 2013
- Member Development Plan for 2013 – 2014
- Training recorded 2008 – 2013
- Personal Development Reviews
- Role of the Member Development Group

Member Development Plan (MDP) 2012 - 2013

An updated plan is enclosed in appendix 1 of this report.

The plan highlights a number of Finance related courses which have been organised since the last meeting of the Standards Committee. No other additional training requests have been identified at this stage, however should any additional needs require organising, the MDP will be amended to reflect these.

All training organised for Elected Members (EM) which is organised by the Human Resource Service is recorded on each EM personal training records.

Member Development Plan (MDP) 2013 - 2014

As highlighted in the last report to the Standards Committee, the Member Development Workgroup (MDWG) had at its last meeting specified that the focus for the next few months ought to be on the production of an Induction plan in preparation for the intake of Elected Members in May 2013.

To this end, information already received from departments is being collated and included into an MDP for the next financial year. A draft copy of this document is attached in appendix 2.

As with all other plans, this should be seen as a working document and is reliant on training information being forwarded to the Human Resource Service for collation.

Training recorded 2008 – 2013

In order to provide the Standards Committee with an overview of the development/training EM have received in the last four years, the author has included details of those arranged via the HR Service. This is included in appendix 3 of this report. The information included in this document will also prove useful for the Induction of new EM in 2013.

Personal Development Reviews (PDR)

The Senior HR Development Officer has received no feedback from the review meetings. It is now her intention to arrange for a request to be sent to the reviewers to forward these to the Human Resource Service in order that training needs may be collated and development needs, should there be any, be addressed without delay.

It is hoped that the feedback will provide information which will assist in drawing up the MDP for the next financial year specifically to meet the needs of newly elected Members.

It is anticipated that the PDR process will be fully adopted as part of the EM annual development with an expectation that the process will be truly embedded prior to the 2013 elections. PDR training has been included in the MDP for 2013-2014.

Role of the Member Development Workgroup

As mentioned at the last meeting, the changes highlighted in the Local Government Wales Measure (2011), means that the responsibility for member development has now been transferred to the Democratic Services Committee.

The first formal meeting of this Committee is due to be held on 17/12/2012 to which the author has been invited. An update of the current situation with regards to member development will be provided to the members.

It is intended that a discussion is also to be held with regards to progressing the Authority towards formally applying for the Wales Charter for Member Support and Development Standard.

Miriam Williams
Senior HR Development Officer
December 2012

**CYNLLUN DATBLYGU AR GYFER AELODAU ETHOLEDIG/
DEVELOPMENT PLAN FOR ELECTED MEMBERS
EBRILL/APRIL 2012 – MAWRTH/MARCH 2013**

PWNC SUBJECT	PERSONOL,TECHNEGOL,TG PERSONAL,TECHNICAL,IT	CYNULLEIDFA AUDIENCE	DARPARWR PROVIDER	DYDDIAD DATE	COSTAU COSTS
Ymwybyddiaeth Amddiffyn Plant ac Oedolion Bregus/ Child Protection and Vulnerable Adults Awareness X3 sesiwn	Technegol/ Technical	Holl Aelodau Etholedig/ All Elected Members	Mewnol/ Internal	Ebrill/ April 2012	£68 cyfieithu + x4 swyddog Costau Staff/ Staffing costs
“Gweithio Gyda’n Gilydd” – Gweithdy 1 “Working Together” - Workshop 1	Personol/ Personal	Holl Aelodau Etholedig/ All Elected Members	Ymgynghorwyr Hay Consultants	Mai/ May 2012	I’w gadarnhau/ To be confirmed
Diweddarau Trwyddedu/ Licencing Updates	Technegol/Technical	Pwyllgor Trwyddedu – ar y cyd gyda Cyngor Sir Gwynedd/ Licencing Committee Members - jointly with Gwynedd C.C.	Phil Karvin	Mai/ May 2012	£1500

PWNC SUBJECT	PERSONOL,TECHNEGOL,TG PERSONAL,TECHNICAL,IT	CYNULLEIDFA AUDIENCE	DARPARWR PROVIDER	DYDDIAD DATE	COSTAU COSTS
<p>“Gweithio Gyda’n Gilydd – Gweithdy 2 “Working Together” - Workshop 2</p>	<p>Personol/Personal</p>	<p>Holl Aelodau Etholedig All Elected Members</p>	<p>Ymgynghorwyr Hay Consultants</p>	<p>Mehefin/ June 2012</p>	<p>I’w Gadarnhau/ to be confirmed</p>
<p>“Gweithio Gyda’n Gilydd – Gweithdy 3 “Working Together “ - Workshop 3</p>	<p>Personol/Personal</p>	<p>Holl Aelodau Etholedig All Elected Members</p>	<p>Ymgynghorwyr Hay Consultants</p>	<p>Gorffennaf/ July 2012</p>	<p>I’w Gadarnhau/ to be confirmed</p>
<p>Diweddariad Cynllunio/ Planning Updates</p>	<p>Technegol/ Technical</p>	<p>Aelodau o’r Pwyllgor Cynllunio/ Planning Committee Members</p>	<p>Allanol/ External</p>	<p>Gorffennaf/ July 2012</p>	<p>£2000</p>

PWNC SUBJECT	PERSONOL,TECHNEGOL,TG PERSONAL,TECHNICAL,IT	CYNULLEIDFA AUDIENCE	DARPARWR PROVIDER	DYDDIAD DATE	COSTAU COSTS
Datblygiad Tyrbinau Gwynt/ Wind Turbine Developments	Technegol/Technical	Aelodau o'r Pwyllgor Cynllunio/ Planning Committee Members	Mewnol/ Internal	3 Medi/ September	Dim/ Nil
Sesiwn Cydweithio CLILC – Gweithdy 2 - Cyflwyniad / WLGA Collaboration Workshop 2 – Induction	Technegol/ Technical	Holl Aelodau Etholedig/ All Elected Members	Cynghorau Gogledd Cymru/ North Wales Authorities	7 Medi/ September 2012	Dim/ Nil
Hyfforddiant Aelodau Pwyllgor Archwilio/ Audit Committee Members' Training	Technegol/ Technical	Holl aelodau'r Pwyllgor Archwilio/ All members of the Audit Committee	Pricewaterhouse Coopers LLP	12 Medi/ September 2012	Dim/ Nil

PWNC SUBJECT	PERSONOL,TECHNEGOL,TG PERSONAL,TECHNICAL,IT	CYNULLEIDFA AUDIENCE	DARPARWR PROVIDER	DYDDIAD DATE	COSTAU COSTS
Hyfforddiant Adolygiad Datblygiad Personol/ Personal Development Review Training	Personol/Personal	Aelodau ddim yn rhan o'r cynllun peilot gwreiddiol/Members not part of the initial pilot scheme	Sarah Titcombe CLILC/WLGA	17 & 18 Medi/Sept. & 2 Hydref/Oct	Dim/Nil
Rheoli Trysorlys/ Treasury Management	Technegol/ Technical	Holl aelodau'r Pwyllgor Archwilio/ All members of the Audit Committee	?	16 Hydref/ October 2012	Dim/Nil
Sesiwn Cydweithio CLILC - Cyfiwyniad / WLGA Collaboration Workshop - Induction	Technegol/ Technical	Holl Aelodau Etholedig/ All Elected Members	CLILC / WLGA	2 Tachwedd/ November 2012	Dim/ Nil
Rheoli Risg/ Risk Management	Technegol/ Technical	Holl aelodau'r Pwyllgor Archwilio/Sgriwtini/ Gwaith All members of the Audit /Scrutiny and Executive Committees	Zurich	6 Tachwedd/ November 2012	

PWNC SUBJECT	PERSONOL,TECHNEGOL,TG PERSONAL,TECHNICAL,IT	CYNULLEIDFA AUDIENCE	DARPARWR PROVIDER	DYDDIAD DATE	COSTAU COSTS
Diweddariad Cynllunio/ Planning Updates	Technegol/ Technical	Aelodau o'r Pwyllgor Cynllunio/ Planning Committee Members	Allanol/ External	Tachwedd/ November 2012	£2000?
Cyhoeddi Cofrestrau Stadudol ar lein/ Online Publishing of Statutory Registers	Technoleg Gwybodaeth/ Information Technology	Holl Aelodau Etholedig/ All Elected Members	Mewnol/ Internal	Hydref/ Autumn 2012	Costau Staff/ Staffing Costs
Hyfforddiant Microsoft Outlook Training	Technoleg Gwybodaeth/ Information Technology	Aelodau o'r Pwyllgor Gwaith/ Members of the Executive Committee	Mewnol/ Internal	Tachwedd/ November 2012	Costau Staff/ Staffing Costs
Gweithdy Cyllido/ Budget Workshop	Technegol/ Technical	Holl Aelodau Etholedig/ All Elected Members	Mewnol/ Internal	4/12/2012	Dim/ Nil

PWNC SUBJECT	PERSONOL,TECHNEGOL,TG PERSONAL,TECHNICAL,IT	CYNULLEIDFA AUDIENCE	DARPARWR PROVIDER	DYDDIAD DATE	COSTAU COSTS
"Manual For Streets"/"No Place like Home"	Technegol/ Technical	Aelodau o'r Pwyllgor Cynllunio/ Planning Committee Members	I'w Gadarnhau/To be confirmed	I'w Gadarnhau/ To be confirmed	?
Design Review Service *	Technegol/ Technical	Aelodau o'r Pwyllgor Cynllunio/ Planning Committee Members	Cindy Harris, Head of Design Review Design Commission for Wales	I'w Gadarnhau/ To be confirmed	£1000
Diweddariad Materion Cynllunio Planning Updates	Technegol/ Technical	Aelodau Pwyllgor Cynllunio/Planning Committee Members	Allanol/ External	Mawrth/ March 2013	£2000?
Final Accounts	Technegol/ Technical	Audit Committee	PWC	TBC	Dim/Nil

PWNC SUBJECT	PERSONOL,TECHNEGOL,TG PERSONAL,TECHNICAL,IT	CYNULLEIDFA AUDIENCE	DARPARWR PROVIDER	DYDDIAD DATE	COSTAU COSTS
IT Skills	Technoleg Gwybodaeth/ Information Technology	Holl Aelodau Etholedig/ All Elected Members	Mewnol/ Internal	Fel yr adnabyddir/ As and when identified	Costau Staff/ Staffing costs
E Ddysgu/ E Learning	Technoleg Gwybodaeth/ Information Technology	Holl Aelodau Etholedig/ All Elected Members	Mewnol/ Internal	Fel yr adnabyddir/ As and when identified	?
“Local Government Measure”	Technegol/ Technical	Holl Aelodau Etholedig All Elected Members	Sarah Titcombe	I'w gadarnhau/ To be confirmed	Dim/ Nil
Diogelu Data/Ymwybyddiaeth Materion Cyfrinachedd/ Data Protection/ Confidentiality Awareness	Technegol/ Technical	Holl Aelodau Etholedig All Elected Members	Partnership working with Gwynedd?	I'w gadarnhau/ To be confirmed	Costau Staff/ Staffing costs

PWNC SUBJECT	PERSONOL,TECHNEGOL,TG PERSONAL,TECHNICAL,IT	CYNULLEIDFA AUDIENCE	DARPARWR PROVIDER	DYDDIAD DATE	COSTAU COSTS
Sgiliau Cadeirio/ Chairing Skills	Personol/Personal	Holl Aelodau Etholedig/ All Elected Members	Allanol/ External	Fel yr adnabyddir/ As and when identified	I'w gadarnhau/ To be confirmed
Cyfres o Sesiynau Sgriwtini/ Series of Scrutiny Sessions	Technegol/Personol Technical/Personal	Aelodau Pwylgorau Sgriwtini/ Members of Scrutiny Committees	Mewnol/ Internal	Fel yr adnabyddir/ As and when identified	Costau Staff/ Staffing costs

Mae'r Cynllun yma yn seiliedig ar wybodaeth wedi ei gasglu gan Comisiynwyr/Adrannau/Cynlluniau Datblygu Personol, Aelodau Etholedig. Bwriedir i'r cynllun gael ei ddiwygio'n briodol fel mae blaenoriaethau'n newid ac bydd yn ddibynol ar argaeledd cyllidebau i'w gefnogi.

This Plan is based on information collated from Commissioners/Departments/Personal Development Plans for Elected Members. The intention is that the plan is amended appropriately as priorities change. The plan is also dependent on availability of budgets to support.

CYNLLUN DATBLYGU AR GYFER AELODAU ETHOLEDIG /

DEVELOPMENT PLAN FOR ELECTED MEMBERS

EBRILL/APRIL 2013 – MAWRTH/MARCH 2014

PWNC SUBJECT	PERSONOL,TECHNEGOL,TG PERSONAL,TECHNICAL,IT	CYNULLEIDFA AUDIENCE	DARPARWR PROVIDER	DYDDIAD DATE	COSTAU COSTS
		LEGAL			
Côd Ymddygiad/ Code of Conduct	Personol/Personal	Holl Aelodau'r Cyngor/ All Elected Members	Mewnol/ Internal		Costau Staff/ Staffing costs
		AUDIT & FINANCE			
Hyfforddiant Anwytho I Aelodau Newydd/ New Member Induction Training	Technegol/ Technical	Pwyllgor Archwilio/ Audit Committee	Darparwyr Mewnol ac Allanol/ Internal and External Providers	Mai/Mehefin May/June 2013	

PWNC SUBJECT	PERSONOL,TECHNEGOL,TG PERSONAL,TECHNICAL,IT	CYNULLEIDFA AUDIENCE	DARPARWR PROVIDER	DYDDIAD DATE	COSTAU COSTS
ARCHWILIO & CYLLID / AUDIT & FINANCE					
Caffael/ Procurement	Technegol/ Technical	Holl Aelodau/All Members	Mewnol/ Internal	Gorffennaf/ July 2013	Costau Staff/ Staffing costs
Rheoli'r Trysorlys/ Treasury Management	Technegol/ Technical	Pwyllgor Archwilio/Audit Committee	Mewnol/ Internal	Medi/ September 2013	
Adroddiad Cyllidebau/ Statement of Accounts	Technegol/ Technical	Pwyllgor Archwilio/Audit Committee	Darparwyr Mewnol ac Allanol/ Internal and External Providers	Medi/ September 2013	
Rheoli Risg/Risk Management	Technegol/ Technical	Pwyllgorau Sgrwtini ac Archwilio/Audit & Scrutinee Committee	Mewnol/ Internal	Hydref/ October 2013	
Gosod Cyllidebau/ Budget Setting	Technegol/ Technical	Holl Aelodau/All Members	Mewnol/ Internal	Tachwedd/ November 2013	

PWNC SUBJECT	PERSONOL,TECHNEGOL,TG PERSONAL,TECHNICAL,IT	CYNULLEIDFA AUDIENCE	DARPARWR PROVIDER	DYDDIAD DATE	COSTAU COSTS
ARCHWILIO & CYLLID/AUDIT & FINANCE					
Effeithiolrwydd Pwyllgor Cynllunio a Threfniadau a Thwyll cownter/ Effectiveness of the Audit Committee & Counter Fraud Arrangements	Technegol/ Technical	Pwyllgor Archwilio/ Audit Committee	Mewnol/ Internal	Rhagfyr/ December 2013	
TAI/HOUSING					
Dyranid Tai/ Housing Allocations	Technegol/ Technical	Holl Aelodau/ All Members	Mewnol/ Internal	?	
Diwygiad Budd/ Welfare Reform	Technegol/ Technical	Holl Aelodau/ All Members	Mewnol/ Internal	?	
Mesur Tai I Gymru/ Housing Bill for Wales	Technegol/ Technical	Holl Aelodau/ All Members	Mewnol/ Internal	?	

