

MINUTES OF A MEETING OF THE STANDARDS COMMITTEE, HELD AT COUNTY HALL, LLANDRINDOD WELLS ON WEDNESDAY 6th FEBRUARY 2013.

PRESENT: Mrs H. Rhydderch-Roberts (Chair)

Mrs J. Evans, Mrs M. Harris, Mrs S. Jarman, Mr R. Miller, County Councillors Mrs M, Mackenzie, P. Medlicott, Mrs K. Roberts-Jones and G. Williams.

Officers in Attendance: C. Meredith (Strategic Director – Law and Governance), Ms J. Kealey (Head of Legal, Scrutiny and Democratic Services), W. Richards (Scrutiny Manager), Ms S. Tamboo (Solicitor – Corporate) and Mrs E Patterson (Scrutiny Officer).

1.	APOLOGIES	S1 – 2013
-----------	------------------	------------------

There were no apologies for absence.

2.	MINUTES	S2 – 2013
-----------	----------------	------------------

The Chair was authorised to sign the minutes of the previous meeting held on 5th December 2012 as a correct record.

3.	DECLARATIONS OF INTEREST	S3 – 2013
-----------	---------------------------------	------------------

County Councillor Mrs K. Roberts-Jones declared a personal and prejudicial interest in Item S6 – 2013 as the complainant in the case.

County Councillor G. Williams declared a personal and prejudicial interest in Item S6 – 2013 as a friend of the Member subject to the complaint.

Independent Member Mrs J. Evans declared a personal and prejudicial interest in Item S4 – 2013 (section F – Chris Davies) as a personal and professional acquaintance and neighbour.

Independent Members Ms H. Rhydderch-Roberts declared a personal and prejudicial interest in Item S4 - 2013 (section F – Chris Davies) as a friend.

County Councillor G. Williams declared a personal and prejudicial interest in Item S4 - 2013 (section F – Chris Davies) as a friend and member of the same political group.

4.	REPORT OF THE STRATEGIC DIRECTOR – LAW AND GOVERNANCE	S4 – 2013
-----------	--	------------------

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 was held on Friday 21st December 2012.

Four County Councillors and six co-opted Members attended. Two County Councillors and 3 Co-opted Members have yet to receive training this municipal year. It was suggested that training be held on the next meeting of Standards Committee 3rd April 2013 for those who had been unable to attend previous sessions.

A2. Member Development

The Scrutiny Manager advised that the Member Development Working Group was undertaking a pilot of Personal Development Reviews for Members of the Working Group. This would then be rolled out to Members in receipt of a Senior Salary and then all Members. Part of the objective of these reviews was to identify training needs and this information would help form the training programme.

The group are also working on developing protocols including on the use of laptops which would be considered at item C1.1.

B. Referral of Councillors to Public Services Ombudsman

B1. County Councillor Referrals

B1.1 The Ombudsman has referred a complaint regarding one County Councillor (ref 2/12/CC) back to the Standards Committee which is considered at item 6 below.

Since the last meeting the Ombudsman had received a complaint regarding one County Councillor (ref 5/12/CC). The Ombudsman has decided to investigate this case.

C. Other Standards Issues

C1.1 Social Networking

The Standards Committee made the following observations:

- The protocol should relate to all electronic devices rather than just laptops.
- The examples of non-relevant use should be removed as this suggested these were the only web-sites not to be accessed.
- The protocol should be clarified to include presentations at council meetings not just at member development sessions.
- Consideration should be given to allowing the trainer or chair to allow the use of laptops if the training is such that this is more appropriate.
- Consideration should be given to providing information on the cost of training provided to encourage Members to attend training and not incur additional cost to the taxpayer by requiring training to be repeated.

D Dispensations

D1.1 Applications - County Councillors

One application for dispensation has been received from County Councillor G. Thomas to speak but not vote in respect of the proposed pylon corridor crossing land and property owned by him and affecting businesses he has an interest in.

