

MINUTES OF A MEETING OF THE STANDARDS COMMITTEE HELD AT COUNTY HALL, LLANDRINDOD WELLS ON WEDNESDAY 7TH SEPTEMBER 2011

PRESENT: P. Swanson (Chair)

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

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

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

The Chairman congratulated Miss Clare Evans on her recent marriage and wished her every happiness for the future.

1.	APOLOGIES	S16– 2011
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Apologies were received from Councillor F. Barker.

2.	MINUTES	S17– 2011
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The Chair was authorised to sign the minutes of the meeting held on 23rd June 2011 as a correct record subject to clarification that the Member declaring an interest under section 3 of the minutes was County Councillor Miss V. E. Evans.

3.	DECLARATIONS OF INTEREST	S18 – 2011
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No interests were declared.

4.	CORRESPONDENCE	S19 – 2011
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The Chairman confirmed that he had received a further letter from Assembly Member Kirsty Williams regarding the Ombudsman's decision making process which would be discussed under item B3 of the report of the Strategic Director.

5.	REPORT OF THE STRATEGIC DIRECTOR – LAW AND GOVERNANCE	S20 – 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 2nd and 24th June 2011 were received for information. (Copies filed with signed minutes). The Scrutiny Services Manager explained that the Council had applied

for the Wales Charter for Member Support and Development. The application was submitted on 18th August and a Peer Review Team would be visiting Powys on the 15th September. There are three levels to the Charter – Basic, Advanced and Excellence. Powys is applying for the Basic level which will last for three years. A new resource area for Members had been provided with docking stations, rooms for Cabinet Members, bookable rooms and Member support both for ICT and administration.

B. Referral of Councillors to the Public Services Ombudsman

B1 County Councillor referrals

The Ombudsman has decided to investigate the complaint reported to the April Committee reference 1/11CC.

The Ombudsman has advised that he has decided not to investigate the complaint against one Member of Powys County Council (ref 3/11CC).

The Ombudsman has received a further complaint against one Member of Powys County Council (ref 4/11CC) which he has decided not to investigate.

B2 Ombudsman's Annual Report

The Ombudsman's Annual Report had been published and was available on-line. An analysis of the complaints received under the Code of Conduct revealed that out of 187 complaints only 21 were referred on to Standards Committees or the Adjudication Panel. It was decided not to investigate in 92 cases and in 16 cases no action was deemed necessary.

Members accepted that the Ombudsman was deciding that half of complaints received did not fall within the criteria of a valid complaint but suggested that this indicated that there was a role for the Ombudsman in explaining to potential complainants what did constitute a valid complaint.

The Scrutiny Services Manger confirmed that some Town and Community Councils had introduced a complaints process which had successfully been used to deal with complaints which had avoided a complaint to the Ombudsman. One Voice Wales were also being approached for assistance with complaints resolution by some Town and Community Councils.

B3 Ombudsman's Decision Making Process

A number of replies had been received from other Councils and from Assembly Members Kirsty Williams and Rebecca Evans. Replies were also received from Carl Sargeant Minister for Local Government and the Communities and from the Ombudsman Peter Tyndall. (Copies filed with signed minutes).

It appeared from the replies received that there was a mixed experience of the problem in other Councils. The Ombudsman had written to Kirsty Williams

advising that he had spoken with the Welsh Government regarding the possibility of enhancing the role of Standards Committees in resolving disputes locally but that this would involve amendments to legislation.

Members considered this unnecessary. The Committee was not asking to examine complaints locally before they were sent to the Ombudsman. They were asking that the existing system whereby the Ombudsman considers the complaint initially remains but that the Ombudsman refers all cases where he has identified a breach to the Standards Committee.

It was expected that this issue would be raised at the Standards Conference in October.

C. Other Standards Issues

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

This would be included in the work on revisions to the Constitution. The Local Government (Wales) Measure would result in greater electronic provision including remote attendance. This part of the Measure was, however, not yet in force.

C1.2 Social Media Protocol

It was anticipated that a report recommending that the Cabinet approve the Powys County Council Social Media Policy would be considered by Cabinet on 13th September 2011. The policy applies to Elected Members, County Council staff, Governors and School based employees.

D. Minutes of Meetings

D1. Meeting of Chairs and Vice Chairs of Scrutiny, Audit and Standards Committees

The notes of the meeting held on 14th July 2011 were received. (Copy filed with signed minutes).

E. Dispensations

E1.1 Applications – County Councillors

No applications had been received.

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

F1. Standards in Local Government

The document had been published on the Powys website.

G. Renewable Energy Issues (Electricity Sub Station, Pylons, Overhead Power Lines, Wind Farms etc)

51 responses had been received from Members to the questionnaire on windfarm interests. The Committee were disappointed that not all Members had responded and asked that a reminder email be sent.

Members noted that the granting of the dispensation had meant that all Members had been able to participate in the Council Meeting in Welshpool. The meeting attended by over 1,500 members of the public had been successful.

H Standards Conference

It was confirmed that the Standards Conference would be held on 5th October 2011. To date 42 paying delegates had confirmed attendance.

It was confirmed that Members would be contacted to confirm if they were able to attend the Conference and also that the Chairman of the Council would be invited.

It was confirmed that the Panel of Speakers would each have an opportunity to speak for approximately 10 minutes. There would be a short time for questions to Panel Members and then Conference would debate the question 'What changes would you make to the existing Member's Code of Conduct?'

I. Attendance at Committee

An email from Councillor Pritchard regarding his attendance was received and noted.

J. Meeting dates

The following dates for the Standards Committee were confirmed:

Wednesday 30th November, 2011

1st February 2012

4th April 2012

4th July 2012

5th September 2012

5th December 2012

P.SWANSON
Chairman