PWNC SUBJECT	PERSONOL,TECHNEGOL,TG PERSONAL,TECHNICAL,IT	CYNULLEIDFA AUDIENCE	DARPARWR PROVIDER	DYDDIAD DATE	COSTAU COSTS
TECHNOLEG GWYBODAETH/ICT					
Cyhoeddi Cofrestrau Stadudol ar lein/ Online Publishing of Statutory Registers	Technoleg Gwybodaeth/ Information Technology	Holl Aelodau Etholedig/ All Elected Members	Mewnol/ Internal		Costau Staff/ Staffing costs
Hyfforddiant Microsoft Outlook Training	Technoleg Gwybodaeth/ Information Technology	Holl Aelodau Etholedig/ All Elected Members	Mewnol/ Internal		Costau Staff/ Staffing costs
CYNLLUNIO/TRWYDDEDU					
Diweddaru Trwyddedu/ Licencing Updates	Technegol/Technical	Pwyllgor Trwyddedu Licencing Committee Members			

PWNC SUBJECT	PERSONOL,TECHNEGOL,TG PERSONAL,TECHNICAL,IT	CYNULLEIDFA AUDIENCE	DARPARWR PROVIDER	DYDDIAD DATE	COSTAU COSTS
CYNLLUNIO/TRWYDDEDU					
Materion Cynllunio Planning	Technegol/ Technical	Aelodau Pwyllgor Cynllunio/Planning Committee Members	Allanol/ External		
CYFFREDINOL/GENERAL					
Cynlluniau Datblygu Personol/ Personal Development Plans	Personol/Personal	Holl Aelodau/ All Members	Sarah Titcombe CILIC/WLGA		Dim/Nil
Diogelu Data/Ymwybyddiaeth Materion Cyfrinachedd/ Data Protection/ Confidentiality Awareness	Technegol/ Technical	Holl Aelodau Etholedig All Elected Members	Partnership working with Gwynedd?	I'w gadarnhau/ To be confirmed	Costau Staff/ Staffing costs

PWNC SUBJECT	PERSONOL,TECHNEGOL,TG PERSONAL,TECHNICAL,IT	CYNULLEIDFA AUDIENCE	DARPARWR PROVIDER	DYDDIAD DATE	COSTAU COSTS
SGRIWTINI/SCRUTINY					
<p>Cyfes o Sesiynau Sgrwtini/ Series of Scrutiny Sessions:</p> <ul style="list-style-type: none"> - What is Scrutiny - Scrutiny Chairing Skills - Scrutiny Investigative Skills - Scrutiny ICT Training - Performance Management Framework and use of - Risk Management - Scrutiny Budget Monitoring Role - Scrutiny External Focus 	<p>Technegol/Personal Technical/Personal</p>	<p>Aelodau Pwyllgorau Sgrwtini/ Members of Scrutiny Committees</p>	<p>Mewnol/ Internal</p>	<p>Fel yr adnabyddir/ As and when identified</p>	<p>Costau Staff/ Staffing costs</p>

Mae'r Cynllun yma yn seiliedig ar wybodaeth wedi ei gasglu gan Adrannau/Cynlluniau Datblygu Personol, Aelodau Etholedig.

Bwriedir i'r cynllun gael ei ddiwygio'n briodol fel mae blaenoriaethau'n newid ac bydd yn ddibynol ar argaeledd cyllidebau i'w gefnogi.

This Plan is based on information collated from Departments/Personal Development Plans for Elected Members.

The intention is that the plan is amended appropriately as priorities change. The plan is also dependent on availability of budgets to support.

Member Training Since 2008

ATODIAD / APPENDIX 3

Course	Date
New Members of Planning and Orders Committee	14/05/2008
Planning Seminar	02/06/2008
Dennis Reed Planning Session	17/06/2008
Introduction to Local Government	19/06/2008
Media Skills for Executive Members	24/06/2008
Data Protection & FOI	27/06/2008
Code of Conduct	30/06/2008
Constitution	09/07/2008
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Planning Seminar	31/07/2008
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Senior Executive Briefing - Health & Safety	20/10/2008
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**PAPUR / ENCLOSURE
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ISLE OF ANGLESEY COUNTY COUNCIL	
MEETING:	STANDARDS COMMITTEE
DATE:	11 th December 2012
TITLE OF REPORT :	MEMBER DEVELOPMENT
REPORT BY :	SENIOR HUMAN RESOURCES DEVELOPMENT OFFICER
CONTACT OFFICER :	MIRIAM WILLIAMS (ext 2512)
PURPOSE OF REPORT :	TO PROVIDE AN UPDATE ON MEMBER DEVELOPMENT ISSUES

Background

The purpose of this report is to provide the Standards Committee with an update on the following development issues:

- Member Development Plan for 2012 – 2013
- Member Development Plan for 2013 – 2014
- Training recorded 2008 – 2013
- Personal Development Reviews
- Role of the Member Development Group

Member Development Plan (MDP) 2012 - 2013

An updated plan is enclosed in appendix 1 of this report.

The plan highlights a number of Finance related courses which have been organised since the last meeting of the Standards Committee. No other additional training requests have been identified at this stage, however should any additional needs require organising, the MDP will be amended to reflect these.

All training organised for Elected Members (EM) which is organised by the Human Resource Service is recorded on each EM personal training records.

Member Development Plan (MDP) 2013 - 2014

As highlighted in the last report to the Standards Committee, the Member Development Workgroup (MDWG) had at its last meeting specified that the focus for the next few months ought to be on the production of an Induction plan in preparation for the intake of Elected Members in May 2013.

To this end, information already received from departments is being collated and included into an MDP for the next financial year. A draft copy of this document is attached in appendix 2.

As with all other plans, this should be seen as a working document and is reliant on training information being forwarded to the Human Resource Service for collation.

Training recorded 2008 – 2013

In order to provide the Standards Committee with an overview of the development/training EM have received in the last four years, the author has included details of those arranged via the HR Service. This is included in appendix 3 of this report. The information included in this document will also prove useful for the Induction of new EM in 2013.

Personal Development Reviews (PDR)

The Senior HR Development Officer has received no feedback from the review meetings. It is now her intention to arrange for a request to be sent to the reviewers to forward these to the Human Resource Service in order that training needs may be collated and development needs, should there be any, be addressed without delay.

It is hoped that the feedback will provide information which will assist in drawing up the MDP for the next financial year specifically to meet the needs of newly elected Members.

It is anticipated that the PDR process will be fully adopted as part of the EM annual development with an expectation that the process will be truly embedded prior to the 2013 elections. PDR training has been included in the MDP for 2013-2014.

Role of the Member Development Workgroup

As mentioned at the last meeting, the changes highlighted in the Local Government Wales Measure (2011), means that the responsibility for member development has now been transferred to the Democratic Services Committee.

The first formal meeting of this Committee is due to be held on 17/12/2012 to which the author has been invited. An update of the current situation with regards to member development will be provided to the members.

It is intended that a discussion is also to be held with regards to progressing the Authority towards formally applying for the Wales Charter for Member Support and Development Standard.

Miriam Williams
Senior HR Development Officer
December 2012

**CYNLLUN DATBLYGU AR GYFER AELODAU ETHOLEDIG/
DEVELOPMENT PLAN FOR ELECTED MEMBERS
EBRILL/APRIL 2012 – MAWRTH/MARCH 2013**

PWNC SUBJECT	PERSONOL,TECHNEGOL,TG PERSONAL,TECHNICAL,IT	CYNULLEIDFA AUDIENCE	DARPARWR PROVIDER	DYDDIAD DATE	COSTAU COSTS
Ymwybyddiaeth Amddiffyn Plant ac Oedolion Bregus/ Child Protection and Vulnerable Adults Awareness X3 sesiwn	Technegol/ Technical	Holl Aelodau Etholedig/ All Elected Members	Mewnol/ Internal	Ebrill/ April 2012	£68 cyfieithu + x4 swyddog Costau Staff/ Staffing costs
“Gweithio Gyda’n Gilydd” – Gweithdy 1 “Working Together” - Workshop 1	Personol/ Personal	Holl Aelodau Etholedig/ All Elected Members	Ymgynghorwyr Hay Consultants	Mai/ May 2012	I’w gadarnhau/ To be confirmed
Diweddarau Trwyddedu/ Licencing Updates	Technegol/Technical	Pwyllgor Trwyddedu – ar y cyd gyda Cyngor Sir Gwynedd/ Licencing Committee Members - jointly with Gwynedd C.C.	Phil Karvin	Mai/ May 2012	£1500

PWNC SUBJECT	PERSONOL,TECHNEGOL,TG PERSONAL,TECHNICAL,IT	CYNULLEIDFA AUDIENCE	DARPARWR PROVIDER	DYDDIAD DATE	COSTAU COSTS
<p>“Gweithio Gyda’n Gilydd – Gweithdy 2 “Working Together” - Workshop 2</p>	<p>Personol/Personal</p>	<p>Holl Aelodau Etholedig All Elected Members</p>	<p>Ymgynghorwyr Hay Consultants</p>	<p>Mehefin/ June 2012</p>	<p>I’w Gadarnhau/ to be confirmed</p>
<p>“Gweithio Gyda’n Gilydd – Gweithdy 3 “Working Together “ - Workshop 3</p>	<p>Personol/Personal</p>	<p>Holl Aelodau Etholedig All Elected Members</p>	<p>Ymgynghorwyr Hay Consultants</p>	<p>Gorffennaf/ July 2012</p>	<p>I’w Gadarnhau/ to be confirmed</p>
<p>Diweddariad Cynllunio/ Planning Updates</p>	<p>Technegol/ Technical</p>	<p>Aelodau o’r Pwyllgor Cynllunio/ Planning Committee Members</p>	<p>Allanol/ External</p>	<p>Gorffennaf/ July 2012</p>	<p>£2000</p>

PWNC SUBJECT	PERSONOL,TECHNEGOL,TG PERSONAL,TECHNICAL,IT	CYNULLEIDFA AUDIENCE	DARPARWR PROVIDER	DYDDIAD DATE	COSTAU COSTS
Datblygiad Tyrbinau Gwynt/ Wind Turbine Developments	Technegol/Technical	Aelodau o'r Pwyllgor Cynllunio/ Planning Committee Members	Mewnol/ Internal	3 Medi/ September	Dim/ Nil
Sesiwn Cydweithio CLILC – Gweithdy 2 - Cyflwyniad / WPGA Collaboration Workshop 2 – Induction	Technegol/ Technical	Holl Aelodau Etholedig/ All Elected Members	Cynghorau Gogledd Cymru/ North Wales Authorities	7 Medi/ September 2012	Dim/ Nil
Hyfforddiant Aelodau Pwyllgor Archwilio/ Audit Committee Members' Training	Technegol/ Technical	Holl aelodau'r Pwyllgor Archwilio/ All members of the Audit Committee	Pricewaterhouse Coopers LLP	12 Medi/ September 2012	Dim/ Nil

PWNC SUBJECT	PERSONOL,TECHNEGOL,TG PERSONAL,TECHNICAL,IT	CYNULLEIDFA AUDIENCE	DARPARWR PROVIDER	DYDDIAD DATE	COSTAU COSTS
Hyfforddiant Adolygiad Datblygiad Personol/ Personal Development Review Training	Personol/Personal	Aelodau ddim yn rhan o'r cynllun peilot gwreiddio/Members not part of the initial pilot scheme	Sarah Titcombe CLILC/WLGA	17 & 18 Medi/Sept. & 2 Hydref/Oct	Dim/Nil
Rheoli Trysorlys/ Treasury Management	Technegol/ Technical	Holl aelodau'r Pwyllgor Archwilio/ All members of the Audit Committee	?	16 Hydref/ October 2012	Dim/Nil
Sesiwn Cydweithio CLILC - Cyfiwyniad / WLGA Collaboration Workshop - Induction	Technegol/ Technical	Holl Aelodau Etholedig/ All Elected Members	CLILC / WLGA	2 Tachwedd/ November 2012	Dim/ Nil
Rheoli Risg/ Risk Management	Technegol/ Technical	Holl aelodau'r Pwyllgor Archwilio/Sgriwtini/ Gwaith All members of the Audit /Scrutiny and Executive Committees	Zurich	6 Tachwedd/ November 2012	

PWNC SUBJECT	PERSONOL,TECHNEGOL,TG PERSONAL,TECHNICAL,IT	CYNULLEIDFA AUDIENCE	DARPARWR PROVIDER	DYDDIAD DATE	COSTAU COSTS
Diweddariad Cynllunio/ Planning Updates	Technegol/ Technical	Aelodau o'r Pwyllgor Cynllunio/ Planning Committee Members	Allanol/ External	Tachwedd/ November 2012	£2000?
Cyhoeddi Cofrestrau Stadudol ar lein/ Online Publishing of Statutory Registers	Technoleg Gwybodaeth/ Information Technology	Holl Aelodau Etholedig/ All Elected Members	Mewnol/ Internal	Hydref/ Autumn 2012	Costau Staff/ Staffing Costs
Hyfforddiant Microsoft Outlook Training	Technoleg Gwybodaeth/ Information Technology	Aelodau o'r Pwyllgor Gwaith/ Members of the Executive Committee	Mewnol/ Internal	Tachwedd/ November 2012	Costau Staff/ Staffing Costs
Gweithdy Cyllido/ Budget Workshop	Technegol/ Technical	Holl Aelodau Etholedig/ All Elected Members	Mewnol/ Internal	4/12/2012	Dim/ Nil

PWNC SUBJECT	PERSONOL,TECHNEGOL,TG PERSONAL,TECHNICAL,IT	CYNULLEIDFA AUDIENCE	DARPARWR PROVIDER	DYDDIAD DATE	COSTAU COSTS
"Manual For Streets"/"No Place like Home"	Technegol/ Technical	Aelodau o'r Pwyllgor Cynllunio/ Planning Committee Members	I'w Gadarnhau/To be confirmed	I'w Gadarnhau/ To be confirmed	?
Design Review Service *	Technegol/ Technical	Aelodau o'r Pwyllgor Cynllunio/ Planning Committee Members	Cindy Harris, Head of Design Review Design Commission for Wales	I'w Gadarnhau/ To be confirmed	£1000
Diweddariad Materion Cynllunio Planning Updates	Technegol/ Technical	Aelodau Pwyllgor Cynllunio/Planning Committee Members	Allanol/ External	Mawrth/ March 2013	£2000?
Final Accounts	Technegol/ Technical	Audit Committee	PWC	TBC	Dim/Nil

PWNC SUBJECT	PERSONOL,TECHNEGOL,TG PERSONAL,TECHNICAL,IT	CYNULLEIDFA AUDIENCE	DARPARWR PROVIDER	DYDDIAD DATE	COSTAU COSTS
IT Skills	Technoleg Gwybodaeth/ Information Technology	Holl Aelodau Etholedig/ All Elected Members	Mewnol/ Internal	Fel yr adnabyddir/ As and when identified	Costau Staff/ Staffing costs
E Ddysgu/ E Learning	Technoleg Gwybodaeth/ Information Technology	Holl Aelodau Etholedig/ All Elected Members	Mewnol/ Internal	Fel yr adnabyddir/ As and when identified	?
“Local Government Measure”	Technegol/ Technical	Holl Aelodau Etholedig All Elected Members	Sarah Titcombe	I'w gadarnhau/ To be confirmed	Dim/ Nil
Diogelu Data/Ymwybyddiaeth Materion Cyfrinachedd/ Data Protection/ Confidentiality Awareness	Technegol/ Technical	Holl Aelodau Etholedig All Elected Members	Partnership working with Gwynedd?	I'w gadarnhau/ To be confirmed	Costau Staff/ Staffing costs

PWNC SUBJECT	PERSONOL,TECHNEGOL,TG PERSONAL,TECHNICAL,IT	CYNULLEIDFA AUDIENCE	DARPARWR PROVIDER	DYDDIAD DATE	COSTAU COSTS
Sgilliau Cadeirio/ Chairing Skills	Personol/Personal	Holl Aelodau Etholedig/ All Elected Members	Allanol/ External	Fel yr adnabyddir/ As and when identified	I'w gadarnhau/ To be confirmed
Cyfres o Sesiynau Sgriwtini/ Series of Scrutiny Sessions	Technegol/Personol Technical/Personal	Aelodau Pwylgorau Sgriwtini/ Members of Scrutiny Committees	Mewnol/ Internal	Fel yr adnabyddir/ As and when identified	Costau Staff/ Staffing costs

Mae'r Cynllun yma yn seiliedig ar wybodaeth wedi ei gasglu gan Comisiynwyr/Adrannau/Cynlluniau Datblygu Personol, Aelodau Etholedig. Bwriedir i'r cynllun gael ei ddiwygio'n briodol fel mae blaenoriaethau'n newid ac bydd yn ddibynol ar argaeledd cyllidebau i'w gefnogi.

This Plan is based on information collated from Commissioners/Departments/Personal Development Plans for Elected Members. The intention is that the plan is amended appropriately as priorities change. The plan is also dependent on availability of budgets to support.

