

Public Document Pack



Contact Officer:
Maureen Potter 01352 702322

To: Edward Michael Hughes (Chairman)

Councillors: David Cox, Hilary McGuill and Arnold Woolley

Co-opted Members

Robert Dewey, Jonathan Duggan-Keen, Phillipa Ann Earlam and Kenneth Harry Molyneux

3 May 2016

Dear Member

You are invited to attend a meeting of the Standards Committee which will be held at 6.00 pm on Monday, 9th May, 2016 in the Clwyd Committee Room, County Hall, Mold CH7 6NA to consider the following items

Members are asked to note the time of the meeting.

A G E N D A

1 APOLOGIES

Purpose: To receive any apologies.

2 DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)

Purpose: To receive any Declarations and advise Members accordingly.

3 MINUTES (Pages 3 - 8)

Purpose: To confirm as a correct record the minutes of the meeting held on 11 April 2016.

4 DISPENSATIONS

Purpose: To receive any requests for dispensations.

5 MEMBER COMMUNICATIONS (Pages 9 - 14)

To provide details of the survey responses on Communications undertaken by Members.

6 **FORWARD WORK PROGRAMME** (Pages 15 - 16)

Purpose: For the Committee to consider topics to be included on the attached Forward Work Programme.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Peter Evans', with a long horizontal flourish extending to the right.

Peter Evans
Democracy & Governance Manager

STANDARDS COMMITTEE **11 APRIL 2016**

Minutes of the meeting of the Standards Committee of the Flintshire County Council held at County Hall, Mold, on Monday, 11 April 2016

PRESENT: Ed Hughes (Chair)

Councillors:

Hilary McGuill and Arnold Woolley

Co-opted Members:

Robert Dewey, Phillipa Earlam and Ken Molyneux

APOLOGIES:

Councillor David Cox and Jonathan Duggan-Keen

IN ATTENDANCE:

Monitoring Officer, Deputy Monitoring Officer and Team Manager – Committee Services

48. DECLARATIONS OF INTEREST (including whipping declarations)

None were received.

49. MINUTES

The minutes of the meeting held on 7 March 2016 were submitted.

The Monitoring Officer explained that a report on the results of the survey on Members' communications would be submitted to the next meeting.

It was agreed that a template Annual Report would be provided to Members on an annual basis which would act as a prompt for producing the document.

On the Local Government Ethical Framework, the Monitoring Officer explained that a report would be submitted to the Constitution Committee on changes to the Code of Conduct. A letter would be sent to Town and Community Councils advising that any changes to their Code of Conduct were required by 26 July however he was recommending to them that any proposed changes were agreed at the Annual General Meeting. A copy of Flintshire's Code of Conduct would be provided to Town and Community Councils and notice of any changes were required to be advertised in at least one local newspaper. He suggested that Flintshire also advertise on behalf of the Town and Community Councils, with copies of their Code of Conduct being made available at County Hall and on their website to reduce costs which was agreed. Copies of their documents would need to be received by 31 May 2016.

RESOLVED:

That the minutes be received, approved and signed by the Chairman as a correct record.

50. DISPENSATIONS

Following despatch of the agenda, a dispensation request had been received from Councillor Billy Mullin to speak at Planning and Development Control Committee, as the local Member, on a proposed development near to his dwelling which was also situated within his ward. The Planning and Development Control Committee would be considering the application which was number 054887 on 20 April 2016.

The Monitoring Officer advised that due to the nature of the application it was likely that it would be reported to the Committee on more than one occasion so suggested that if dispensation was granted, that it was done for a period of 12 months which was also in line with other similar dispensation requests.

Councillor Woolley proposed that dispensation be granted for Councillor Mullin to speak at Planning and Development Control Committee, as local Member, and that the dispensation be for a period of 12 months for this or any other similar application which was supported by the Committee.

RESOLVED:

That Councillor Billy Mulling be granted dispensation under paragraphs (d) and (f) of the Standards Committee (Grant of Dispensations) (Wales) Regulations 2001 for a period of 12 months (ending 10 April 2017) to speak as local Member on planning application number 054887 relating to a proposed development near his dwelling. The dispensation would apply to any other applications, which, in the Monitoring Officer's view, were substantially the same.

51. PLANNING PROTOCOL

The Deputy Monitoring Officer introduced the report and explained that a recent study had been undertaken by RTPI which concluded that there was much variety of practice across Wales in the operation of planning committees and a National Protocol was recommended.

