

## CYNGOR SIR POWYS COUNTY COUNCIL.

Standards Committee  
6<sup>th</sup> February 2013

**REPORT BY:** Strategic Director – Law and Governance

**SUBJECT:** Matters appertaining to Standards Issues

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**REPORT FOR:** Decision, Information and Discussion

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

**A1 Code of Conduct Training**

A training session on the Code of Conduct was held on Friday 21<sup>st</sup> December 2012 for those County Councillors and one Independent Member who were unable to attend the original session. The Co-opted Members appointed after the original training session had been held were also invited.

Four County Councillors and six Co-opted Members attended. This leaves 2 County Councillors and 3 Co-opted Members yet to receive the training.

**A2 Member Development**

To receive an oral update on Member Development.

**B. Referral of Councillors to Public Services Ombudsman**

**B1. County Councillor Referrals**

**B1.1** Since the last meeting the Council received notice that the Ombudsman had received a complaint regarding one County Councillor (Ref 5/12/CC). The Ombudsman has decided to investigate the case.

**B1.2** The Ombudsman has referred the complaint against one County Councillor (Ref 2/12/CC) back to the Standards Committee. This item will be considered at **ITEM 6** on the agenda.

**C. Other Standards Issues**

**C1.1 Social Networking**

A draft protocol has been produced for submission to the Member Development Working Group of the Democratic Services Committee. This is attached at **Appendix 1**. The Committee are asked for their comments for submission to the Member Development Working Group.

## **D Dispensations**

### **D1. Applications - County Councillors**

**D1.1** One application for dispensation has been received from County Councillor G Thomas. A copy of the application is attached at **Appendix 2**.

### **E. Late payment of expenses**

Claims for payment of expenses have been submitted by the following two Members:

Councillor Gwilym Vaughan - submitted on 6<sup>th</sup> December 2012 for July and September 2012.

Councillor Linda Corfield - submitted on 5<sup>th</sup> January 2013 for September and October 2012.

Details will be provided at the meeting and the 2 Members have been invited to attend.

### **F. Member Attendance**

All Members had attendance of above 60% for the period 24 May 2012- 30 November 2012 except for the following:

Councillor L Fitzpatrick	55%
Councillor C Davies	53%
Church Rep C Burgess	50% (attended 1 out of 2 meetings)
TCC Rep H Patrick	0% (attended 0 out of 1 meeting)

The County Councillors listed above have been written to requesting reasons for their attendance levels.

### **G. Independent Remuneration Panel**

The Independent Remuneration Panel has published its Annual Report setting out the range and maximum level of allowances payable for the financial year 2013/14.

Whilst the report makes no recommendations to changing the care allowance from a monthly to annual amount it does allow the following:

*‘that relevant authorities may decide on the maximum number of days for which co-opted members may be paid in any one year. In addition, payments cannot cover time spent on preparation but can include authorised training events, conferences and pre-meetings with officers’*

The Democratic Services Committee will be meeting on 5<sup>th</sup> April 2013 to make a recommendation to Council which will be considered on 24<sup>th</sup> April 2013.

## H. Meeting Dates

H.1 To note dates of future meetings as follows:

3<sup>rd</sup> April 2013  
3<sup>rd</sup> July 2013  
4<sup>th</sup> September 2013  
4<sup>th</sup> December 201

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

Contact Officer Name:	Tel:	Fax:	Email:
<i>Clarence Meredith, Strategic Director – Law and Governance</i>	01597 826395	01597 826220	<a href="mailto:clarence.meredith@powys.gov.uk">clarence.meredith@powys.gov.uk</a>

## **Draft Protocol for using laptops at meetings**

### **Background**

Laptops are supplied to Councillors to enable them to undertake their work in an effective way. They are an excellent tool to support Councillors in their role and to stay in touch with both local residents and service areas of the council.

However, their use can sometimes be seen to be intrusive during meetings or a distraction to other Councillors. They may also impact on everyone being fully engaged in debates.

This protocol is not intend to restrict the use of laptops but highlights issues of which Members need to be aware.

### **Council, committee and other meetings**

Access to Agendas and papers – by accessing papers in this way helps to cut down on the number of paper copies made and the cost of postage.

Access to Council's intranet - During council meetings, when complex matters are being discussed you may wish to access the council's internal intranet to check information and facts or to read reports on the council site.

Checking and responding to emails – only urgent emails should be read and responded to. Looking at emails and typing responses can be distracting for other Members. It may also give the impression to the public or those watching online, if the meeting is being webcast, that you are not giving your full attention to the meeting. It may also be considered discourteous to those people who are speaking or making presentations.

Accessing websites and web pages – accessing sites/pages which have no relevance to the meeting, such as theatres, suduko, crosswords should not be undertaken. Again it may give the impression to the public or those watching online, if the meeting is being webcast, that you are not giving your full attention to the meeting. It may also be considered discourteous to those people that are speaking or making presentations.

### **Member Development sessions**

Laptops should not be used during Member Development sessions. Handouts will be provided of presentations.

**Remember meetings in the Council Chamber mean that the public is sitting behind you and can see what you are doing!**

# POWYS STANDARDS COMMITTEE / COMMUNITY SUB-COMMITTEE

## APPLICATION FOR DISPENSATION BY MEMBER WITH PREJUDICIAL INTEREST

I, Councillor ROBERT Gwynfor Thomas  
of LLANSANTFFRAID + DEYTHEUR COUNCIL

hereby apply to the Powys Standards Committee/Community Sub-Committee for a Dispensation to participate, as described in Section 1 below, in that business of the Council described in Section 2 below notwithstanding that I have the Prejudicial Interest(s) detailed in Section 3 below.