CYNLLUN DATBLYGU AR GYFER AELODAU ETHOLEDIG /

DEVELOPMENT PLAN FOR ELECTED MEMBERS

EBRILL/APRIL 2013 – MAWRTH/MARCH 2014

PWNC SUBJECT	PERSONOL,TECHNEGOL,TG PERSONAL,TECHNICAL,IT	CYNULLEIDFA AUDIENCE	DARPARWR PROVIDER	DYDDIAD DATE	COSTAU COSTS
		LEGAL			
Côd Ymddygiad/ Code of Conduct	Personol/Personal	Holl Aelodau'r Cyngor/ All Elected Members	Mewnol/ Internal		Costau Staff/ Staffing costs
		AUDIT & FINANCE			
Hyfforddiant Anwytho I Aelodau Newydd/ New Member Induction Training	Technegol/ Technical	Pwyllgor Archwilio/ Audit Committee	Darparwyr Mewnol ac Allanol/ Internal and External Providers	Mai/Mehefin May/June 2013	

PWNC SUBJECT	PERSONOL,TECHNEGOL,TG PERSONAL,TECHNICAL,IT	CYNULLEIDFA AUDIENCE	DARPARWR PROVIDER	DYDDIAD DATE	COSTAU COSTS
ARCHWILIO & CYLLID / AUDIT & FINANCE					
Caffael/ Procurement	Technegol/ Technical	Holl Aelodau/All Members	Mewnol/ Internal	Gorffennaf/ July 2013	Costau Staff/ Staffing costs
Rheoli'r Trysorlys/ Treasury Management	Technegol/ Technical	Pwyllgor Archwilio/Audit Committee	Mewnol/ Internal	Medi/ September 2013	
Adroddiad Cyllidebau/ Statement of Accounts	Technegol/ Technical	Pwyllgor Archwilio/Audit Committee	Darparwyr Mewnol ac Allanol/ Internal and External Providers	Medi/ September 2013	
Rheoli Risg/Risk Management	Technegol/ Technical	Pwyllgorau Sgrwtini ac Archwilio/Audit & Scrutinee Committee	Mewnol/ Internal	Hydref/ October 2013	
Gosod Cyllidebau/ Budget Setting	Technegol/ Technical	Holl Aelodau/All Members	Mewnol/ Internal	Tachwedd/ November 2013	

PWNC SUBJECT	PERSONOL,TECHNEGOL,TG PERSONAL,TECHNICAL,IT	CYNULLEIDFA AUDIENCE	DARPARWR PROVIDER	DYDDIAD DATE	COSTAU COSTS
ARCHWILIO & CYLLID/AUDIT & FINANCE					
Effeithiolrwydd Pwyllgor Cynllunio a Threfniadau a Thwyll cownter/ Effectiveness of the Audit Committee & Counter Fraud Arrangements	Technegol/ Technical	Pwyllgor Archwilio/ Audit Committee	Mewnol/ Internal	Rhagfyr/ December 2013	
TAI/HOUSING					
Dyranid Tai/ Housing Allocations	Technegol/ Technical	Holl Aelodau/ All Members	Mewnol/ Internal	?	
Diwygiad Budd/ Welfare Reform	Technegol/ Technical	Holl Aelodau/ All Members	Mewnol/ Internal	?	
Mesur Tai I Gymru/ Housing Bill for Wales	Technegol/ Technical	Holl Aelodau/ All Members	Mewnol/ Internal	?	

PWNC SUBJECT	PERSONOL,TECHNEGOL,TG PERSONAL,TECHNICAL,IT	CYNULLEIDFA AUDIENCE	DARPARWR PROVIDER	DYDDIAD DATE	COSTAU COSTS
TECHNOLEG GWYBODAETH/ICT					
Cyhoeddi Cofrestrau Stadudol ar lein/ Online Publishing of Statutory Registers	Technoleg Gwybodaeth/ Information Technology	Holl Aelodau Etholedig/ All Elected Members	Mewnol/ Internal		Costau Staff/ Staffing costs
Hyfforddiant Microsoft Outlook Training	Technoleg Gwybodaeth/ Information Technology	Holl Aelodau Etholedig/ All Elected Members	Mewnol/ Internal		Costau Staff/ Staffing costs
CYNLLUNIO/TRWYDDEDU					
Diweddaru Trwyddedu/ Licencing Updates	Technegol/Technical	Pwyllgor Trwyddedu Licencing Committee Members			

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CYNLLUNIO/TRWYDDEDU					
Materion Cynllunio Planning	Technegol/ Technical	Aelodau Pwyllgor Cynllunio/Planning Committee Members	Allanol/ External		
CYFFREDINOL/GENERAL					
Cynlluniau Datblygu Personol/ Personal Development Plans	Personol/Personal	Holl Aelodau/ All Members	Sarah Titcombe CILIC/WLGA		Dim/Nil
Diogelu Data/Ymwybyddiaeth Materion Cyfrinachedd/ Data Protection/ Confidentiality Awareness	Technegol/ Technical	Holl Aelodau Etholedig All Elected Members	Partnership working with Gwynedd?	I'w gadarnhau/ To be confirmed	Costau Staff/ Staffing costs

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SGRIWTINI/SCRUTINY					
<p>Cyfes o Sesiynau Sgrwtini/ Series of Scrutiny Sessions:</p> <ul style="list-style-type: none"> - What is Scrutiny - Scrutiny Chairing Skills - Scrutiny Investigative Skills - Scrutiny ICT Training - Performance Management Framework and use of - Risk Management - Scrutiny Budget Monitoring Role - Scrutiny External Focus 	<p>Technegol/Personal Technical/Personal</p>	<p>Aelodau Pwyllgorau Sgrwtini/ Members of Scrutiny Committees</p>	<p>Mewnol/ Internal</p>	<p>Fel yr adnabyddir/ As and when identified</p>	<p>Costau Staff/ Staffing costs</p>

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Budget Workshop for Members	04/12/2012

Standards Conference 2013

Date: Friday, 19 April 2013

Time: 10.00 – 4.00

Location: Venue, Llandudno

Strapline: Balancing Rights and Responsibilities

Cost: c. £75 - £80?

Programme: An address by the Ombudsman, an interactive plenary session, two workshops (no panel discussion)

Tentative timings:	10.00 – 10.30	Registration
	10.30 – 10.45	Welcome and introduction
	10.45 – 11.30	Keynote address
	11.30 – 11.45	Tea / Coffee
	11.45 – 12.45	Workshop 1
	12.45 – 13.45	Lunch
	13.45 - 14.30	Plenary session
	14.30 – 14.45	Tea / Coffee
	14.45 – 15.45	Workshop 2
	15.45 – 16.00	Closing remarks

Possible topics for the workshops:

- How to promote standards proactively
- Local dispute resolution procedures
- Town and community council relationship
- Mediation
- Conducting hearings and sanctions
- Dispensations
- Register of interests
- Single purpose authorities?

One of the topics (e.g. the proactive work of standards committees, or local dispute resolution procedures, could be the topic for the plenary session, perhaps with 3 committees giving their experiences).

Others who could contribute (perhaps by leading a workshop?):

- President of the Adjudication Panel
- One Voice Wales

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5.3 Relationship Protocol for Members and Officers

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5.3.1. Introduction

5.3.1.1 The Council subscribes to the view that no local authority can function effectively without a good professional relationship between its Members and Officers.

5.3.1.2 The purpose of this Protocol is to guide Members and Officers of the Council in their relationships with one another; aiming to promote the high standards in public office which are required for successful local government.

5.3.1.3 This Protocol seeks to promote greater clarity and certainty and to offer general advice and guidance.

5.3.1.4 A breach of this Protocol may constitute a breach of the Council's Code of Conduct for Members or the Code of Conduct for Officers.

5.3.1.5 This Protocol also tries to reflect the principles which underlie the respective Codes of Conduct, for Members and Officers. The shared objective of these Codes is to enhance and maintain the integrity of local government, thereby demanding very high standards of personal conduct.

5.3.2. Principles

5.3.2.1 Members and Officers must, at all times during their dealings with one another, observe this Protocol.

5.3.2.2 Members and Officers must always respect each other's roles and responsibilities. They must show respect in all their dealings, by observing reasonable standards of

courtesy, and by not seeking to take unfair advantage by virtue of their respective positions.

5.3.2.3 Whilst Members and Officers are indispensable to one another, their responsibilities are separate and distinct. Members are accountable to the electorate, serving only for as long as their term of office lasts. Officers are accountable to the Council as a whole and their job includes giving advice to Members (both individually and collectively) and to carry out the Council's work under the direction of the Council and in accordance with their line management accountabilities.

5.3.2.4 The Council has adopted Codes of Conduct for both Members and Officers. Both represent best practice. The Members' Code follows the national code, which is based on the general principles governing Members' conduct. These are:-

- Selflessness – serving only the public interest.
- Honesty and integrity – taking all reasonable steps to avoid these being called into question, not behaving improperly.
- Objectivity – taking decisions on merit.
- Accountability – to the public; being open to scrutiny.
- Openness – giving explanations and reasons for decisions.
- Personal judgment – reaching one's own conclusions and acting accordingly.
- Respect for others – promoting equality; avoiding discrimination, respecting others (Member/Member, as well as Member/Officer).
- Duty to uphold the law – not acting unlawfully.
- Stewardship – ensuring the prudent use of the Council's resources.
- Leadership – acting in a way which instils public confidence.

5.3.2.5 Officers are bound by the Council's Code of Conduct for Officers and, in some cases, by their own professional Codes of Conduct as well.

5.3.2.6 A breach of this Protocol by a Member may result in a complaint to the Public Services Ombudsman for Wales (PSOW) if it appears that a breach of the Protocol also constitutes a breach of the Members' Code of Conduct. Other breaches of the Protocol, falling outside the PSOW's jurisdiction, may be dealt with under any local Self Regulation Protocol. Breaches by an Officer may lead to disciplinary action.

5.3.3. The Role of Members

5.3.3.1 Members have a number of roles and responsibilities and need to be alert to the potential for conflict, which may arise between their roles. In those situations, it is recommended that Members seek the advice of their senior colleagues, relevant Officers and/or the Monitoring Officer.

5.3.3.2 Collectively, Members are the Council's ultimate policy makers; determining the

strategic plans which constitute the policy framework and setting the Council's annual budget.

5.3.3.3 Members also represent the wider community of the Isle of Anglesey, acting as community leaders to promote the social, economic and environmental wellbeing of the area; often in partnership with other agencies or as representatives on outside bodies.

5.3.3.4 Every Member represents the interests of, and is an advocate for, their electoral ward and individual electors. Members represent the Council in their ward, responding to local issues and concerns, meeting with partner agencies, and often serving on local bodies.

5.3.3.5 Some Members have roles relating to their position as Members of the Executive, Scrutiny Committees, Regulatory Committees or Sub-Committees and Panels of the Council.

5.3.3.6 Members of the Executive may also have individual delegated powers, either generically, or on an ad-hoc basis.

5.3.3.7 Members of the Executive may determine matters within their portfolio of responsibilities but implementation of their decisions will be the responsibility of Officers.

5.3.3.8 Members who serve on Committees or Sub-Committees have collective responsibilities, for example deciding regulatory/quasi-judicial matters (i.e. decisions which have an immediate and significant impact upon individual applicants/objectors etc.) and which by law are excluded from the remit of the Executive.

5.3.3.9 As politicians, Members may express the values and aspirations of the political party or group to which they belong, but also recognising that in their role as Members they have a duty to always act in the public interest.

5.3.3.10 In their numerous roles, described in paragraphs 3.2 to 3.9, the conduct of Members sets the tone and the core values of the Council

5.3.3.11 Through performance appraisal, target setting, and day to day management, Officers receive their instructions from their line managers. Members are not authorised to instruct Officers, other than:

- through the formal decision making process;
- to request the provision of consumable resources provided by the Council for the use of Members;
- where staff have been specifically allocated to give support to a Member or a group of Members.

5.3.3.12 Members are not authorised to initiate or certify financial transactions, or to enter into a contract on behalf of the Council.

5.3.3.13 Members must avoid taking actions which are unlawful, financially improper or likely to amount to maladministration (i.e. contrary to policy or procedure) Members have an obligation under their Code of Conduct to have due regard, when reaching decisions, to any advice provided by the lead Officer and particularly the Chief Executive, the Section 151 Officer and the Monitoring Officer.

5.3.3.14 Members must respect the impartiality of the Officers and do nothing to compromise it, e.g. by insisting that an Officer change his/her professional advice.

5.3.3.15 Members have a duty to abide by the requirements described in their Code of Conduct.

5.3.4. The Role of Officers

5.3.4.1 Officers are responsible for giving advice to Members to enable them to fulfil their roles. In doing so, Officers will take into account all available relevant factors.

5.3.4.2 Under the direction and control of the Council (including, as appropriate, the Executive, Committees and Sub-Committees), Officers manage and provide the Council's services within the framework of responsibilities delegated to them. This includes the effective management of employees and operational issues.

5.3.4.3 Officers have a duty to implement decisions of the Council, the Executive, Committees and Sub-Committees which are lawful, and which have been properly approved in accordance with the requirements of the law and the Council's constitution, and duly minuted.

5.3.4.4 Officers have a contractual and legal duty to be impartial. They must not allow their professional judgment and advice to be influenced by their own personal views.

5.3.4.5 Officers must assist and advise all parts of the Council. They must always act to the best of their abilities in the best interests of the Council as expressed in the Council's formal decisions.

5.3.4.6 Officers must be alert to issues which are, or are likely to be contentious, or politically sensitive, and be aware of the implications for Members, the media or other sections of the public.

5.3.4.7 Officers have the right not to support Members in any role other than that of Member, and not to engage in actions incompatible with this Protocol. In particular, there is a statutory limitation on Officers' involvement in political activities. Acting in contravention of the statutory limitation may result in disciplinary action.

5.3.5. The Relationship Between Members and Officers: General

5.3.5.1 The conduct of Members and Officers should be such as to instil mutual confidence and trust.

5.3.5.2 The key elements are recognition of, and a respect for, each other's roles and responsibilities. These should be reflected in the behaviour and attitude of each to the other, both publicly and privately.

5.3.5.3 Informal and collaborative contact between Members and Officers is encouraged, but personal familiarity may damage the relationship, as might a family or business connection.

5.3.5.4 Members and Officers should inform the Monitoring Officer, or the relevant Corporate Director, of any relationship which might be perceived as unduly influencing their work in their respective roles. Personal relationship can also include someone with whom you have been in dispute, or whom you may be regarded as having an interest in

disadvantaging, (i.e. similar to the Ombudsman's definition of 'A Close Personal Associate' in his Guidance Document on the Code of Conduct).

5.3.5.5 As well as avoiding actual impropriety, Members and Officers should always be open about their relationships to avoid any reason for suspicion and any appearance of improper conduct. Where a personal relationship has been disclosed, those concerned should avoid a situation where conflict might be reasonably perceived. Specifically, a Member must not sit on any body, or participate in any decision, which directly affects the Officer on a personal basis. Such circumstances are, in any event, likely to also constitute a prejudicial interest under the Members' Code of Conduct.

5.3.5.6. Officers serve the Council as a whole. They have a duty to implement the properly authorised decisions of the Council.

5.3.5.7 Officers work to the instructions of their line managers, not individual Members. It follows that, whilst such Officers will always seek to assist a Member, they must not be asked to exceed the bounds of authority they have been given by their managers. Except when the purpose of an enquiry is to seek factual information, which the Member is entitled to receive, Members should usually direct any requests and concerns to a Head of Service/Corporate Director, in the first instance.

5.3.5.8 Officers will do their best to give timely responses to Members' enquiries. However, Officers should not have unreasonable requests placed on them. Their work priorities are set and managed by their managers. Members should avoid disrupting Officers' work by attempting to impose their own priorities. Officers should report any such concerns to their line manager.

5.3.5.9 Members will endeavour to give timely responses to enquiries from Officers.

5.3.5.10 Staff are entitled to raise issues with their local Member, as citizens of the County. They must not, however, lobby Members on personal employment matters. This is to ensure that Members, as both employers and policy makers, receive balanced, unified advice within an orderly framework. Members must refuse to respond to inappropriate lobbying from staff and must inform the relevant Head of Service/Corporate Director.

5.3.5.11 Members and Officers should respect each other's free (i.e. non Council) time.

5.3.6. The Relationship between Members and Officers: Multi Member Wards

5.3.6.1 Principles

- each Member has been democratically elected to represent the whole of the multi-member ward and each has equal status within the ward.
- Members should agree amongst themselves whether and how they wish to work together.
- it is not the role of Officers to influence whether or how Members work together
- the role of Officers is to manage and support those relationships and the information and workloads which flow from them

5.3.6.2. Provision of information on ward members to the public

Factual information about ward Members needs to be provided to constituents and organisations seeking contact with a local Member.

