

**MINUTES OF A MEETING OF THE STANDARDS COMMUNITY SUB-COMMITTEE
HELD AT HYBRID MEETING - ZOOM - COUNTY HALL ON WEDNESDAY, 21 JUNE
2023**

PRESENT: Mr S Hays (Chair)

Independent Members: Mrs C Moore, Mr J Goolden and Mr N Steward

County Councillor: County Councillor I McIntosh

Town and Community Council Representative: Councillor R White

1. ONE VOICE WALES [OVW] - CIVILITY & RESPECT PROJECT
--

The Chair welcomed Mr Paul Egan, Deputy Chief Executive and Resources Manager, One Voice Wales [OVW] to the meeting and apologised for the delay.

Mr Egan made a presentation on the Civility and Respect project. He advised that the main partners were the Society of Clerks and the National Association of Local Councils. OVW was involved in the group but because of the different ethical framework in Wales some elements of the project may not be entirely suitable are not relevant for councils in Wales. The project was set up due too many councillors and clerks leaving the sector due to being treated with disrespect and bullying.

In response to a question he advised that OVW would review all the materials produced by the project and develop a Civility and Respect Pledge specifically for Wales. OVW would contact the Monitoring Officers in Wales and ask them to ask Standards Committees to endorse it and encourage councils to adopt the Pledge. Questions were asked about the support and supervision of clerks and whether this could be more consistent across councils. He advised that some councils have a Staffing Committee but these were not widely used, but they were of benefit to councillors and clerks. The project had developed a supervision and appraisal scheme and this would be promoted by OVW.

It was noted that the first item on the Full Council agenda for Newtown Town Council was a reminder to councillors of the Code of Conduct and the need for civility and respect. Mr Egan advised this was included by other councils but was not widely used. He noted the comments about the time it takes for the Ombudsman to review and investigate complaints but acknowledged that many cases are complex and investigations can take time depending on the availability of witnesses. OVW did raise this issue in its submission to the Penn report. In response to a question he advised that currently OVW does not have the capacity to seek feedback from clerks on issues. However, this was an issue that OVW would consider for the future.

The Chair thanked Paul Egan for attending the meeting.

2. APOLOGIES

There were no apologies for absence.

3. MINUTES

The Chair was authorised to sign the minute of the meeting held on 8 February 2023 as a correct record.

4. DECLARATIONS OF INTEREST

Councillor R White declared a personal interest that he knows Councillor B Thomas, but that he was not a close friend.

5. REPORT OF THE HEAD OF LEGAL AND MONITORING OFFICER

The Committee received the report of the Head of Legal and Monitoring Officer (copy filed with signed minutes).

A Referral of Councillors to Public Services Ombudsman

A1. Town and Community Councillor Referrals

The current position regarding matters with the Ombudsman is detailed below:

11/21/TCC Referred to Adjudication Panel for Wales [APW] – APW hearing regarding former Councillor Donald Jenkins [St Harmon Community Council] will be held on 4 July 2023 and the hearing will be based on written evidence only.

12/21/TCC Referred to APW – APW held a hearing on 17 March 2023 and resolved that former Councillor Sheila Jenkins [St Harmon Community Council] be disqualified for 12 months from being or becoming a member of the Relevant Authority or any other relevant authority within the meaning of the Local Government Act 2000.

03/22/TCC Ombudsman deciding whether or not to investigate

04/22/TCC Ombudsman not investigating

05/22/TCC Ombudsman not investigating.

B. Dispensations

B1. Applications - Town and Community Councillors

The Chair welcomed Councillor B Thomas, Llangyniew Community Council to the meeting and invited him to explain the reason for his application for dispensation. Councillor Thomas explained that there was a proposal to extend a caravan and chalet park in the area. This proposal was at an early stage and a planning application had not yet been made. He advised that he owned two properties which adjoin the application site. He advised he had lived in the area all his life and had considerable knowledge of the area and issues. He wished to speak at meetings only and not vote, so that he could represent the community.

In response to questions Councillor Thomas advised he:

- did not consider that there would be any financial gain or loss from the proposed development,

- may be approached by the developer to widen the road, but he would not be prepared to sell any land,
- was not opposed to the application,
- understood the proposal was to double the size of the site, but emphasised that no planning application had been made,
- had lived in the area all his life and his knowledge of the area could explain the effect the proposal can have on the area and how things are changing and this was more knowledge than his fellow councillors,
- not all of the other seven councillors on the community council were born in the area and he's seen the changes and use of the highways over 60 years
- had never owned a caravan site in Powys. He owns a small site for caravan club members. He understands that the proposal will not be for touring caravans,
- could not state whether the proposed development would impact on the value of his property,
- may want to make written representations.

Councillor Thomas left the meeting room while the Sub-Committee considered his application. On his return the Chair announced the Sub-Committee's decision.

RESOLVED	REASON FOR DECISION
That a dispensation be granted to allow Councillor B Thomas to make written representations only in respect of the proposal to develop the caravan and chalet park in the area.	To enable the councillor to make written representations on the proposed development.

The Monitoring officer advised he would confirm the decision in writing.

C. Ombudsman's Casebook

The Committee noted the Ombudsman Wales - Our Findings reports.

D. Meeting Dates

The following Committee date was noted:
25 October 2023.

In respect of the referral of town and community councillors and county councillors to the Ombudsman, comment was made about the time it takes for the Ombudsman to consider complaints. In response to a suggestion, the Monitoring Officer agreed that the date of a complaint to the Ombudsman and other dates for key stages in the process would be added to his report for this Committee and the Standards Committee. This would enable the Committee to raise, in an informed way, issues regarding delays and capacity in the Ombudsman's office.

Mr S Hays (Chair)