RESOLVED THAT	REASON FOR RESOLUTION
<p>Councillor G. Thomas be granted a dispensation in relation to all categories of prejudicial interests (including pecuniary prejudicial interests) concerning all matters relating to wind farms and pylons affecting his local community in the following terms:-</p> <p>(a) to speak but not vote at all meetings, and having spoken leave the room prior to a discussion/vote taking place; and</p> <p>(b) to represent his constituents generally in such matters in discussions, making representations or otherwise.</p> <p>until the next ordinary council elections in 2017 unless before those elections the Standards Committee revokes, amends or alters this dispensation</p>	<p>The Sub-Committee is satisfied that a significant proportion of Councillor Williams constituents have interests in wind farms/pylons issues in his community and therefore the Sub Committee consider that the grounds in Paragraph (e) of Regulation 2 of the Standards Committee (Grant of Dispensations) (Wales) Regulations 2001 are met.</p> <p>Furthermore the Sub-Committee also concluded that to permit Councillor G. Williams to speak at meetings and represent his constituents generally would not damage public confidence and that accordingly the grounds in Paragraph (d) of the said Regulation 2 are also met.</p>

E. Late payment of expenses

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

Councillor G. Vaughan – claim submitted for travel expenses on 6th December 2012 for July and September 2012, and

Councillor Mrs L. Corfield – claim submitted for travel expenses on 5th January 2013 for September and October 2012.

Councillor K. Curry – claim submitted for travel expenses on 3rd December 2012 for September 2012.

The Committee decided to approve these applications (which were the first ones made by these 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.

Councillor K. Curry – claim submitted for broadband on 31st January 2013 for the period 7 May 2012 – 31 October 2012

The claim for broadband has resulted due to a change in the way this is paid. Prior to May 2012 Members received a monthly sum to cover broadband without the need to submit a claim. On 12th July 2012 Members were advised of a change in process whereby claims for the broadband allowance would need to be submitted monthly.

RESOLVED	REASON FOR DECISION
i) that the payment of the late claim submitted by Cllr G. Vaughan for July and September 2012 be approved; and ii) that the payment of the late claim submitted by Councillor Mrs L. Corfield for September and October 2012 be approved. iii) that payment of the late claim submitted by Cllr K. Curry for travel in September 2012 and broadband from 7 May – 31 October 2012 be approved.	To reimburse expenses incurred by these Members.

F Member Attendance

Attendance for the period 24th May 2012 to 30th November 2012 had been calculated. All Members had exceeded the 60% level except for the following Members:

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 provided written explanations (copy filed with signed minutes) which were accepted. In relation to the Church and Town and Community Councillors representatives, it was accepted that the number of meetings which they could attend was limited.

G. Independent Remuneration Panel

The Independent Remuneration Panel has published its annual report for 2013/14. It recommends

'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 meet on 5th April 2013 to make a recommendation to Council which will be considered on 24th April 2013.

H. Meeting Dates

The following dates for the Standards Committee were confirmed:

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.

5.	CONFIDENTIAL MATTERS	S5 – 2013
-----------	-----------------------------	------------------

RESOLVED to exclude the public for the following item of business on the grounds that there would be disclosure to them of exempt information under category 1 of The Local Authorities (Access to Information) (Variation) (Wales) Order 2007).

6.	REPORT OF THE MONITORING OFFICER	S6 – 2013
-----------	---	------------------

The Head of Legal, Scrutiny and Democratic Services presented a report by the Monitoring Officer on the Public Services Ombudsman for Wales' investigation into allegation of a breach of the Members' Code of Conduct.

RESOLVED	REASON FOR RECOMMENDATION
i) that the Committee adopts the procedures set out in Appendix 1 to the report for the determination of the matter	To comply with its obligations under the Local Government Investigations (Functions of Monitoring Officers and Standards Committees) (Wales) Regulations 2001.
ii) that the person subject to the report from the Ombudsman be given the opportunity to make representations in respect of the findings of the investigation and any allegation that they may have failed to comply with the Members' Code of Conduct	To comply with its obligations under the Local Government Investigations (Functions of Monitoring Officers and Standards Committees) (Wales) Regulations 2001.

**Mrs H Rhydderch-Roberts
Chair**