(a) When members of the public contact the Council requesting information about their ward Members, contact details of all Members are provided in alphabetical order along with their political affiliation.

(b) Where someone has not identified a particular Member to deal with their concerns the officer handling the contact should phone or email the constituent to clarify which Member they would like to deal with their query.

(c) When it is not possible to get clarification over which Member is to be approached, the last resort should be to copy the query to all of the ward Members. In this circumstance the member of the public should be advised that the query will be copied to each of the ward Members and the Members should be advised.

5.3.6.3. Council activity or policy affecting the ward

Sharing information with Members about council activities and policies affecting their ward is a key component of equal treatment.

(a) All Members in a multi-member ward should be kept informed of, and have an input into, matters of Council business which affect their ward.

(b) Whenever a public meeting is arranged by the Council or by a Member to consider an issue local to a ward, or one or more wards in a part of the Council, all the ward Members should normally be invited to attend the meeting.

(c) Whenever the Council undertakes a consultative exercise on a issue local to one or more wards, the appropriate officers should notify the ward councillors of the consultation and request their views on the issue.

(ch) All Members in a multi-member ward should be kept informed of official engagements of Senior Councillors including the Leader, Members of the Executive, Chairs of Committees and Chairperson of the Council and Vice-Chairperson of the Council and officially organised visits to the ward by other elected representatives and VIPs. It is the responsibility of the Leader to ensure that other members are informed of their official engagements and in normal circumstances at least 3 days notice of an official engagement should be provided.

(d) In the case of a visit by an MP, AM, MEP, Ministerial representatives or other dignitary, the responsibility for informing local Members rests with the Officer who is organising arrangements for the visit. (More detailed guidance is to be found in the 'Guidance on Ministerial, Other Governmental and VIP Visits')

5.3.6.4. Officer communication to, and meetings with local residents

(a) When Officers write to residents regarding matters of general concern in an area, all ward Members should be sent copies. Examples would include traffic calming measures, bin collection cycles, etc.

(b) When Officers write to or meet with residents regarding issues affecting one household the local Members are not informed, except:

(i) Where a Member has been involved in a private matter affecting that household, then the relevant Officer(s) should keep the Member informed of developments until the matter is concluded, or

(ii) Where a Member has been involved in a non-personal matter affecting more than one household then the relevant Officer(s) should keep both the Member and all other local Members informed of developments until the issue is finalised.

5.3.6.5. Members arranging meetings with council Officers

There is no requirement for Officers to automatically invite other ward Members to, or notify them about, meetings organised by an individual Member with that officer unless the Member requests otherwise.

5.3.6.6. Member engagement with local representative groups

This can include for example; community councils, tenants and residents groups, local forums. Members are not obliged to attend these meetings and it is likely that involvement and participation will vary. In some Wards, councillors may opt to share this workload based on a Party or geographic basis. Issues arising from these meetings will generate work for Officers, and confusion / duplication may arise if different Members take up issues through separate channels which waste Council services. The confusion will be heightened if the group also pursues the same issue. It is therefore recommended that Members working with local representatives groups should co-ordinate with one another their dealing with such matters to ensure effective use of Council resources.

5.3.6.7. Correspondence with Members

(a) Where a Member has written (or e-mailed) to an Officer seeking information from the Council, the Officer will respond to that Member within 15 working days unless the enquiry is particularly complex, when an acknowledgement will be sent within 5 working days, explaining which Officer is dealing with the query and when a full reply will be provided. The Officer will not disclose correspondence to other Members in the ward. However, where a Member raises issues of general concern or interest to the ward, the Officer shall ensure that other Members within the ward are also kept informed and advised of any actions to be taken by the Council.

(b) If Members seek the same or similar information on any issue then Officers shall treat the requests equally and provide each Councillor with a similar response.

5.3.6.8. Data Protection and Confidentiality

Officers and Members must be alert to data protection issues. Personal data can only be provided to a Member when pursuing an individual case on behalf of the constituent when that constituent has provided clear consent, which should be in writing. Such personal data cannot be provided to other Members within the ward unless consent has been received from the constituent.

5.3.6.9. Member – Members relations

This section focuses chiefly on the issue of case management at the local level. Where there is a good level of trust between Members in a multi-member ward they may wish to enter into non binding agreements to take advantage of their interests and expertise and reduce duplication. The establishment of such agreements is not a matter for this section.

Where any such agreements are established, it would be helpful to communicate these more widely to assist the development of good practice in all multi-member wards.

~~5.3.7.6~~ The Council as Employer

~~5.3.7.6.1~~ Officers are employed by the Council as a whole.

~~5.3.7.6.2~~ Members' roles are limited to:

- the appointment of specified senior posts;
- determining human resources policies and conditions of employment; and
- hearing and determining relevant appeals.

~~5.3.7.6.3~~ Members shall not act outside these roles.

~~5.3.7.6.4~~ If participating in the appointment of Officers, Members should:

- remember that there is a statutory duty to appoint on merit alone;
- never canvass support for a particular candidate;
- not participate, or seek to influence the outcome, if one of the candidates is a close personal associate;
- not be influenced by preferences other than ones of merit and suitability for the job; and
- not favour a particular candidate by giving them information not available to the other candidates;
- abide by the requirements in the Members' Code of Conduct.

~~5.3.7.6.5~~ A Member should not sit on an appeal hearing if the appellant is a friend, a relative, or an Officer with whom the Member has, or has had, a close working relationship.

~~5.3.8.7~~ Chairperson and Officers

Officers will respect the position of the Council's Chairperson and provide appropriate support.

~~5.3.9.8~~ Executive Members and Officers

~~5.3.9.8.1~~ Executive Members will take decisions in accordance with the constitution and will not otherwise direct staff. Corporate Directors/Heads of Service will be responsible for ensuring staff implement the Executive's decisions.

~~5.3.9.8.2~~ Corporate Directors/Heads of Service (as well as the statutory officers) have the right to submit papers to the Executive as a whole or, where relevant, to individual Executive Members for consideration prior to any decision being made.

5.3.9.8-3 Corporate Directors/Heads of Service and Executive Members shall agree mutually convenient methods of regular contact. Before taking any formal decisions, the Executive will seek appropriate professional advice including, without exception, the Monitoring Officer and Section 151 Officer, and will not direct Officers in the framing of recommendations.

5.3.9.8-4 Before any formal decisions with a financial implication are taken by the Executive, the Section 151 Officer and the Corporate Directors/Heads of Service for the Service(s) concerned must be consulted. This is to ensure that those Officers who are budget holders:

- are aware of the proposed decision;
- have the opportunity to offer advice; and
- are subsequently able properly to authorise the financial transactions needed to implement decisions.

5.3.9.8-5 An individual Executive Member who is minded to write or commission a report, or to make a decision about a matter within his/her portfolio, must ensure that those other Members and Officers who need to know of the matter are so informed. There is a particular requirement to involve other Executive Members on cross cutting issues.

5.3.9.8-6 When making decisions, Executive Members (whether collectively or individually) must state the reasons for their decisions. The written record of the decisions must include the reasons.

5.3.9.8-7 Officers taking decisions under their own delegated powers must consider the advisability of informing the relevant Executive Member(s) of their intentions, in advance, when the matter to which the decision relates is likely to be sensitive or contentious, or has wider policy implications.

5.3.10.9. Scrutiny Members and Officers

5.3.10.9-1 Chairs and Vice Chairs of Scrutiny Committees shall maintain regular contact with the Scrutiny Officers who provide the principal support to the scrutiny function. In consultation with the Chairs, it shall be the responsibility of those Officers to ensure that those who need to know of matters being considered, or likely to be the subject of future consideration, are so informed.

5.3.10.9-2 A Scrutiny Committee, or its Chair acting on behalf of the Committee, may require Officers to attend Scrutiny meetings. Members should not normally expect Junior Officers to do so, though, and all requests for the attendance of any Officer should be made to the relevant Head of Service/Corporate Director.

5.3.10.9-3 When making requests for Officer attendance, Scrutiny Members shall have regard to the workload of Officers.

5.3.10.9-4 When attending at Scrutiny Committee (or Scrutiny Outcome Panels) Officers should be prepared to justify any advice they have already given on the issue under consideration, even if the advice was not accepted. Officers may also be required to justify decisions that they have taken under their own delegated powers, or in circumstances

where they have been properly authorised to take Executive decisions.

5.3.10.9-5 In giving information to Scrutiny Committees, or Outcome Panels, Officers must not be asked, and should not offer, political views.

5.3.10.9-6 When questioning Officers at Scrutiny, Members should address Officers with dignity and respect, and must treat their responses with courtesy. They should not ask about matters of a disciplinary nature.

5.3.10.9-7 Officers should respect Members in the way in which they respond to Members' questions.

5.3.10.9-8 Scrutiny must focus on reviewing policies and the performance of the Council, and its Services. Discussion of personal matters, such as the performance of individual Officers is not to be discussed in these forums, under any circumstances. In this context Members are referred to Section 16 of this Protocol.

5.3.10.9-9 If it is a relevant factor, before calling-in a decision of the Executive, Scrutiny Members should seek early advice from the Section 151 Officer, if they consider that the relevant decision is contrary to the Council's Budgetary Framework, and from the Monitoring Officer, if they consider that the decision is contrary to the Council's Policy Framework.

5.3.11.10- Members Of Other Committees Or Sub-Committees And Officers

5.3.11.10-1 The Officer with lead responsibility will arrange regular informal meetings with the Chairs and Vice-Chairs of Committees and Sub-Committees.

5.3.11.10-2 Corporate Directors/Heads of Service (including the statutory officers) have the right to present reports and give advice to Committees and Sub-Committees.

5.3.11.10-3 Members of a Committee or Sub-Committee shall take decisions within the remit of that Committee or Sub-Committee, and will not otherwise instruct Officers to act.

5.3.11.10-4 At some Committee or Sub-Committee meetings, a resolution may be passed which authorises a named Officer to take action between meetings in consultation with the Chair. In these circumstances it is the Officer, not the Chair, who takes the action and is responsible for it. A Chair has no legal power to take decisions on behalf of a Committee or Sub-Committee, neither should he/she apply inappropriate pressure on the Officer.

5.3.12.11- Political Groups and Officers

5.3.12.11-1 Corporate Directors/Heads of Service may properly be asked to contribute to deliberations of matters concerning Council business by political groups. Officers have the right to refuse such requests, and will normally not attend a meeting of a political group where some of those attending are not Members of the Council.

5.3.12.11-2 Officer support will not extend beyond providing factual information or professional advice in relation to matters of Council business. Officers must not be involved in advising on matters of group business, and therefore should not be expected

to be present at meetings, or parts of meetings, when such matters are to be discussed.

5.3.12.44-3 Political group meetings are not empowered to make decisions on behalf of the Council, and conclusions reached at such meetings do not rank as formal decisions. The presence of an Officer confers no formal status on such meetings in terms of Council business and must not be interpreted as doing so. Where Officers provide factual information and advice to a political group in relation to a matter of Council business, this is not a substitute for providing all the necessary information and advice when the matter in question is formally considered by a relevant body of the Council.

5.3.12.44-4 It must not be assumed that an Officer is supportive of a particular policy or point of view considered at a political group meeting simply because the Officer has attended or provided information to the meeting.

5.3.12.44-5 Officers will respect the confidentiality of any political group discussions at which they are present and, unless expressly requested to do so by that political group, will not relay the content of such discussions to another political group, or to any other Member or Members. This shall not prevent an Officer providing feedback to other Officers on a “need to know” basis.

5.3.12.44-6 In their dealings with political groups, Officers must treat each group in a fair and even-handed manner.

5.3.12.44-7 Members must not do anything which comprises, or is likely to compromise, an Officers’ impartiality.

5.3.12.44-8 The duration of an Officer’s attendance at a political group meeting will be at the discretion of the group, but an Officer may leave at any time if the Officer feels it is no longer appropriate to remain.

5.3.12.44-9 An Officer accepting an invitation to the meeting of one political group shall not decline an invitation to advise another group about the same matter. The Officer must give substantially the same advice to each.

5.3.12.44-10 An Officer below the level of Head of Service shall not be invited to attend a political group meeting, but the Officer so invited may nominate another Officer to attend on their behalf.

5.3.12.44-11 An Officer should be given the opportunity of verifying comments and advice attributed to them in any written record of a political group meeting.

5.3.12.44-12 No Member will refer in public, or at meetings of the Council, to advice or information given by Officers to a political group meeting.

5.3.12.44-13 At political group meetings, where some of those present are not Members of the Council, care must be taken not to divulge confidential information relating to Council business. Those who are not Members are not bound by the Members’ Code of Conduct. They do not have the same rights to access Council information as Members.

5.3.12.44-14 Any particular cases of difficulty or uncertainty, in relation to this part of the Protocol, should be raised as soon as possible with the Chief Executive and the relevant

political group leader.

5.3.13.42. Local Members and Officers

5.3.13.42.1 To enable them to carry out their ward role effectively, Members need to be fully informed about matters affecting their ward. Corporate Directors/Heads of Service must ensure that all relevant staff are aware of the requirement to keep local Members informed, thus allowing those Members to contribute to the decision making process and to develop their representative role.

5.3.13.42.2 This requirement is particularly important:

- during the formative stages of policy development, where practicable;
- in relation to significant or sensitive operational matters;
- whenever any form of public consultation exercise is undertaken; and
- during a Scrutiny investigation.

5.3.13.42.3 All local Members affected will need to be kept equally well informed. This includes multi Member wards and where issues affect more than one ward.

5.3.13.42.4 Whenever a public meeting is organised by the Council, to consider a local issue, all of the Members representing the ward/s affected shall be invited to attend the meeting as a matter of course.

5.3.13.42.5 If a local Member intends to arrange a public meeting on a matter concerning some aspect of the Council's work, then the local Member should inform the relevant Corporate Directors/Heads of Service. Provided the meeting has not been arranged on a party political basis:

- an Officer may attend, but is not obliged to do so, and
- subject to the necessary arrangements, the meeting may be held in Council owned premises.

5.3.13.42.6 No such meetings should be arranged or held in the immediate run up to Council elections.

5.3.13.42.7 Whilst support for Members' ward work is legitimate, care should be taken if Officers are asked to accompany Members to ward surgeries. In such circumstances:

- the surgeries must be open to the general public, and
- Officers should not be requested to accompany Members to surgeries held in the offices or premises of political groups or parties.

5.3.13.42.8 Officers must never be asked to attend ward or constituency political party meetings.

5.3.13.12-9 It is acknowledged that some Council staff (e.g. those providing dedicated support to Executive Members) may receive and handle messages for Members on topics unrelated to the Council. Whilst these will often concern diary management, care should be taken to avoid Council resources being used for private or party political purposes.

5.3.13.12-10 In seeking to deal with constituents' queries or concerns, Members should not seek to jump the queue but should respect the Council's procedures. Officers have many pressures on their time. They may not be able to carry out the work required by Members in the requested timescale, and may need to seek instructions from their managers.

5.3.14.13. Media Relations

5.3.14.13.1 All formal relations with the media must be conducted in accordance with the **Media Protocol included as part of the Council's Communications Strategy (which is available on the Council's website)**; and the law on local authority publicity.

5.3.14.13.2 In their dealings with the media, Members are reminded of their confidentiality obligations under the Code of Conduct.

5.3.14.13.3 Officers will keep relevant Members informed of media interest in the Council's activities, especially regarding strategic or contentious matters.

5.3.14.13.4 Officers approached by the media should redirect enquiries to the Communications Unit.

5.3.14.13.5 Likewise, Officers will inform the Council's Communications Unit of issues likely to be of media interest, since that unit is often the media's first point of contact.

5.3.14.13.6 If a Member is contacted by, or contacts, the media on an issue, he/she should:

- indicate in what capacity he/she is speaking (e.g. as ward Member, in a personal capacity, as an Executive Member, on behalf of the Council, or on behalf of a political group);
- be sure of what he/she wants to say or not to say;
- if necessary, and always when he/she would like a press release to be issued, seek assistance from the Council's Communications Unit and/or relevant Corporate Directors/Heads of Service, except in relation to a statement which is party political in nature;
- consider the likely consequences for the Council of his/her statement;
- never give a commitment in relation to matters which may be subject to claims from third parties and/or are likely to be an insurance matter;
- consider whether to consult other relevant Members;

- take particular care in what he/she says in the run up to local or national elections to avoid giving the impression of electioneering, unless he/she has been contacted as an election candidate or political party activist;
- all references in this section to the media includes print media, broadcast media and electronic/social media.