I make this application on the ground(s) set out in Section 4 below which I submit apply because of the reasons detailed in Section 5 below.

### SECTION 1

How you wish to participate – please tick all relevant categories below:

Attend a meeting	<input checked="" type="checkbox"/>
Speak at a meeting	<input checked="" type="checkbox"/>
Vote at a meeting	<input checked="" type="checkbox"/>
Seek to influence a decision on a matter	<input checked="" type="checkbox"/>
Make written representations	<input checked="" type="checkbox"/>
Make oral representations	<input checked="" type="checkbox"/>
Exercise Board functions (County Councillor only)	<input checked="" type="checkbox"/>

### SECTION 2

(A) Describe in the box below:

- i) the business in which you wish to participate;
- ii) how your Council will deal with the matter;
- iii) how many Members there are on your Council;
- iv) what meetings will be held to consider it, when and where they will be held; and
- v) those taking part.

THE COM COUNCIL HAS 10 MEMBERS + MEETS MONTHLY. AS PART OF THAT MEETING MATTERS CONCERNING THE MID WALES CONNECTION AND WIND FARMS ARE DISCUSSED. THE VIEWS OF THE RESIDENTS ARE TAKEN INTO ACCOUNT AND THE MATTERS ARE DEALT WITH FOLLOWING THE MAJORITY VIEW

(B) If the business relates to or affects an organisation(s) please detail below:

- o how were you appointed to that organisation (i.e. by appointment by the

- what is the nature of the business:
  - A Funding
  - B Planning – applications, building improvement/changes
  - C Licences – liquor/entertainment
  - D Land
  - E Management/operation of the organisation
  - F General matters

FUNDING -  
 PLANNING  
 LAND

(C) Is the organisation a registered charity? If so, are you a Trustee of the charity?

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**SECTION 3**

Detail the PREJUDICIAL interest(s) you have in the business referred to in Section 2 above. Please refer to the attached Guidance Notes (Attached) and include the relevant category reference e.g C.4 if the matter concerns a good friend of yours who stands to benefit as a result of a decision on the matter.

LANDOWNER IN ROUTE CORRIDOR  
 PROPERTY OWNERS IN ROUTE CORRIDOR  
 FAMILY + FRIENDS WITH PROPERTY AND LAND  
 IN ROUTE CORRIDOR  
 TOURISM + BUSINESS INTERESTS IN  
 THE CORRIDOR

## SECTION 4

**Set out the GROUND(S) upon which you rely by placing a tick in the right hand column against the relevant category/ies below.**

Eligible Applicant	Ground		
County Councillors and Town and Community Councillors	(a) No fewer than half of the Members of the relevant Authority or of a committee of the Authority (as the case may be) by which the business is to be considered has an interest which relates to that business;	Speak and Vote Speak only	- <input checked="" type="checkbox"/>
County Councillors only	(b) No fewer than half of the Members of a leader and cabinet executive of the relevant Authority by which the business is to be considered has an interest which relates to that business and either Paragraph (d) or (e) also applies;	Speak and Vote Speak only	-
County Councillors only	(c) In the case of a County or County Borough Council, the inability of the Member to participate would upset the political balance of the relevant Authority or of the committee of the Authority by which the business is to be considered to such an extent that the outcome would be likely to be affected.	Speak and Vote Speak only	-
County Councillors and Town and Community Councillors	(d) The nature of the Member's interest is such that the Member's participation in the business to which the interest relates would not damage public confidence in the conduct of the relevant Authority's business;	Speak and Vote Speak only	-
County Councillors and Town and Community Councillors	(e) The interest is common to the Member and a significant proportion of the general public;	Speak and Vote Speak only	-
County Councillors and Town and Community Councillors	(f) The participation of the Member in the business to which the interest relates is justified by the Member's particular role or expertise;	Speak and Vote Speak only	-
County Councillors only	(g) The business to which the interest relates is to be considered by an Overview and Scrutiny Committee of the relevant Authority and the Member's interest is not a pecuniary interest.	Speak and Vote Speak only	-
County Councillors and Town and Community Councillors	(h) The business which is to be considered relates to the finances or property of a voluntary organisation of whose Management Committee or Board the Member is a Member otherwise than as a representative of the relevant Authority and the Member has no other interest in that business provided that any dispensation shall not extend to participation in any vote with respect to that business; or	Speak only	
County Councillors and Town and Community Councillors	(i) It appears to the committee to be in the interests of the inhabitants of the area of the relevant Authority that the disability should be removed provided that written notification of the grant of the dispensation is given to the National Assembly for Wales within seven days in such manner as it may specify.	Speak and Vote Speak only	-

**SECTION 5**

Detail in full the reasons why you submit the grounds selected in Section 4 apply in the case of your application and justify the grant of the dispensation you seek

TO BE ABLE TO SPEAK ON  
BEHALF OF RESIDENTS. AND ALSO  
VOTE ON DECISIONS MADE IN  
COUNCIL

Applicant's home address:	POWYPENTRE LLANSANTFFRAID POWYS SY22 6XP
Applicant's telephone number:	07952 775 402
Applicant's fax number:	
Applicant's E Mail address:	clw.gwynfor.thomas@powys.gov.uk

SIGNED: \_\_\_\_\_

DATED: 23/1/12

**This form fully completed, signed and dated should be returned to:**

**Mrs Elizabeth Patterson, Committee Clerk, Legal, Scrutiny and Democratic Services, County Hall, Llandrindod Wells, Powys, LD1 5LG.**

**Tel No: 01597 826980**

**Fax No: 01597 826220**

**E-Mail: [Elizabeth.patterson@powys.gov.uk](mailto:Elizabeth.patterson@powys.gov.uk)**

**From whom further information and advice may be obtained.**