A copy of the draft Protocol was appended to the report with the main aim to improve consistency across the Local Planning Authorities (LPAs) in Wales. The report focussed on the differences between the Council's current protocol and the draft National Protocol and sought comments and suggestions in response to specific questions. Those would be reported to the next meeting of the Planning Strategy Group prior to the closing date for comments on the consultation which was 20 May 2016. A single response to the consultation would then be submitted.

The Deputy Monitoring Officer suggested that the Committee focus on questions 1, 2 3, 8 and 17 although comments were welcomed on any of the 17 questions.

Question 1

Robert Dewey questioned the need for a National Protocol as he felt all local authorities worked well with their own local arrangements. Ed Hughes said he felt standard operating procedures could be beneficial to help with consistent principles.

Question 2

The Monitoring Officer drew attention to the proposed draft protocol on personal and prejudicial interests where it said a Member was not to participate, or give the appearance of doing so, in the making of a planning decision. The proposed protocol also specifically requested Member to notify the Monitoring Officer whenever they submitted a planning application themselves and advised that a professional planning agent should be instructed to deal with the application. He highlighted the differences to those proposals against what the Council's current protocol advised. The Deputy Monitoring Officer said that those two elements accorded with the principles of the Council's protocol although there was no requirement to appoint a professional planning agent.

The Deputy Monitoring Officer added that the draft protocol did not acknowledge the possibility that a dispensation may allow a Member to take part in the application which was in the Council's current protocol. The Committee felt this should be included in the draft protocol.

Question 3

The Deputy Monitoring Officer explained that the difference between the draft protocol and the Council's protocol was that the draft protocol specifically set out the need for a Member to consider whether they were speaking as a local Member or as a Member of the Planning Committee. He suggested that although the Council's protocol was clear about keeping an open mind on planning decisions, all Members of the Planning Committee may find this helpful. The Committee supported this and added that there should be a specific requirement for a Member who has spoken as a local Member to leave the Planning Committee area.

Question 8

A discussion took place and Members did not consider that the requirement for a Member who had submitted an application should be precluded from the site visit in the proposed National Planning Protocol.

Question 17

No further comments were received on the questions contained in the report.

In summary, it was agreed that the following comments be made to the Planning Strategy Group for consideration in forming a single response to Welsh Government on the proposed Draft National Planning Protocol:

1. No comments on the need for a National Planning Protocol
2. Dispensations should be included in the National Planning Protocol
3. If a Member submitted a planning application, contact should be made with the Monitoring Officer
4. Members to be clear as to whether they were speaking as a Member of the Planning Committee or as a local Member and if speaking as local Member a specific requirement to leave the Planning Committee area after they have spoken
5. The Committee did not consider that the requirement for a Member who had submitted an application should be precluded from the site visit

RESOLVED:

That the following comments be submitted to the Planning Strategy Group for consideration in forming a single response to Welsh Government on the proposed Draft National Planning Protocol:

1. No comments on the need for a National Planning Protocol
2. Dispensations should be included in the National Planning Protocol
3. If a Member submitted a planning application, contact should be made with the Monitoring Officer
4. Members to be clear as to whether they were speaking as a Member of the Planning Committee or as a local Member and if speaking as local Member a specific requirement to leave the Planning Committee area after they have spoken
5. The Committee did not consider that the requirement for a Member who had submitted an application should be precluded from the site visit

52. FORWARD WORK PROGRAMME

The Monitoring Officer advised that a report on the survey undertaken on Members' communications would be submitted to the next meeting. He also requested any items that the Committee would like to be raised at the Standards Forum in July be provided at the next meeting.

RESOLVED:

- (a) That the Forward Work Programme be noted; and

- (b) That a report be submitted to the next meeting on the outcome of the survey on Members' communications.

53. MEMBERS OF THE PUBLIC AND PRESS IN ATTENDANCE

There were no members of the press or public in attendance.

The meeting commenced at 6.30pm and ended at 7.20pm.

.....