5.3.15.14. Correspondence

5.3.15.14.1 Correspondence between an individual Member and an Officer should not be copied to another Member unless the author expressly intends and states that this is the case or consents. Where correspondence is copied, this should always be made explicit, i.e. there should be no “blind” copies.

5.3.15.14.2 Official letters written on behalf of the Council should normally be in the name of the relevant Officer. It may be appropriate in some circumstances (e.g. representations to a Government Minister) for letters to appear in the name of an Executive Member or the Chair of a Scrutiny Committee.

5.3.15.14.3 The Chairperson may initiate correspondence in his/her own name.

5.3.15.14.4 Letters which create legally enforceable obligations, or which give instructions on behalf of the Council, should never be sent in the name of a Member.

5.3.15.14.5 When writing in an individual capacity, as a ward Member, a Member must make clear that fact.

5.3.16.15. Use of Council Resources

5.3.16.15.1 The Council provides Members with services such as typing, printing and photocopying, and goods such as stationery and computer equipment, to assist them in discharging their roles as Members of the Council. These goods and services are paid for from the public purse. They should not be used for private purposes or in connection with party political or campaigning activities.

5.3.16.15.2 Members should ensure they understand and comply with the Council’s requirements about the use of such resources, particularly:

- where facilities are provided in Members’ homes at the Council’s expense;
- in relation to any locally agreed arrangements e.g. payment for private photocopying; and
- regarding ICT security.

5.3.16.15.3 Members should not put pressure on staff to provide resources or support, which Officers are not permitted to give. Examples are:

- business which is solely to do with a political party;

- work in connection with a ward or constituency party political meeting;
- electioneering;
- work associated with an event attended by a Member in a capacity other than as a Member of the Council;
- private personal correspondence;
- work in connection with another body or organisation where a Member's involvement is other than as a Member of the Council; and
- support to a Member in his/her capacity as a Councillor of another local authority

5.3.17.16. Breach of this Protocol

5.3.17.16.1 This part of the Protocol should be read in conjunction with the Council's **"whistle blowing" policy; which is available on the Council's website.**

5.3.17.16.2 Members or Officers with questions about the implementation or interpretation of any part of this Protocol should seek the guidance of the Monitoring Officer.

5.3.17.16.3 A Member who is unhappy about the actions taken by, or conduct of, an Officer should:

- avoid personal attacks on, or abuse of, the Officer at all times;
- ensure that any criticism is well founded and constructive;
- never make a criticism in public; and
- take up the concern with the Officer privately.

5.3.17.16.4 If direct discussion with the Officer is inappropriate (e.g. because of the seriousness of the concern) or fails to resolve the matter, the Member should raise the issue with the Officer's manager or the relevant Head of Service.

5.3.17.16.5 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.**

5.3.17.16.6 An Officer who believes that a Member may have acted in contravention of this Protocol should raise his/her concern with the relevant Head of Service who may seek the advice of the Monitoring Officer as to the most appropriate and proportionate way to address the concern so raised.

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AGENDA ITEM NO.

ISLE OF ANGLESEY COUNTY COUNCIL	
Report to	The Executive & Full Council
Date	Executive 03.12.12 Full Council 06.12.12
Subject	To Make Changes to the Planning Matters Procedure Rules (Section 4.6 of the Constitution) Permanent
Portfolio Holder(s)	Councillor Robert Lloyd Hughes
Lead Officer(s)	Head of Service (Planning and Public Protection) Legal Services Manager
Contact Officer	Robyn Jones (x2134)
<p>Nature and reason for reporting</p> <p>1.1 To make changes to the Constitution, section 4.6: Planning Matters Procedure Rules, permanent following the end of a 12 month trial period.</p> <p>1.2 The Executive is asked to make a recommendation to the full Council in respect of the permanent changes and the full Council is asked to take a decision to make those changes permanent.</p>	

A – Introduction / Background / Issues
<p>2.1 At its meeting on 20 June 2011, the Board of Commissioners made changes to the Planning Matters Procedure Rules (the Rules) following a significant period of consultation with a range of stakeholders.</p> <p>2.2 The changes dealt with a number of issues from restrictions on the conduct of members at the Planning Committee down to clarifying planning applications from which officers should be reserved for decision to the Planning Committee.</p> <p>2.3 The changes and the reasons for them are set out in the Appendix to this report. It sets out the report that was presented to the Board of Commissioners in June 2012 and also the rationale for the changes and the reasons for their implementation.</p> <p>2.4 The review of the Rules originally arose as part of a Corporate Governance Inspection and recommendations made to the Planning Service and from their Action Plan in response.</p>

2.5 Under the Ministerial Direction then in force, changes to the Constitution were reserved to the Minister. He made the necessary changes by written notification to the Council dated 20 November 2011. The changes then took effect and the arrangements have been operational since then.

2.6 The changes were made for a trial period of 12 months and that period has now elapsed.

2.7 The matter is re-presented to members with a recommendation that the changes be made permanent. Delegated power is requested to be granted to the Head of Function (Legal and Administration) to make the necessary changes to the Constitution to implement the recommendation.

B - Considerations

3.1 In addition to a number of minor and consequential amendments, there were three principal changes. These were:

3.1.1 To prevent a member of the Planning Committee from proposing, seconding or voting on an application located within their ward,

3.1.2 To require that all members of the Committee who vote on an application to have been present at all previous considerations of that application by the Committee including any official site visit, and

3.1.3 Amendments to the Rules clarifying which planning applications by members and officers and their relatives should be determined by the Committee as opposed to being decided by officers under delegated powers.

3.2 The reasons for the changes are as set out in the Appendix to this report. Officers are of the view that these remain relevant considerations.

3.3 In practice officers' are not aware that the changes to the Rules have caused any problem affecting decision-making.

3.4 The new Rules on "members' and officers' applications" have been operated without any problem. These changes are an improvement on the previous version by providing a greater degree of certainty and clarity as to whose applications now need to be reported to the Committee for a decision. Officers' are of the view that this change should be made permanent.

3.5 The two changes affecting members of the Planning Committee have also been

operated without any known problem. Any potential problem with the Committee not being quorate owing to Committee members not being able to vote because they had not been on the site visit has not arisen. As the number of site visits has reduced and with the likelihood that this will continue, then there is no reason to expect that this risk will materialize in future.

3.6 Officers believe that the reasons advanced for making the changes as set out in the recommendation to the Board of Commissioners remain sound and sensible. Making these changes permanent will:

3.6.1 Bolster clarity, transparency and certainty in decision-making by the Committee. It will help protect decision-making from adverse public perception.

3.6.2 Be of benefit to members on the Committee by providing them with safeguards as to their participation in decision-making.

3.6.3 Be of benefit to Planning Officers by providing them with certainty as to which “members’ and officers’ applications” need to be decided by the Planning Committee.

C – Implications and Impacts		
1	Finance / Section 151	No comments received
2	Legal / Monitoring Officer	The Committee’s legal adviser is a co-author of the report and the legal view is expressed in it
3	Human Resources	Not applicable
4	Property Services (see notes – separate document)	Not applicable
5	Information and Communications Technology (ICT)	Not applicable
6	Equality (see notes – separate document)	These changes will not have a differential impact on any of the groups protected under the Equality Act 2010. Providing clarity, transparency and certainty in decision-making will help ensure that everyone is treated fairly.
7	Anti-poverty and Social (see notes – separate document)	Not applicable

C – Implications and Impacts		
	document)	
8	Communication (see notes – seperate document)	No comments
9	Consultation (see notes – seperate document)	The original proposals were subject to significant consultation as detailed in the Appendix
10	Economic	Not applicable
11	Environmental (see notes – seperate document)	Not applicable
12	Crime and Disorder (see notes – seperate document)	Not applicable
13	Outcome Agreements	Not applicable

CH - Summary
<p>4.1 The changes to the Rules were made in November 2011 following a lengthy period of consultation with stakeholders.</p> <p>4.2 The genesis of the changes were a Corporate Governance Inspection of the Planning Service and a need to put in place a robust procedure to protect members and officers who engage in deciding planning applications and to protect the system from adverse public perception.</p> <p>4.3 The changes were made by the Minister for a 12 month trial period. That trial period has now elapsed and the Council is asked to consider making those changes permanent.</p> <p>4.4 Practical experience during the trial period has not led to evidence that the changes do not work or that they have hampered decision-making by the Planning Committee.</p>

D - Recommendation

5.1 The recommendations are as follows:

To the Executive:

5.2 To recommend to the full Council that the changes made to the Council's Constitution by the Minister to the Rules (for a trial period of 12 months from 20 November 2011) and as detailed in the report to the Board of Commissioners on 20 June 2011 (the Appendix to this report) are made permanent.

To the Full Council:

5.3 To make permanent the changes to the Council's Constitution made by the Minister to the Rules (for a trial period of 12 months from 20 November 2011) and as detailed in the report to the Board of Commissioners on 20 June 2011 (the Appendix to this report), and

5.4 To delegate to the Head of Function (Legal and Administration) the power to make the necessary changes to the Constitution to implement the Council's decision.

Name of author of report: Robyn W. Jones
Job Title: Legal Services Manager
Date: 15 November 2012

Appendices:

Copy of the report submitted to the meeting of the Board of Commissioners on 20 June 2011 together with its enclosures.

Background papers

Other reports and papers submitted to public meetings of the Council and its Committees during the process of reviewing the Rules.

AGENDA ITEM NO.

ISLE OF ANGLESEY COUNTY COUNCIL	
REPORT TO	MEETING OF THE BOARD OF COMMISSIONERS
DATE	20 JUNE 2011
SUBJECT	REVIEW OF THE PLANNING MATTERS PROCEDURE RULES
PORTFOLIO HOLDER(S)	ALEX ALDRIDGE MICK GIANNASI
LEAD OFFICER(S)	INTERIM CHIEF EXECUTIVE, DIRECTOR OF LEGAL SERVICES, HEAD OF SERVICE (PLANNING AND PUBLIC PROTECTION)
CONTACT OFFICER	Robyn Jones (tel: 01248 752134)

1. Please confirm the nature of the report by clicking one of the following boxes:

For information.....

Operational.....

Strategic.....

2. Reason/s why a decision required by the Commissioners

To obtain a recommendation from the Commissioners. Any changes to the Rules will be a change to the Constitution to be made by the Minister. The matter was reported to full Council for comment.

3. Report summary

Changes to the Planning Matters Procedure Rules following a Corporate Governance Inspection (CGI) Review into planning matters by WAO and PwC in 2009. The review was part of the Planning Department's Improvement Plan 2010-11.

4. Recommendation/s and reasons

Recommendation:

That the Commissioners make a recommendation on proposed changes to the Rules:

- (i) as to which applications by members, officers and their relatives should be referred to the Committee for a decision and not be dealt with by officers under delegation,
- (ii) that members of the Planning Committee will only be allowed to participate in discussion on applications if they have been present at all previous substantive considerations of that application by the Committee. This includes being present at any official site visit. Substantive consideration means where there has been a presentation by the officer on the application or any discussion by the Committee on the merits of the application
- (iii) that members on the Planning Committee who represent the ward where a development site is located may not vote or make or second a recommendation on such an application

Reasons:

To address recommendations made by the WAO and PwC in the 2009 CGI on Planning as incorporated into the Planning Improvement Plan 2010-11.

Changes to tighten and clarify the wording of the Rules and accord with best practice.

To address possible concerns regarding the perceived involvement in decision-making by the local councillor as a member of the Planning Committee.

To ensure that decision-makers are aware of all previous considerations on an application before a decision is made.

5. Other options and reason/s for rejection

The option of not making the changes rejected as it would mean failing to address recommendations made in the 2009 CGI.

6. Consultation

- 6.1 Finance/Section 151..... yes..... no
- 6.2 Legal/Monitoring Officer..... yes..... no
- 6.3 Human Resources..... yes..... no..... n/a
- 6.4 Property Services..... yes..... no..... n/a
- 6.5 Communications Unit..... yes..... no

6.6 Others consulted (including members):

Standards Committee (14.12.10), Planning Committee (02.02.11),

All Members, Group Leaders and other Welsh Authorities.

7. Any Policy Framework issues

None

8. Environmental issues

Does the item/matter have regard to:

1. Wildlife (biodiversity) under Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006* yes..... no..... n/a

2. Anglesey's Area of Outstanding Natural Beauty (AONB) under Section 85 of the Countryside and Rights of Way Act 2000** yes..... no..... n/a

(* Ecological and Environmental Advisor can advise: ext. 2470)

(** Countryside and AONB Officer can advise: ext. 2429)

[Notes](#)

9. Background papers

The Planning Decision-Making Process Improvement Plan 2010-11

ISLE OF ANGLESEY COUNTY COUNCIL	
MEETING:	COMMISSIONERS BOARD MEETING
DATE:	20 JUNE 2011
TITLE OF REPORT:	REVIEW OF THE PLANNING MATTERS PROCEDURE RULES
REPORT BY:	CHIEF EXECUTIVE DIRECTOR OF LEGAL SERVICES / MONITORING OFFICER AND HEAD OF SERVICE (PLANNING AND PUBLIC PROTECTION)
PURPOSE OF REPORT:	TO CONSIDER ADOPTION OF THE PROPOSED CHANGES TO THE RULES

1. Introduction

1.1 At its meeting on 26 April the Commissioners considered the adoption of procedural rules relating to the involvement of Councillors in the decision making process.

1.2 The Commissioners considered the outcome of consultation within the Council, the context of the perceptions relating to planning matters, and the unique position relating to the Ministers' intervention in Anglesey to address corporate governance in order to restore public confidence in the decision making processes. The Commissioners also took account of the Wales Audit Office and PwC (external auditors) views that the Council should review its planning processes. The statutory officer recommendations to the Commissioners was accepted as being reasonable in all the circumstances and Commissioners took the view that they wished to remove any perception of a failure in dealing with conflicts of interest at both Councillor and Officer level whilst accepting that the perception is not always reality.

1.3 At its meeting on 12 May, full Council received the report of the 26 April and resolved that this matter be referred back to the Commissioners with a recommendation that they be asked to reconsider the matter bearing in mind the changes that have already taken place within the Planning and Orders Committee of this Authority.

1.4 This report addresses the process for Commissioner to consider the Council's request and to arrive at a decision on the matter of Planning Matters Procedure Rules ("the Rules"), which are currently set out at section 4.6 of the Constitution.

1.5 The previous recommendation to the Commissioners was to recommend approval of the changes to the Rules for a 12 month trial period, that the matter be referred to full Council for comment and then submitted to the Minister for changes to the Constitution. Therefore it is incumbent on Commissioners to take all these matters into account and decide on the matter

2. WAO / PwC CGI Report 2009

- 2.1 The proposals arise from various Audit recommendations and specifically the 2009 Corporate Governance Inspection on planning undertaken by WAO and PwC (December 2009).
- 2.2 The WAO and PwC undertook the specific Corporate Governance Inspection of planning matters in 2009 (as part of the wider CGI) and as a result of some responses to public consultation as part of the wider CGI. The WAO / PwC report suggested a review of the Rules to help establish clear and well-communicated roles and expectations of members and officers involved in the planning process, including the role of committee members and the balance between their role as ward member and as committee member.

3. The Review

- 3.1 The task of reviewing the Rules was incorporated into the Planning Service's "Planning Decision-Making Process Improvement Plan 2010-11" and the specific task was undertaken by the Legal Services Manager who also acts as the Council's planning lawyer.
- 3.2 The Legal Services Manager reported back to the Head of Service (Planning and Public Protection) in November 2010. The result of the review by way of suggested amendments to the Rules is set out in the Appendix to this report. There are three major changes: two involve restrictions on members of the Committee and the third clarifies the rules as to which applications by members and officer need to go to Committee to be determined.

4. Consultation

- 4.1 A significant and wide-ranging consultation was undertaken on the proposed changes.
- 4.2 Standards Committee. The Standards Committee was consulted on the proposed changes at its meeting on 14 December 2010. Their response has already been publicized in previous reports.
- 4.3 Elected Members. All elected members were consulted on the proposed changes with the closing date for responses being 31 January 2011. Three responses were received; two supported all the changes and the other supported two of the changes and asked a question about the third.
- 4.4 The Planning Committee. The Planning Committee were consulted on 2 February 2011 and resolved to note the report but did not express a view as the matter was open to each member to consider at full Council.
- 4.5 The then Executive. The matter was reported to the then Executive for consultation as any changes to the Rules would be a change to the Constitution. At its meeting on 23 February the then Executive resolved to support the three major changes.
- 4.6 Group Leaders. Consultation was made with the Group Leaders at their meeting held on 2 March 2011.

