

MINUTES OF A MEETING OF THE STANDARDS COMMITTEE HELD AT COUNTY HALL, LLANDRINDOD WELLS ON WEDNESDAY 2ND FEBRUARY 2011

PRESENT: P. Swanson (Chair)

Mrs M Harris, Mrs S. Jarman, R. Miller and Mrs H. Rhydderch-Roberts, County Councillors F. Barker, K. Curry, Miss V. E. Evans and M. Hodges.

Observers: Community Councillors Revd A. Jevons, Ms C. Evans and H. Evans.

Officers in attendance: C. Meredith (Strategic Director – Law and Governance), Ms S. Tamboo (Solicitor), W. Richards (Scrutiny Services Manager) and Mrs E. Patterson (Committee Clerk).

1.	APOLOGIES	S1– 2011
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No apologies were received.

2.	MINUTES	S2– 2011
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The Chair was authorised to sign the minutes of the meeting held on 1st December 2011 as a correct record.

3.	DECLARATIONS OF INTEREST	S3 – 2011
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No declarations of interest were received.

4.	CORRESPONDENCE	S4 – 2011
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No correspondence was received.

5.	REPORT OF THE STRATEGIC DIRECTOR – LAW AND GOVERNANCE	S5 – 2011
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The Committee received the report of the Strategic Director – Law and Governance. (Copy filed with signed minutes).

A. General Training for Members

A1 Training of County Council Members – Member Development Strategy/Programme

The notes of the meeting of the Member Development Working Group held on 5th November 2010 were received for information. (Copy filed with signed minutes).

B. Referral of Councillors to the Public Services Ombudsman

B1 County Councillor referrals

The Ombudsman has concluded his investigations regarding the complaint made against two Members reported to the previous Standards Committee. He has

concluded that in the case of both Councillors there was sufficient evidence of breaches of paragraph 4 (b) of the Code but that he was not persuaded that the breaches were sufficiently serious as to lead to the imposition of a sanction if they were referred to the Council's Standards Committee.

Members expressed their disappointment that the Ombudsman had concluded that there was a breach of the Code but that he was choosing not to send the cases to the Standards Committee for consideration as he did not think that the Standards Committee would impose a sanction. The Committee were firmly of the view that any breach should be sent to the Standards Committee for them to determine.

The Ombudsman had advised Powys that his decision not to forward cases to Standards Committees was based on his experience of how Standards Committees across Wales had dealt with referred cases. Powys had only received one referral from the Ombudsman and in that case the Councillor had been given a 4 month suspension from attending the Planning Committee. The Monitoring Officer had contacted other Monitoring Officers across Wales asking for their experience of determining cases referred to them by the Ombudsman and would report the outcome to a future meeting.

RECOMMENDED that	Reason for recommendation
<p>i) a paper be presented to a future meeting outlining the experience of Councils across Wales as to the outcome of referrals to Standards Committees by the Ombudsman of breaches of the Members' Code of Conduct</p>	<p>i) inform the Committee as to the outcome of referrals across Wales</p>
<p>ii) a draft letter be prepared to Assembly Members outlining the concern of the Committee regarding the practice of the Ombudsman not to refer all breaches of the Code to the relevant Standards Committees</p>	<p>ii) to bring to the Welsh Assembly Government's attention the current procedure of the Ombudsman</p>

C. Other Standards Issues

C1.1 Use of laptops and electronic media during Council meetings

This would be included in the work of the Constitution Working Group.

C1.2 Social Media Protocol

This work would be undertaken by the Member Development Working Group.

C1.3 Local Development Plan

The Local Development Plan process commenced in January 2011 and would continue until 2014. The Plan would cover a period up until 2026. An advice note had been produced for Members in relation to the Members' Code of Conduct. (Copy filed with signed minutes).

D. Meeting of Chairs and Vice Chairs of Scrutiny, Audit and Standards Committees

The notes of the meeting held on 6th December 2010 were received. (copy filed with signed minutes).

E. Dispensations

E1. Applications – County Councillors

No applications had been received.

F. Raising the profile of the Standards Committee/Sub-Committee

The document on Standards in Powys was being prepared for publication.

H. Standards Conference

The Committee had agreed to organise the 2011 Standards Conference Wales. Officers were negotiating venues and dates and would be working with the Association of Council Secretaries and Solicitors to agree a programme and speakers.

I. Observing other Committees

Members were asked to advise the Clerk of any dates of meetings they were interested in attending.

J. Meeting dates

The following dates for the Standards Committee were confirmed:

Wednesday 27th April, 2011
Wednesday 29th June, 2011
Wednesday 7th September, 2011
Wednesday 30th November, 2011

Meeting closed 11.20am.

P.SWANSON
Chairman