Chairman

This page is intentionally left blank



STANDARDS COMMITTEE

Date of Meeting	Monday, 9 May 2016
Report Subject	Member Communications
Report Author	Chief Officer (Governance)

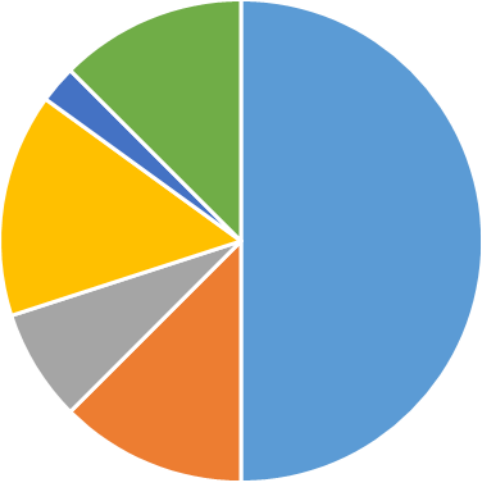
EXECUTIVE SUMMARY

To provide details of a survey undertaken on Member Communications.

RECOMMENDATIONS

1	To receive the details of the survey; and
2	That Members be contacted in May each year with a template annual report and be advised that any completed annual reports can be placed on the Council's website by Democratic Services.

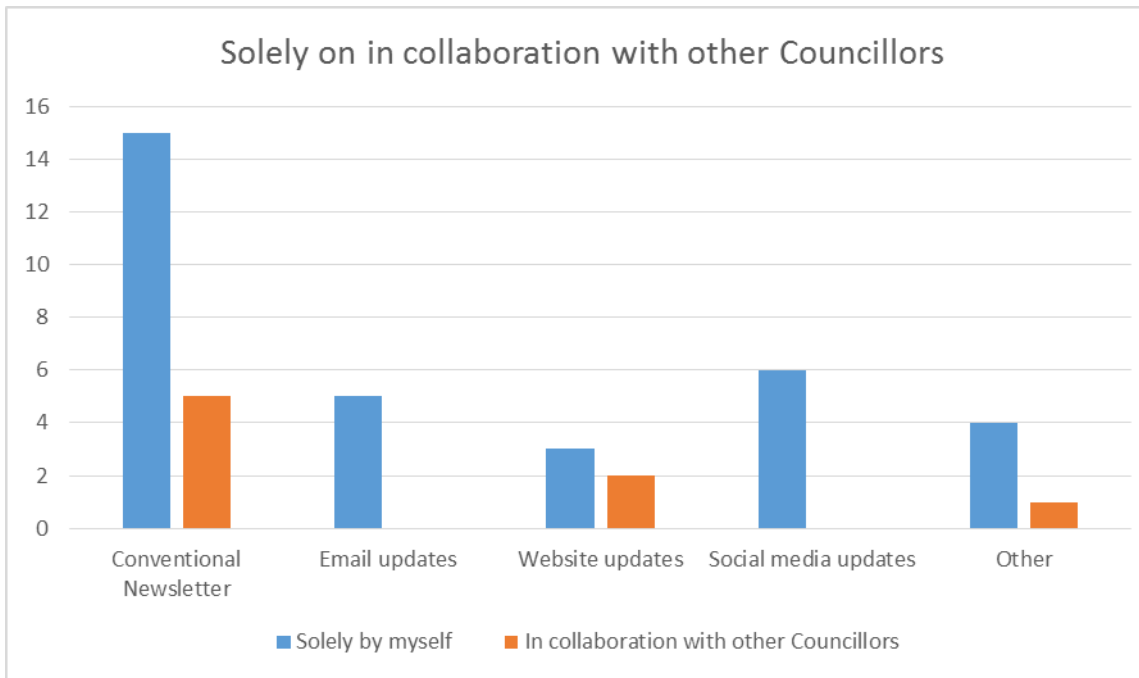
REPORT DETAILS

1.00	MEMBER COMMUNICATIONS														
1.01	At the meeting of Standards Committee on 8 th February 2016 a report was considered on the Review of Protocol on Councillor Newsletters. The report highlighted that since July 2013 there had been little interest in or take up of the production of annual reports by Members with the number being published for 2014/15 being three.														
1.02	The Standards Committee resolved that the arrangements for Councillor newsletters and annual reports was sufficient and did not require amendment. It also resolved that a survey be undertaken to ask Councillors whether they produced any communications and if so, how often.														
1.03	<p>The survey was sent to Members electronically with a paper copy being provided to the four Members who do not use electronic devices. The survey was combined with another survey which had been commissioned on the Frequency and times of Council Meetings. A summary of the questions asked and answers given in relation to Members' communications is below:</p> <p>Question 1 – Do you produce community communications?</p> <p>Yes – 26</p> <p>No – 2</p> <p>Question 2 – Considering the options below please identify the method(s) of your communications</p> <div data-bbox="264 1352 1402 2018" style="border: 1px solid black; padding: 10px;"> <p style="text-align: center;">Method</p>  <table border="1" data-bbox="341 1966 1353 1995"> <thead> <tr> <th>Method</th> <th>Count</th> </tr> </thead> <tbody> <tr> <td>Conventional Newsletter</td> <td>26</td> </tr> <tr> <td>Email Updates</td> <td>2</td> </tr> <tr> <td>Website</td> <td>0</td> </tr> <tr> <td>Social Media</td> <td>0</td> </tr> <tr> <td>Local Free Press</td> <td>0</td> </tr> <tr> <td>Other</td> <td>0</td> </tr> </tbody> </table> </div>	Method	Count	Conventional Newsletter	26	Email Updates	2	Website	0	Social Media	0	Local Free Press	0	Other	0
Method	Count														
Conventional Newsletter	26														
Email Updates	2														
Website	0														
Social Media	0														
Local Free Press	0														
Other	0														