- 4.7 Full Council. The matter was reported to full Council at its meeting on 8 March 2011. Full Council resolved to defer the matter to its next ordinary meeting and, in the meantime, to request officers to enquire what is the practice at other Welsh local authorities. This has been done and is reported on below.
- 4.8 Other Councils. The two major changes involving members of the Committee were consulted on with both the Monitoring Officers and with the Chief Planning Officers (or the equivalent officers) of the other 21 principal councils in Wales.
- 4.8.1 Of the replies received, only one other Welsh principal council (Carmarthenshire) restricts participation at Planning Committee to only those members who have been on the official site visit for that application. However, and as would be expected, there is a variety of practice across Wales. Some Councils have Site Visit Sub-Committees, others have Site Visit Panels and some have Site Visits Sub-Committees or Panels who have delegated powers to actually decide applications.
- 4.8.1 Of the replies received, only Gwynedd Council has a rule which prevents a local member who is also a member of the Planning Committee from voting on an application in his ward.
- 4.9 Recent Local Government Association (LGA) advice stresses the importance of the involvement of ward Councillors in the development process provided adequate safeguards are in place to avoid accusations of pre-determination.

The changes that have been decided on by the Commissioners in Anglesey will preserve the right of local members to still speak at the Committee and therefore the involvement of Councillors is preserved with the safeguards to prevent any perception of pre-determination also provided.

Whilst Commissioners were aware that no other local authority in Wales apart from Carmarthenshire and Gwynedd practice this arrangement the Commissioners took the view that given the current circumstances applying to Anglesey and that a similar system did work in Carmarthenshire and Gwynedd the statutory advice was reasonable in terms of giving protection to Councillors in Anglesey from any possible public perception of conflicts of interest

5. The Proposals on Local Members and Participation at Planning Committee

- 5.1 It is proposed that members on the Planning Committee who represent the ward where a development site is located may not vote or make or second a recommendation on such an application (paragraph 4.6.4.3.3 of the Rules).
- 5.1.1 At present there are no such restrictions on “the local member” who is also a member of the Committee. The local member is at present free to speak, to make or second a recommendation and to vote on such an application. This may give rise to the **public perception** (but not necessarily the reality) that the local member (when speaking, making or seconding a recommendation and / or voting) may be acting as an advocate for or against the application by virtue of them being the local member. That would not be the proper role

for a member of the Committee in discharging a quasi-administrative function. **The proposed change removes the risk of that perception.**

5.1.2 The change does not affect the local member's right to speak at the Committee in his capacity as the local member and the change may help improve public perception of the planning system.

5.2 It is proposed that members of the Planning Committee will only be allowed to participate in discussion on applications if they have been present at all previous substantive considerations of that application by the Committee. This includes being present at any official site visit (paragraphs 4.6.5.1 and 4.6.19.1.1(vi) of the Rules). Substantive consideration means where there has been a presentation by the officer on the application or any discussion by the Committee on the merits of the application.

5.2.1 At present there are no rules which require that a member of the Committee must have been present at all previous considerations of an application before they can participate at the next consideration. This is the case both as regards official site visits which have been undertaken and also generally.

5.2.2 Previous substantive considerations and the official site visit in particular inform subsequent considerations and members should have had an opportunity to hear and see all the deliberations on an application before being involved in deciding that application. This change may help improve public perception of the planning system.

6. Conclusions

6.1 The following matters are submitted to Commissioners as being relevant in considering the recommendations:

6.1.1 Planning History. It is recognised that Ynys Môn's planning history points to the need for ensuring that any accusations of impropriety are avoided.

6.1.2 Public Perception. The Commissioners will want to consider the Council's current circumstances and the need to tackle the poor public perception (but not necessarily reality) that surrounding the planning system. The Commissioners will want to ensure that the Council has the best and most robust safeguards in place whilst accepting that this is in order to address concerns about public perceptions and not reality. The recent acceptance of the Council at its EGM in relation to the Ombudsman findings on planning maladministration in relation to officer errors was a positive step forward in addressing public perception

6.1.3 Other Local Authorities -WAO / PwC Report. Whilst other Councils may not adopt these procedural rules, the WAO and PwC had specific cause to undertake a specific review of planning matters at this Council as part of the 2009 CGI and recommended that the Rules be reviewed with the aim of clarifying the roles of Committee members who were both local member and member of the Committee.

- 6.1.4 Planning Service's Improvement Plan. The WAO / PwC recommendations were incorporated into the Planning Service's "Improvement Plan" which required a review of the rules not confined to what was thought good practice at other Councils.
- 6.1.5 Addressing Perceived Weaknesses. The two proposed changes involving members of the Committee address what may be perceived weaknesses in the functioning of the Planning Committee. These are: non-attendance at earlier deliberations of an application including official site visits and the risk that a local member who sits on the Committee may be seen to act and, likewise, recommend and vote as an advocate for or against a proposal in their ward.
- 6.1.6 Boosting Public Confidence. The changes are aimed to boost public confidence in Anglesey and the public domain generally and contribute to the progress that is being made in corporate governance matters generally within the Council through establishing a planning process that maintains the right of ward members to contribute to the debate without any perception of a conflict of interest.
- 6.1.7 Consultation. The proposals have been the subject of extensive consultation within the Council since the start of the year.
- 6.1.8 Trial Period. The proposed changes are to be for a 12 month trial period. This will allow an opportunity to review the affect of the changes.
- 6.1.9 Protecting Members. The changes provide a measure of protection to members from complaints or challenges about the Committee member – ward member issue. Members will retain the right to speak as ward member at Committee.
- 6.1.11 There is overwhelming support for clarification of the Rules about member/officer applications being referred to Committee.

Previous Decision. The Commissioners decided to support the changes at their meeting on 26 April.

7. Recommendation

- 7.1 That the Commissioners reaffirm its decision to support a 12 month trial period for:
- 7.1.1 Changes to clarify the Rules on member/officer applications and those of their relatives and close friends which should be reported to the Planning Committee for decision,
- 7.1.2 Changes to the Rules that:
- 7.1.2.1 Members on the Planning Committee should not be allowed to make or second a recommendation or vote on an application which is located in their ward, and

7.1.2.2 Other than speaking as local councillor, members of the Planning Committee should not be allowed to participate on an application at Committee if they have not been present when that application was previously substantively considered by the Committee. This includes any official site visit that has occurred.

7.1.3 Other minor changes to the Rules as set out in the Appendix to this report.

7.2 All the changes to the Rules to implement the above are set out in the Schedule to this report. Further, minor changes are set out in the Rules set out in the Appendix to this report.

7.3 Under the terms of the Ministerial Direction dated 16 March 2011, the Commissioners approve the changes being submitted to the Minister with a request that he makes a decision to change the Constitution as necessary in order to implement the recommendations for a 12 month trial period.

Richard Parry Jones
Chief Executive
Statutory Head of Paid Service

Background Papers

The Planning Decision-Making Process Improvement Plan 2010-11.

The Schedule

1. Recommendation 5.1.1

That section 4.6.10 of the Planning Matters Procedure Rules be changed to read as follows:

“4.6.10 Development Proposals Submitted by Councilors and Officers

4.6.10.1 Proposals by serving councillors (whether or not they are councillors on the Committee), certain categories of officers and their close friends and relatives can easily give rise to suspicions of impropriety. It is vital that they are handled in a way which gives no grounds for accusations of favouritism. In these rules “relatives” encompass spouse or partner, parent, grandparent, child, grandchild, brother or sister.

4.6.10.2 Planning applications falling within the following categories will be reported to the Committee for consideration and not dealt with by officers under 'delegated powers':

- those where the applicant is a serving councillor or the relative of a serving councillor,
- those where a serving councillor acts as agent or has prepared any part of the application or plans,
- those where the applicant is a relevant officer or their relative. In this rule “relevant officer” means the Managing Director, all Corporate Directors, all Heads of Service, all officers working in the Planning Department and all other officers whose work is directly linked to the development control process (such as officers in Highways and Environmental Health who are consultees or lawyers who advice and represent the Planning Department in development control matters),
- those where the applicant is a close friend of a serving councilor or relevant officer.

In this rule “planning application” shall mean all applications required by statute to be made and which (apart from this rule) would fall to be determined under the Council’s Constitution by the Head of Planning Service. These would include applications for outline consent, reserved matters approval, listed building consent, conservation area consent, consent under Tree Preservation Orders and so forth.

4.6.10.3 Planning officers shall endeavour to identify and highlight such applications and shall accordingly inform the Head of the Planning Service and the Authority's Monitoring Officer. Serving councillors who make applications, who act as agents or who prepare plans or whose relatives make applications, should play no part in the decision-making process for that proposal.

4.6.10.4 The Monitoring Officer should confirm in the Committee report that such application has been processed normally and must, therefore, be given the opportunity to review the file.

4.6.10.5 Officers involved in the development control process must not prepare plans or act as agent for any person or body (including their relatives) pursuing a planning matter with the Council. If they submit a proposal on their own behalf, they should take no part in the processing of that application.”

2. Recommendation 5.1.2.1

That paragraph 4.6.4.3.3 of the Rules be changed so as to read as follows:

“4.6.4.3.3 If the local councillor is a member of the Committee then, the provision of rule 4.6.4.3.2 above will also apply to them and he/she may address the Committee but will **not** have the right either to propose or second any recommendation or to vote on the application. But he/she may should they so wish, refer the person seeking to lobby them to a councillor who represents an adjoining ward and who is not on the Committee and, for the purpose of these rules, such a councillor will be regarded as a local councillor.”

3. Recommendation 5.1.2.2

That paragraph 4.6.5.1 of the Rules be changed so as to read as follows:

“4.6.5.1.1 When attending meetings of the Committee, councillors who are not members of the Committee should sit quite separately from councillors who are on the Committee - whether or not they intend addressing the Committee. They should not communicate with those councillors who are on the Committee and who will be making decisions. The objective of this rule is to emphasise the quasi-judicial nature of the Committee’s proceedings when considering planning applications.

4.6.5.1.2 Other than speaking as local councillor, members of the Committee may only participate on an application where they have been present at all previous substantive considerations of that application by the Committee. Substantive consideration means where there has been a presentation by the officer on the application, any discussion by the Committee on the merits of the application or an official site visit of the application site.”

That a new rule 4.6.19.1.1(vi) be added to the Rules to read as follows:

“(vi) if the Committee are of a view that the site needs to be visited and seen before the application can be determined, then only those members who attended the official site visit may participate in and vote on the application when it is further considered by the Committee.”

APPENDIX

4.6 Planning Matters Procedure Rules

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4.6.1 Introduction

4.6.1.1 Determining planning applications is an important duty undertaken by the County Council. These rules set out how the Council as local planning authority will deal with planning applications. The rules apply to ~~both councilors~~ and officers as the context requires.

4.6.1.2 Most applications will be determined by planning officers acting on behalf of the local planning authority and the ~~Council's~~ Planning and Orders Committee (the Committee) will determine all other applications. The rules as to whether officers or the Committee will determine applications are contained in Part 3 of this Constitution at paragraph ... – Of those instances where the decision may be made by the Committee, the potentially most significant is where which includes a provision that the local councilor (that is the councilor in whose ward the proposed development site is located) may require that ~~thean~~ application (which ~~would~~might otherwise be decided by officers) should be submitted to the ~~Planning and Orders~~ Committee for determination. In these cases, provided that the local councilor must 'call-in' such application indicates this in writing addressed to the Chief Planning Officer/Head of Development Control within 21 days of the date of the notification letter notifying him / her of the application. In the case of those applications classified as 'fast-track' economic ones, the period within which to refer it to the Committee will be only 14 days. The local councilor may withdraw their call-in at any time before the Committee Agenda is published by notifying to the case officer and confirming the withdrawal in writing.

4.6.1.3 Planning is not an exact science. Rather, it relies on informed judgement within a firm policy context. It is also highly contentious because ~~theits~~ decisions affect the ~~daily~~ lives of everyone and the private interests of individuals, landowners and developers. This is heightened by the openness of the system (it actively invites public opinion before taking a decision) and the legal nature of development plans and decision notices. It is important, therefore, that the process is characterised by open and transparent decision making.

4.6.1.4 One of the key purposes of the planning system is to control development in the public interest. In performing this role, planning necessarily affects land and property interests, ~~particularly~~ the financial value of landholdings and the quality of the ~~environmentir~~ settings. It is important, therefore, that local planning authorities should make planning decisions affecting these interests, openly, impartially, with sound judgement and for justifiable reasons. The process should leave no justifiable grounds for suggesting ~~with any justification~~ that a decision has been partial, biased or not well-founded ~~in any way~~.

4.6.2 Decision Making on Planning Applications

4.6.2.1 Decisions on planning applications are sometimes referred to as regulatory or quasi-judicial decisions and this means that those making such decisions must

4.6.2.1.1 take into account all relevant planning considerations

4.6.2.1.2 ignore irrelevant or non planning considerations

4.6.2.1.3 act impartially, fairly and not take into account any political considerations

4.6.2.2 Planning law requires local planning authorities to determine planning applications in accordance with the Statutory Development Plan unless material planning considerations indicate otherwise. The emphasis in determining applications is upon a 'plan-led' system.

4.6.2.3 The basis of the planning system is the consideration of private proposals against wider public interests. Much is often at stake in this process and opposing views are often strongly held by those involved.

4.6.2.4 Those persons determining planning applications have a duty to take into account representations made to the local planning authority as a result of consultation with interested bodies or as a result of public notice or neighbour notification. In doing so it is necessary to decide which representations are material to the decision to be made, and, if so, what weight to attach to them. This conclusion should not be reached by the ~~Planning and Orders~~ Committee until all the facts have been presented in the officer's report to the Committee.

4.6.2.5 Councillors must not give a commitment in relation to any planning matter prior to its consideration at Committee. It is recognised, however, that councillors will from time to time be approached individually by applicants, agents and objectors in relation to planning proposals. These rules are intended to assist councillors in dealing with these approaches and is designed to ensure that the integrity of the decision making process is preserved.

4.6.2.6 Failure to follow these rules without good reason could be taken into account in investigations into possible maladministration and any investigation regarding the conduct of councillors and / or officers.

4.6.3 Pre-determination Discussions by Officers with Applicants

4.6.3.1 In any discussions on planning issues, it will always be made clear at the outset, ~~that such discussions~~that such discussion:

- ~~will not bind the local planning authority to make a particular decision, and~~
- ~~that any views expressed are based on the officers' provisional professional judgement but do not commit the local planning authority to any particular decision.~~

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4.6.3.2 Any advice given will:

- ~~be consistent and based upon the Development Plan and other material considerations.~~
- ~~Furthermore any advice given shall be impartial and,~~ the best that the officer can give in the circumstances, and
- ~~try to shall~~ highlight any apparent problems.

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4.6.3.3 No Council~~or shall~~ take part in the officers' discussions with applicants at any stage prior to determination of the application. Where this does occur, a complaint may be made against the council~~or~~ to the Council's Monitoring Officer.

4.6.4 Lobbying of and by Council~~ors~~

4.6.4.1 Council~~ors~~ who are Members of the ~~Planning and Orders~~ Committee

4.6.4.1.1 Council~~ors~~ who are members of the ~~Planning and Orders~~ Committee are likely to be approached by applicants, objectors and others interested in the outcome of planning applications. Because of the quasi-judicial or regulatory nature of planning decisions, council~~ors~~ on the Committee should not allow themselves to be lobbied by anyone - whether for or against an application. If approached they should inform the person seeking to lobby them that if they discuss the application with th~~at~~e person ~~seeking to lobby them~~, this ~~may will~~ disqualify them from taking part in the decision on the application. Instead potential lobbyists should be advised to contact either the~~ir~~ local council~~or~~ (see 4.6.4.3 below) or an appropriate officer within the Planning Department.

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4.6.4.1.2 Council~~ors~~ who are on the ~~Planning and Orders~~ Committee should not organise local support or opposition to a planning proposal if they later wish to take part in the ~~discussion~~decision on the application.

