

## CYNGOR SIR YNYS MÔN / ISLE OF ANGLESEY

<b>Committee</b>	Standards Committee
<b>Date of Meeting</b>	14 December 2011
<b>Title of Report</b>	Findings of the Adjudication Panel for Wales 1 <sup>st</sup> April to 29 <sup>th</sup> November 2011
<b>Report By</b>	Customer Care Officer
<b>Purpose of Report</b>	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 1<sup>st</sup> of April and the 30<sup>th</sup> September 2011 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

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

<b>Name</b>	<b>Allegations</b>	<b>Result</b>
Cllr. A. James – Torfaen County Borough Council (27.4.11)	Failing to declare an interest and using his position improperly when making donations to local organizations under the Council's Small Schemes Allowances	Breach: Suspended for 1 month
Cllr. M. Calver of Manorbier Community Council (25.5.11) <b>Appeal</b>	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 brought his office and/or council into disrepute.	The Adjudication Panel upheld the decision of the Standards Committee - that he breached Manorbier Community Council's Code of Conduct and should be censured and undertake training on the Code.
Cllr. A. Brown of Merthyr Tydfil County Borough Council	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-	Breach: Suspended for 9 months

Name	Allegations	Result
	<p>mails Publishing a deliberately misleading press release and thereby bringing the office of councillor and his authority into disrepute.</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 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</p>	<p>Breach: Partial suspension for 3 months</p>
<p>Cllr. P. S. Rogers of Anglesey County Council / North Wales Police Authority</p>	<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 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</p>	<p>Breach. Censured</p>

Name	Allegations	Result
	bringing his office or authority into disrepute.	
Former Cllr. F. Wildgust of Torfaen County Borough Council	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.	Disqualified for 3 years
Cllr. P. Seabourne of Torfaen County Borough Council <b>Appeal</b>	Appeal against the decision of the Standards Committee	Decision of the Standards Committee upheld – details not yet available
Cllr. D. Thomas of City & County of Swansea Council <b>Appeal</b>	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.	Decision of Standards Committee upheld.  Censure and suspension for 1 month.
Former Cllr. L. Bailey of City & County of Swansea Council	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	Breach. Disqualification for 2 years and 6 months

Name	Allegations	Result
	<p>account of the impact of his actions on council employees who later saw the images on the computer equipment. Pattern of persistent misconduct demonstrated a failure to promote the principles of the code by leadership and example.</p>	
<p>Cllr. I. Tuck of Merthyr Tydfil County Borough Council</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>Breach. Disqualified for 12 months</p>