

MINUTES OF A MEETING OF THE STANDARDS COMMITTEE, HELD AT COUNTY HALL, LLANDRINDOD WELLS ON WEDNESDAY 5th DECEMBER 2012.

PRESENT: Mrs H. Rhydderch-Roberts (Chair)

Mrs J. Evans, Mrs M. Harris, Mrs S. Jarman, 5 County Councillors Mrs M, Mackenzie, P. Medicott, Mrs K. Roberts-Jones and G. Williams.

Officers in Attendance: C. Meredith (Strategic Director – Law and Governance), Ms S. Tamboo (Solicitor – Corporate) and Mrs E Patterson (Scrutiny Officer).

1.	APOLOGIES	S20 - 2012
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An apology for absence was received from Mr R. Miller.

2.	MINUTES	S21 - 2012
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The Chair was authorised to sign the minutes of the previous meeting held on 5th September 2012 as a correct record.

3.	DECLARATIONS OF INTEREST	S22 - 2012
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No declarations of interest were received.

4.	REPORT OF THE STRATEGIC DIRECTOR – LAW AND GOVERNANCE	S23 - 2012
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The Committee received the report of the Strategic Director – Law and Governance. (Copy filed with signed minutes)

A. General Standards Issues for County Councillors and Co-opted Members

A1. Code of Conduct Training

A training session on the Code of Conduct has been arranged for 21st December 2012.

The following Members have been invited:

- 6 County Councillors unable to attend the first session
- 1 Independent Member of Standards Committee unable to attend the first session
- 3 Parent Governor Representatives
- 1 Independent Member of Audit Committee
- The 3 Town and Community Members of the Standards Community Sub-Committee
- The Church Representative on the People Scrutiny Committee.

Nine Members have confirmed that they will be able to attend to date.

A2. Member Development

The Member Development Working Group of the Democratic Services Committee are undertaking a pilot scheme for Personal Development Reviews for Members. The Scrutiny Manager, Cabinet Manager and Democratic Services Officer are being trained to undertake the reviews. The process will be evaluated before being rolled out to all Members.

B. Referral of Councillors to Public Services Ombudsman

B1. County Councillor Referrals

B1.1 The Ombudsman is still investigating a complaint regarding one County Councillor (ref 2/12/CC).

Since the last meeting the Ombudsman had received complaints regarding two County Councillors (ref 3/12/CC and 4/12/CC). The Ombudsman has decided not to investigate either of these cases.

B2 Letter from the Public Services Ombudsman for Wales

The Ombudsman has issued amended guidance regarding the Members' Code of Conduct as a result of a recent High Court decision concerning the Members' Code of Conduct. The new guidance has been published on the Ombudsman's website.

C. Other Standards Issues

C1.1 Social Networking

The Democratic Services Committee is developing a protocol to address the issues raised by the Standards Committee regarding the use of electronic media during training sessions and presentations.

D Dispensations

D1.1 Applications - County Councillors

No applications for dispensation have been received.

D1.2 Blanket Dispensation – School Governors

The Members' Code of Conduct provides that where a councillor is a school governor appointed or nominated by the councillor's authority the councillor will not be regarded as having a prejudicial interest in any council business where that business relates to the councillor's role as a school governor save where the business relates to the determination of any approval, consent, licence, permission or registration (e.g. planning application).

The Code goes on to provide that where the councillor is a school governor otherwise than by way of appointment or nomination by the councillor's authority (e.g. is a parent governor) the councillor will not be regarded as having a prejudicial interest in any council business where that business relates to the councillor's role as a school governor unless it relates particularly to the school of which the councillor is a governor or relates to the determination of any approval, consent, licence, permission or registration (e.g. planning application).

In other words the Code distinguishes between these two categories of school governors (depending upon their method of appointment) when it comes to business relating particularly to the school where the councillor is a school governor.

Only if a councillor is appointed or nominated as a school governor by his/her authority can the councillor regard him/herself as not having a prejudicial interest (by virtue of his/her school governor role) in business relating particularly to the school where he/she is a governor (unless it relates to the determination of any approval, consent, licence, permission or registration).

A councillor appointed otherwise (e.g. a parent governor) does not occupy the same position in respect of council business relating particularly to the school where he/she is a governor. In this case the councillor is unable under the Code to regard him/herself as not having a prejudicial interest in respect of his/her school governor role.

The Committee noted that the position was also subject to the blanket dispensation previously granted in relation to school modernisation and school transport.

The Committee considered that it would assist council business and not damage public confidence to grant a blanket dispensation to put all councillors who were school governors (irrespective of how they were appointed) on the same footing in respect of prejudicial interests relating to their role as school governors. Accordingly the Committee decided that councillors who were school governors otherwise than by way of appointment or nomination by their council should be granted a blanket dispensation to participate, speak and vote in respect of council business relating particularly to the schools where they are governors.

RESOLVED	REASON FOR DECISION
<p>(i) That a blanket dispensation be granted to councillors who are school governors appointed otherwise than by the Council to participate, speak and vote in connection with council business relating particularly to the schools where they are governors (unless that business relates to the determination of any approval, consent, licence, permission or registration).</p> <p>ii) That this blanket dispensation only relates to a prejudicial interest arising</p>	<p>(i) To place all councillors who are school governors on an equal footing with regard to prejudicial interests so as to facilitate the democratic process and assist council business; the Committee being of the view that to do so will not damage public confidence in the conduct of the council's business.</p> <p>ii), iii) and iv) To define the</p>

<p>from the councillors role as a school governor and does not confer a dispensation in respect of any other type of prejudicial interest.</p> <p>iii) That this dispensation is subject to the existing blanket dispensation granted by the Committee in respect of school modernisation and school transport</p> <p>iv) That this dispensation shall continue in force until the next ordinary council elections in 2017 unless before those elections the Standards Committee revokes, amends or alters this dispensation</p>	<p>dispensation and its duration.</p>
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E. Late payment of expenses

Applications for late payment of expenses were considered from two Members:

Councillor Miss M Davies – claim submitted on 26th September 2012 for June 2012, and

Councillor D Meredith – claim submitted on 31st October 2012 for May and June 2012.

The Committee decided to approve these applications (which were the first ones made by these two Members) but indicated that they would be unlikely to look favourably on further applications unless there were exceptional circumstances and requested that Members put in place appropriate systems to ensure claims were submitted within time.

RESOLVED	REASON FOR DECISION
<p>i) that the payment of the late claim submitted by Cllr Miss M Davies for June 2012 be approved, and ii) that the payment of the late claim submitted by Councillor D Meredith for May and June 2012 be approved.</p>	<p>To reimburse expenses incurred by these Members.</p>

F Member Attendance

Councillor George had advised that he was unable to attend this meeting due to Assembly business or the February meeting as the Assembly were in session. He would however be able to attend the meeting on 3rd April 2013 when the Assembly were in recess. By this time the next set of attendance statistics would be available.

G. Meeting Dates

The following dates for the Standards Committee were confirmed:

6th February, 2013
3rd April, 2013
3rd July, 2013
4th September, 2013
4th December, 2013

All meetings to commence at 10.00am with the option of training available afterwards.

**Mrs H Rhydderch-Roberts
Chair**