4.6.4.1.3 In taking into account the need to make decisions impartially, council~~ors~~ on the ~~Planning and Orders~~ Committee should not favour or appear to favour any person, company, group or locality and should not declare which way they intend to vote in advance of the meeting. To do so without all relevant information and views would be unfair and prejudicial. If the council~~or~~ feels that the public would believe he/she had come to a conclusive view on the planning matter or application before the meeting, or that he/she has been lobbied by an interested person then he/she should not take part in the debate, nor vote on the issue - this is without prejudice to his/her right to address the committee as provided for in section 4.6.5.2 of these rules~~notes~~.

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4.6.4.1.4 Where the Monitoring Officer or his/her representative believes that a councillor has prejudiced his/her position by expressing a conclusive view on an application before its determination by the Committee, the Monitoring Officer or his/her representative will advise the councillor that it would be inappropriate for him/her to take part in the debate, or vote on the application. The final decision, however, rests with the councillor - subject to any external scrutiny.

4.6.4.2 Councillors who are not members of the ~~Planning and Orders~~ Committee

Councillors who are not members of the ~~Planning and Orders~~ Committee should not be lobbied, whether by applicants, objectors or anyone else interested in the outcome of a planning application. If approached such councillors should inform the person seeking to lobby them that they should either contact their local councillor (see 4.6.4.3 below) or an appropriate officer in the Planning Department. If such a councillor is lobbied he/she should not lobby councillors who are members of the ~~Planning and Orders~~ Committee and he/she will not be entitled to speak at meetings of the ~~e~~Committees.

4.6.4.3 Local Councillors

4.6.4.3.1 There are ~~differences~~exceptions to the lobbying to the rules set out in 4.6.4.1.1 and 4.6.4.2 in relation to the 'local councillor' i.e. the councillor in whose ward the proposed development is located.

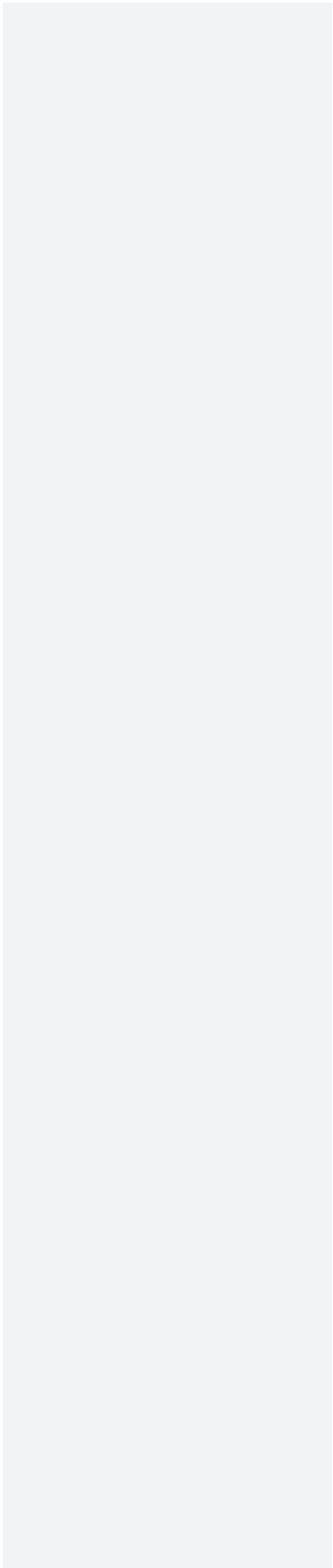
4.6.4.3.2 If the local councillor is not a member of the ~~Planning and Orders~~ Committee then he/she can legitimately be lobbied by an applicant, objector or anyone else interested in the outcome of a planning application. If such councillor is lobbied then, provided that he/she does not have an interest to declare in accordance with the Council's Code of Conduct ~~for Councillors~~for Councillors, he/she will be entitled to make representations to and address the ~~Planning and Orders~~ Committee. However he/she must not themselves lobby, whether directly or indirectly, councillors who are on the ~~Planning and Orders~~ Committee.

4.6.4.3.3 If the local councillor is a member of the ~~Planning and Orders~~ Committee then ~~he/she has a choice, i.e., the provision of rule 4.6.4.3.2 above will also apply to them and he/she may address the Committee but will not have the right either to propose or second any recommendation or to vote on the application. But he/she may should they so wish, refer the person seeking to lobby them to a councillor who represents an adjoining ward and who is not on the Committee and, for the purpose of these rules, such a councillor will be regarded as a local councillor.~~

either

~~(i) to inform the person seeking to lobby them that if they discuss the application with the person seeking to lobby them, this will disqualify them from taking part in the decision on the application, although they will be entitled to address the Planning and Orders Committee in the same way and subject to the same conditions as set out in 4.6.4.3.2, the provision of rule 4.6.4.3.2 above will also apply to them and he/she may address the Committee but will not have the right either to propose or second any recommendation or to vote on the application.~~

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~~(ii) he/she may address the Committee but will not have the right either to propose or second any recommendation or to vote on the application but they may refer the person seeking to lobby them to a councillor who represents an adjoining ward and who is not on the Planning and Orders Committee and, for the purpose of these rules, such a councillor will be regarded as a local councillor.~~

4.6.4.3.4 Local councillors, ~~as referred to in these rules,~~ may not become involved in making any representations at meetings of the ~~Planning and Orders~~ Committee or participating in decision making on planning applications if they have an interest to declare in accordance with the Council's Code of Conduct for Councillors. ~~This is so~~ regardless as to whether or not they are on the ~~Planning and Orders~~ Committee. If a local councillor is in this position he / she should refer any potential lobbyists to a councillor who represents an adjoining ward and who is not on the ~~Planning and Orders~~ Committee and, for the purpose of these rules, such a councillor will be regarded as a local councillor.

4.6.4.4 Where letters of 'neighbour notification' of a planning application are sent to properties not in the same ward as the application site, then the councillor who represents those properties may also speak as a local councillor at the ~~e~~Committee. This rule only gives the right to speak at the Committee and confers no other rights on that councillor as a local councillor.

4.6.5 Seating and Speaking Arrangements at Meetings of the ~~Planning and Orders~~ Committees

4.6.5.1.1 When attending meetings of the ~~Planning and Orders~~ Committee, councillors who are not members of the Committee should sit quite separately from councillors who are on the Committee - whether or not they intend addressing the Committee. ~~They~~ and should not communicate with those councillors who are on the Committee and who will be making decisions. The objective of this rule is to emphasise the quasi-judicial nature of the Committee's proceedings when considering planning applications.

4.6.5.1.2 Other than speaking as local councillor, members of the Committee may only participate on an application where they have been present at all previous substantive considerations of that application by the Committee. Substantive consideration means where there has been a presentation by the officer on the application, any discussion by the Committee on the merits of the application or an official site visit of the application site.

4.6.5.2 The right to address the Committee shall ~~also~~ apply to any member of the Planning and Orders Committee (including the local councillor) who:

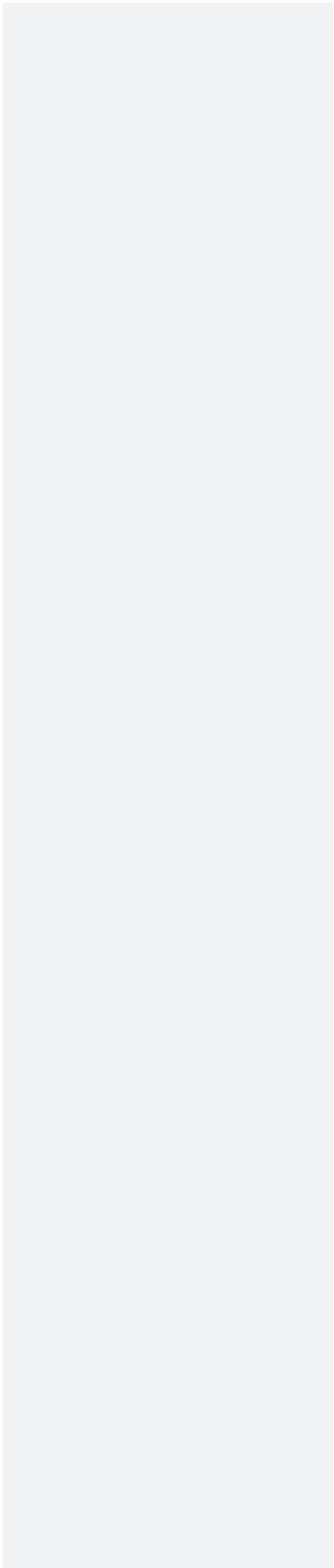
- has been lobbied, or
- who may have already expressed a conclusive view on an application, or
- who has spoken on the application at Town or Community Council level or the local councillor/councilor, or
- is the councillor who represents an adjoining ward as referred to in 4.6.4.3.3(ii).

–However if this right is exercised, the councillor on the ~~Planning and Orders~~ Committee should comply with paragraph 4.6.5.1 above when consideration is given to the particular matter and may not participate in the decision making and should declare at the meeting why he/she is not participating in the decision.

4.6.5.3 The Committee Chairperson will conduct business at the meeting in accordance with the attached Appendix.

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4.6.6 Public Meetings Relating to Development Proposals

4.6.6.1 Officers involved in the processing or determination of planning matters should not attend public meetings in connection with development proposals or submitted planning applications, unless those meetings have been arranged by or with the express agreement of the Authority. To do so could lead to allegations of bias or prejudice in relation to a particular point of view. If put in such a position of attending meetings arranged by, or with the consent of, the Authority, or by accident, then officers should take great care to maintain impartiality, concentrate on providing factual information, listen to comments and avoid giving views on the merits or otherwise of the proposal.

4.6.6.2 Similarly, councillors involved in the determination of planning applications should take great care to maintain impartiality when attending public meetings in relation to planning matters. At such meetings no view on the merits or otherwise of a proposal should be given.

4.6.7 Councillors who are Members of the ~~Planning and Orders~~ Committee and who are also Town or Community Councillors

These councillors should make a choice in relation to every planning application which may be considered by a Town or Community Council (or a committee or subcommittee of the same). The choices are either:

4.6.7.1 Participate in the discussion at Town or Community Council level and then, if they wish, speak at the ~~Planning and Orders~~ Committee as provided for in Section 5.4 of these Rules but not otherwise take part in the deliberations of the ~~e~~Committee or vote on the application, or

4.6.7.2 Take no part in discussions at Town or Community Council level (and preferably not be in the room when the matter is discussed) and then participate fully at the ~~Planning and Orders~~ Committee.

4.6.7.3 **NB:** those councillors who sit on the ~~Planning and Orders~~ Committee but who are not members of the Town or Community Council have, like any other member of the public, the right to attend public meetings of that Council. In these cases those councillors should only observe proceedings at the Town or Community Council and not take part in them.

4.6.8 Correspondence Received by Councilors

Should councilors receive directly any correspondence from persons interested in the outcome of a planning application ~~directly~~ they shall ensure that a copy is forwarded to the ~~Development~~Planning Control Section. The ~~S~~ection will then:

4.6.8.1 if time permits, send a copy to the applicant or his/her agent so as to allow him/her an opportunity to respond.

4.6.8.2 place a copy of all representations on the Planning file.

4.6.8.3 if time permits ensure that the report to Committee refers to the correspondence received.

4.6.9 Registration and Declaration of Interests

The Law and the Council's Code of Conduct for both councilors and officers in relation to these matters is of particular relevance applicable to those dealing with planning applications and must be followed at all times.

4.6.10 Development Proposals Submitted by Councilors and Officers

4.6.10.1 Proposals by serving councilors (whether or not they are councilors on the ~~Planning and Orders~~ Committee), and certain categories of officers and their close friends and relatives can easily give rise to suspicions of impropriety. It is vital that they are handled in a way which gives no grounds for accusations of favouritism. In these rules "relatives" encompass spouse or partner, parent, grandparent, child, grandchild, brother or sister.

4.6.10.2 Planning applications falling within the following categories will be reported to the Committee for consideration and not dealt with by officers under 'delegated powers':

- those where the applicant is a ~~S~~erving councilor or the relative of a serving councilor.
- those where a serving councilor acts as agent or has prepared any part of the application or plans.
- those where the applicant is a relevant officer or their relative. In this rule "relevant officer" means the Managing Director, all Corporate Directors, all Heads of Service, all officers working in the Planning Department and all other officers whose work is directly linked to the development control process (such as officers in Highways and Environmental Health who are consultees or lawyers who advice and represent the Planning Department in development control matters).
- those where the applicant is a close friend of a serving councilor or relevant officer.

In this rule "planning application" shall mean all applications required by statute to be made and which (apart from this rule) would fall to be determined under the Council's Constitution by the Head of Planning Service. These would include applications for outline consent, reserved matters approval, listed building consent, conservation area consent, consent under Tree Preservation Orders and so forth.. ~~who prepare plans or generally act as agents for people pursuing a planning matter should play no part in the decision-making process for that proposal. Similarly, if they submit a proposal themselves, they should take no part in the processing of that application or endeavour to influence the final decision on the application.~~

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4.6.10.3 ~~Planning~~ officers shall endeavour to identify and highlight such applications and shall accordingly inform the Head of the Planning Service and the Authority's Monitoring Officer. Serving councillors who make applications, who act as agents or who prepare plans or whose relatives make applications, should play no part in the decision-making process for that proposal.

4.6.10.4 ~~Those proposals will be reported to the Planning and Orders Committee for consideration and not dealt with by officers under 'delegated powers'.~~ The Monitoring Officer should confirm in the ~~Committee~~ report that ~~such~~ the application has been processed normally and ~~therefore must, therefore,~~ be given the opportunity to review the file.

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4.6.10.5 Officers involved in ~~any way in the development control~~ planning process must not prepare plans or act as agent for any person or body (including ~~members of their relatives own family~~) pursuing a planning matter with the Council. If they submit a proposal on their own behalf, they should take no part in the processing of that application. ~~Such proposals will be reported to the Planning and Orders Committee for consideration and will not be dealt with by officers under "delegated powers".~~

~~4.6.10.6 Officers not involved in the planning process must not prepare plans or act as agent for any person or body other than themselves or close members of their family (i.e., spouses, parents, grand parents, children, brothers or sisters) and in any of these cases the Head of the Planning Service should be made aware of their involvement so that the matter can be referred to the Planning and orders committee and not be dealt with by officers under "delegated powers".~~

4.6.11 Officers' Report to the Planning and Orders Committee

4.6.11.1 All planning applications reported to the Planning and Orders Committee will have a full written report including a reasoned assessment of the proposal and a justified Recommendation.

4.6.11.2 Any new matters which have arisen between the preparation of the report and the date of the Committee will be reported orally and references to this will be included in the minutes.

4.6.11.3 Every planning application file will contain an accurate account of events throughout its life, particularly the outcome of meetings or significant telephone conversations.

4.6.11.4 The same principles of good record keeping will also be observed in relation to enforcement matters. Monitoring of record keeping will be undertaken on a continuous basis by managers within the DevelopmentPlanning Control Section.

4.6.12 Decisions Contrary to Officer Recommendation

4.6.12.1 Where the Planning and Orders Committee are mindful to either approve or refuse a proposed development contrary to an Officer recommendation, the item shall be deferred until the following meeting so as to allow the officers to report further on the matter. The Committee must set out the reasons for wishing to decide against the officer recommendation. Committee members should adhere to these Rules when making planning decisions and take policy guidance from planning officers into due regard and only vote against their recommendations where genuine and material planning reasons can be identified. A detailed minute of the Committee's reason(s) shall be made and a copy placed on the application file. Where deciding the matter contrary to the recommendation may risk costs on appeal the Committee will take a recorded vote when deciding the application irrespective of the requirements of paragraph 4.1.18.5 of the Constitution.

4.6.12.2 The officer's further report shall detail the reasons put forward by the members, indicate whether such reasons are, in their view, genuine and material planning reasons and discuss the land use planning issues raised.

4.6.12.3 In the case where councillors wish to add or amend conditions which are recommended by officers, the officers should be invited to draft such a condition and bring this back for approval at the subsequent meeting unless the drafting is straightforward and can be agreed at the initial meeting.

4.6.12.4 Where planning officers are unable to defend such decisions on appeal (due to requirements of the professional conduct rules of the Royal Town Planning Institute - RTPI) they shall make this point known to the Committee before the final vote is taken. In such cases the Committee shall nominate (at least) two of its members who voted contrary to the recommendation to appear at any appeal and explain the Committee's decisions and the reasons for them. These should, normally, be the proposer and seconder of the proposal which was contrary to the officer's recommendation.

4.6.13 Appeals Against Council Decisions

4.6.13.1 Officers will organize and generally appear as witnesses at planning appeals and other proceedings on behalf of the Council. In some circumstances it may be necessary to appoint consultants to appear for the Council.

4.6.13.2 In giving evidence, officers will present the best possible case on behalf of the Council whilst complying with the RTPI Code of Professional Conduct.

4.6.13.3 Where a decision contrary to officer recommendation is subject to an appeal and officers have previously made known to the Committee that they are unable to defend such decisions, officers shall report the appeal to the next Committee meeting. - Councillors will then be responsible for presenting the Council's case at the appeal.

4.6.14 Conduct of Officers

4.6.14.1 Officers who are Chartered Town Planners are guided by the Royal Town Planning Institute (RTPI) Code of Professional Conduct. All officers whether members of the Institute or not shall abide by the same principles namely they -

4.6.14.1.1 Shall act with competence, honesty and integrity;

4.6.14.1.2 Shall fearlessly and impartially exercise their independent professional judgement to the best of their skill and understanding;

4.6.14.1.3 Shall discharge their duty to their employers, clients, colleagues and others with due care and diligence in accordance with the provisions of this Code;

4.6.14.1.4 Shall not bring the profession or the Royal Town Planning Institute into disrepute;

4.6.14.1.5 Officers shall not disclose or use to the advantage of themselves or the Authority information acquired in confidence in the course of their work;

4.6.14.1.6 Officers shall decline any discounts, gifts or commissions offered by any third parties in connection with their work as professional planners.

4.6.15 Councilor / Officer relationship

4.6.15.1 In order to engender a committed professional relationship between both officers and councilors, each shall have respect and regard for the roles both play within the decision making process.

4.6.15.2 Councilors shall respect the advice given by officers at Committee or when dealing with delegated applications and shall not place pressure on officers for a particular recommendation or decision. Any officer who considers that this has happened should deal with the matter as set-out under section 5.3.4 of this Constitution (Bullying, Intimidation and Harassment).

4.6.16 Site Visits by the Planning and Orders Committee

4.6.16.1 The protocol on site visits is attached as an Appendix to these Rules.

4.6.17 Gifts and Hospitality

4.6.17.1 Advice to councilors on registration of gifts and hospitality is contained within the Council's Code of Conduct for Members and shall be accordingly observed.

4.6.17.2 Officers during the course of carrying out their duties may be offered hospitality from people with an interest in a planning proposal. Officers should refuse offers of hospitality of any kind. If the receipt of hospitality is unavoidable officers must ensure that the absolute minimum level is accepted and declare its receipt as soon as possible to the Monitoring Officer.

4.6.18 Training

4.6.18.1 No member may sit on the Planning and Orders Committee unless and until they have attended Induction Training. The contents of the Induction Training shall from time to time be determined by the Head of Service (Planning and Public Protection). Updating training thereafter will be provided at least twice a year to include changes in legislation or procedure.

4.6.18.2 Councilors shall ensure that they attend a minimum 3 training events over a two year period in order to keep abreast of planning matters and thus provide a positive input into the decision making process. Attendance records will be monitored and reported to the Council. Any member of the Planning and Orders Committee who fails to attend the stated minimum number of training sessions shall be removed or suspended from the Committee by vote of the full Council at such time as when the attendance records are reported.

Appendix

4.6.19 Protocol Regarding Site Visits by the Planning and Orders Committee

4.6.19.1 Criteria for Site Visits

4.6.19.1.1 It is important that criteria should be set out for deciding when a site visit is justified and consider the procedure for such visits. In this respect account should be taken of the following points:-

(i) ~~(i)~~ site visits can:

- cause delay to the decision making process, ~~and~~
- possibly lead to an appeal to 'The Planning Inspectorate' on the basis of 'non-determination',
- affect the ~~s~~Service's performance in respect of its 8 week target, and
- lead to additional costs both to the ~~s~~Service and possibly to the applicant(s).

(ii) there needs to be consistency both in the way that it is decided that a site visit should take place and in the conduct of such visits. Otherwise it may leave the Authority open to the accusation that site visits are arbitrary or possibly a lobbying device.

(iii) site visits should be carefully organised and well-attended to ensure that the purpose, format and conduct are clearly established at the beginning and subsequently adhered to.

(iv) site visits should be used only where the expected benefits are substantial. The 'substantial benefit' test should apply in every case. Site visits should only be necessary if the impact of the proposed development is difficult to visualise and comprehend, i.e. where lack of clarity with the application makes visual assessment necessary

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(v) site visits may be appropriate to consider large, more complex applications.

(vi) if the Committee are of a view that the site needs to be visited and seen before the application can be determined, then only those members who attended the official site visit may participate in and vote on the application when it is further considered by the Committee.

Recommendation of site visits by officers shall be referred to within the report to Committee.

4.6.19.1.2 Site visits should **not** apply in the following cases:

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(i) to solely consider boundary or neighbour disputes,

(ii) to consider objections issued on competition grounds,

(iii) to consider objections raised on the ground of loss of property values,

(iv) to consider any other issues which are not material planning considerations,

(v) where councillors have already visited the site within the last 12 months, except in exceptional circumstances

4.6.19.2 Requests for Site Visits

In order to adopt a structured approach to site visits the following format should be adhered to:-

4.6.19.2.1 All requests for site visits must be made in writing to the Head of Development Control / Planning Control Manager by 1.00pm on the final working day prior to the Committee meeting. Any verbal request received prior to the Committee meeting must be followed up in writing before the Planning Committee commences. The reason for the 'site visit' shall be clearly stated and accordingly reported to the Planning Committee.

4.6.19.2.2 If a request is made for a 'site visit' during the Planning and Orders Committee Meeting once again the reasons for the visit shall be recorded in the minutes.

4.6.19.3 Procedures at the Site Visit

4.6.19.3.1 The applicant shall be informed that a site visit will take place but will not be allowed to be present during the visit to make any representations.

4.6.19.3.2 The primary purpose of the site visit will be for the planning officers to explain the planning issues relating to the case and for councillors to view the site.

4.6.19.3.3 There shall be no discussions at the site visit as regards the merits of the application. The site visit shall not be used as a forum for debate.

4.6.19.3.4 The Chairperson or Vice-Chairperson shall conduct and lead the site visit. If either the Chairperson or the Vice-Chairperson is absent, councillors shall vote for one of their number to act as Chairperson.

4.6.19.3.5 The Chairperson shall formally open the meeting and set out the reasons for the visit.

4.6.19.3.6 The planning officer shall be requested to outline the proposal and the main issues.

4.6.19.3.7 The councillors shall view the site, relevant buildings and surroundings as necessary.

4.6.19.3.8 Councillors shall be offered the opportunity to raise questions or seek clarification of points of fact with the planning officer and/or local councillors.

4.6.19.3.9 The local councillor in whose Ward the application site is located (if present) shall be offered the opportunity to comment on the proposal.

4.6.19.3.10 Notes shall be made of the site meeting and these shall be accordingly minuted at the following Planning Committee Meeting when the application is discussed.

4.6.19.4 Regular Review of Decisions

4.6.19.4.1 The Audit Commission's Report 'Building Quality' recommends that councillors should visit a sample of implemented planning permission to assess the quality of the decision. Such a review should improve the quality and consistency of decision-making, thereby strengthening public confidence, and assist with reviews of planning policy.

4.6.19.4.2 The review should be undertaken annually. It should include examples from a range of categories of development including applications which officers have determined under delegated powers.

4.6.20 Role of the Committee Chairperson and Conduct of Business at the Committee

4.6.20.1 Election of the Chairperson / Vice-Chairperson

4.6.20.1.1 The Chairperson shall be elected to his/her post by the councillors on Planning and Order the Committee at its first meeting following the annual Council meeting. The Ccouncillors shall at the same time elect a Vice-Chairperson for the same period of office or until such time as either or both of them step down.

4.6.20.1.2 In the absence of the Chairperson for the whole or part of the Committee meeting, the Vice-Chairperson shall be the Chairperson. If the Vice-Chairperson shall be absent, the Committee shall choose one of ~~their~~ number present to be Chairperson for that meeting or part of it until the Chairperson (or Vice-Chairperson) returns.

4.6.20.2 Responsibility of the Chairperson

The Chairperson shall have the following responsibilities:

4.6.20.2.1 to preside over meetings so that Committee business can be carried out efficiently and with regards to the rights of councillors, officers and the interest of the community as a whole.

4.6.20.2.2 to ensure that the Committee meeting is properly conducted as a forum for debate on planning matters and statutory orders only.

4.6.20.2.3 to ensure that the business of the meeting is carried out in accordance with the relevant provisions contained within the Council's Constitution.

4.6.20.2.4 to support the planning officers and the Monitoring Officer's representative in reminding members about their duty to adhere to genuine and material planning discussions in their decision making process.

4.6.20.3 The Role of Officers at Committee Meetings

4.6.20.3.1 Officers shall provide professional advice to the Chairperson in order to ensure that he/she is able to discharge the duties of the post.

4.6.20.3.2 Officers shall provide advice as follows:

(i) at pre-Committee meetings so that the Chairperson is fully briefed on issues that may arise at meetings

(ii) at any post-Committee meetings (if relevant)

(iii) during Committee meetings where questions are directed towards the Chairperson for response

(iv) during any meetings which may be convened by officers in order to discuss issues relevant to 'planning' or 'orders' issues

4.6.20.4 Conduct of Committee Meetings

4.6.20.4.1 Each agenda item for discussion or for information shall be introduced by the Chairperson.

4.6.20.4.2 Once introduced the Chairperson shall ensure that the officer is allowed to report on the item. Where the public speaking procedure applies to a particular application, this shall occur before the officer reports on the item.

4.6.20.4.3 The Chairperson shall allow the local councillor to speak first after the officer's report. This is whether the local councillor wishes to speak for or against the item and whether or not they are on the Committee.

4.6.20.4.4 The Chairperson shall then allow the councillors to participate in the discussion in the order in which he/she acknowledges their wish to speak.

4.6.20.4.5 The Chairperson will ensure that all councillors shall abide by the provisions of the Council's Constitution and by the relevant provisions of these Procedure Rules.

4.6.20.4.6 All those councillors wishing to speak shall be allowed an opportunity to do so. Councillors shall refrain from making speeches and shall address the Committee on 'planning' (i.e. material planning considerations) and 'orders' matters only. The Chairperson may intervene and curtail councillors who are making repetitions or irrelevant statements.

4.6.20.4.7 Where officers need to respond to comments or questions from councillors then the Chairperson shall ensure that officers are given that opportunity.

4.6.20.4.8 If the Chairperson wishes to speak as a local councillor on an item then the provision of the Constitution shall apply equally to him/her as they apply to all councillors.

4.6.20.4.9

(i) At the conclusion of the discussion the Chairperson shall request councillors on the Committee to vote on the matter under discussion. Unless councillors disagree with the officers' recommendation they shall indicate their voting intention through the showing of hands.

(ii) Should an amendment be proposed and seconded to the officer's ~~recommendation,~~ that recommendation that amendment will be voted on first.

4.6.20.4.10 All councillors and officers shall respect the position of Chairperson. The ruling of the Chairperson on all questions of procedure at the Committee shall be final and not open to discussion. The Chairperson shall ensure that at all times regard is had by all councillors (including himself/herself) and officers to the protocol on Member/Officer relationship and that respect is shown to the advice given by officers at the Committee.

4.6.21 Public Speaking

Eligibility to Speak

4.6.21.1 The planning application concerned must be on the agenda of the Planning and Orders Committee meeting in question. In the event of an application being deferred, public speaking will not be allowed if an opportunity has already been given at a previous Committee meeting when the application has been fully considered.

4.6.21.2 Both applicants (or their agents) and objectors (or their agents) can speak and there are no other qualifying criteria other than compliance with the Council's procedure.

4.6.21.3 Normally only one person can speak for and one person against an application. Very exceptionally the Chair of the Committee may exercise his/her discretion to allow one additional speaker per 'side'. This discretion will usually only be exercised for major applications where there are significant differences of view within one 'side' (e.g. two people speaking against an application for a large supermarket where one represents the views of retailers and the other the views of nearby residents). In such cases the 'other side' will be allowed 2 speakers or twice the normal time, if they wish to use it.

4.6.21.4 Anyone requesting to speak must allow the Council to give their name and contact number to other people (of the same view) wishing to speak so that they can agree on a spokesperson, the issue to raise etc. If they cannot agree, the first person who notified the Council of his/her intention to speak will normally be chosen to speak.

4.6.21.5 Requests to speak must be made to the Administrative Officer in the Planning Department before the deadline referred to in the notification letters sent to applicants and neighbours.

Time allowed to Speak

4.6.21.6 The spokesperson will be allowed up to 3 minutes to address the Committee.

Visual Aids

4.6.21.7 The spokesperson may not circulate or display written material in the Committee meeting. Any written representations should have been submitted to the Council during the statutory publicity period and will be summarised in the Officer's report.

Procedure

4.6.21.8 The procedure for public speaking at Committee is described in the appropriate documents.

NOTICE of the Decisions of the Executive held at the Council Chamber, Llangefni on Monday, 3rd December, 2012.

This Notice is published at 5:00pm on Thursday 6th December, 2012. The deadline for the receipt of requests to call-in any decision must be made to the Chief Executive by no later than 5:00pm on Thursday 13th December, 2012. The decisions will become effective (if no valid call-in application is recorded) on Friday 14^h December, 2012.

Present: Councillors W J Chorlton; K P Hughes; R LI Hughes; T.LI.Hughes; Bryan Owen (Leader); G.O.Parry,MBE; R.G.Parry,OBE.

Also Present: Councillor Selwyn Williams

Apology: Councillor O.Glyn Jones.

(10:00am – 11:30am)

ITEM NUMBER AND SUBJECT MATTER	3. (a) 2013/14 BUDGET STRATEGY UPDATE – Review of Financial Reserves and Balances
DECISION	<p>RESOLVED</p> <ul style="list-style-type: none"> ● To note the contents of the report; ● That the carry forward of Service reserves be limited to 0.5% of budget from the end of 2013-14, except where a commitment has been approved in advance.
REASON FOR THE DECISION	For monitoring purposes.
RELEVANT SCRUTINY COMMITTEE	Corporate Scrutiny Committee

ITEM NUMBER AND SUBJECT MATTER	3. (b) 2013/14 BUDGET STRATEGY UPDATE – Update to Budget Strategy and Initial Draft Revenue Budget 2013-14
DECISION	<p>RESOLVED</p> <ul style="list-style-type: none"> ● To adopt the draft standstill budget as a basis for the 2013-14 revenue budget;

	<ul style="list-style-type: none"> ● To seek to make sufficient savings in 2013-14 to balance the revenue budget without use of reserves; ● To plan to cover unavoidable costs of severance or other one-off costs of delivering savings without the use of reserves; ● That the Interim Head of Function(Resources) be requested to provide the Executive with further information as regards pension and energy costs.
REASON FOR THE DECISION	To approve the budget assumptions and the effect of the provisional settlement.
RELEVANT SCRUTINY COMMITTEE	Corporate Scrutiny Committee

ITEM NUMBER AND SUBJECT MATTER	4. NATIONAL PROCUREMENT SERVICE
DECISION	<p>RESOLVED</p> <ul style="list-style-type: none"> ● To commit to joining the National Procurement Service for the procurement of common and repetitive goods and services for an initial period of 5 years. ● That the Chief Executive be requested to write to the Managing Director of Newport City Council expressing this Council's concern that the business case makes no reference to the provision of a bilingual service and that there is some doubt whether the current proposal will enable this Council to comply with its Welsh Language Plan.
REASON FOR THE DECISION	To comply with the 2010 review of procurement in the Welsh Public Sector.
RELEVANT SCRUTINY COMMITTEE	Corporate Scrutiny Committee

ITEM NUMBER AND SUBJECT MATTER	5. PLANNING MATTERS PROCEDURE RULES
DECISION	RESOLVED to recommend to the County Council that the changes made to the Council's Constitution by the Minister to the Rules (for a trial period of 12 months from 20 November, 2011) be extended for a further trial period of 12 months.
REASON FOR THE DECISION	In light of the reduction in the membership of the Council by 25% from May 2013 and potential corresponding reduction in the membership of the Planning Committee. (This could affect the number of members needed to make the Committee quorate).
RELEVANT SCRUTINY COMMITTEE	N/A – Matter to be decided at the County Council meeting on 6th December, 2012