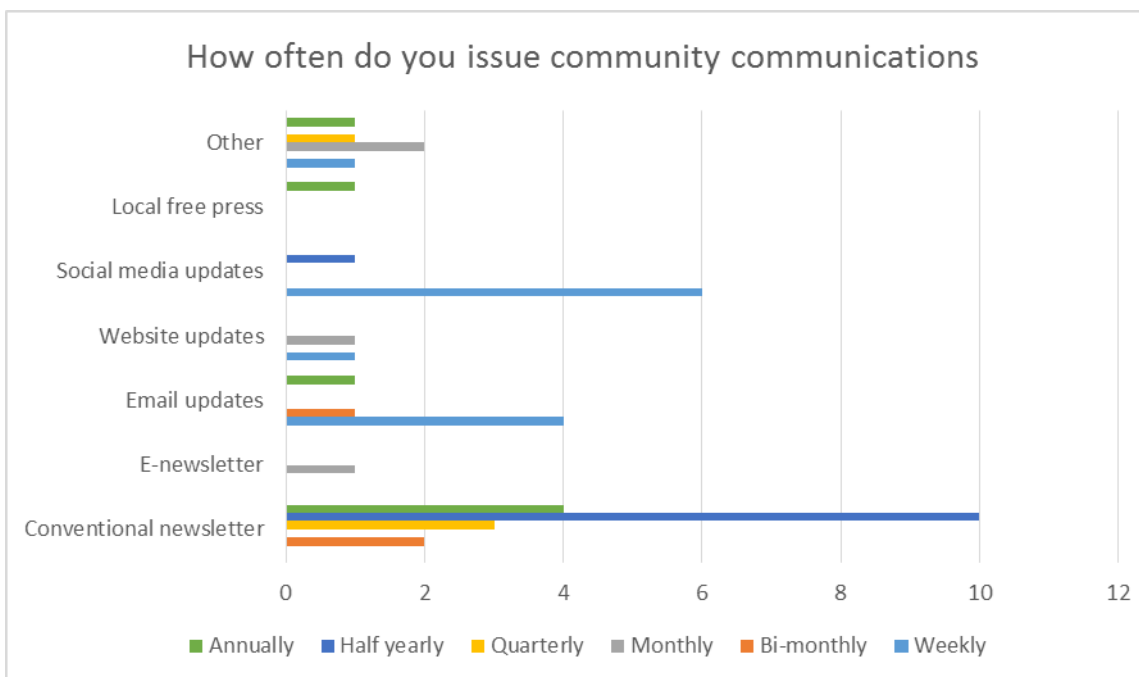
“Other”

Village Newsletter; Church Magazine; Monthly report to Community Council and entries on Community Council Website; Five Villages Chronicle; Report to Community Council and in free Community booklet

Question 3 - Please identify below your level of involvement in the production of the communications



Question 4 – How often do you issue your community communications?



	<p>Question 5 – Do you produce an Annual Report?</p> <p>Yes – 4</p> <p>No – 22</p> <p>Question 6 - When did you last produce your last Annual Report?</p> <p>January 2015</p> <p>2015</p> <p>Question 7 - Do you provide the Council with a copy of your Annual Report for publication on it's website in line with the required provision?</p> <p>Yes – 2</p> <p>No – 1</p>
1.03	At the Standards Committee meeting on 11 April 2016, it was suggested and agreed that Members would be contacted on an annual basis to remind them that Democratic Services could place Councillors annual reports on the Council's website. This reminder would include a template of an annual report for ease of completion.

2.00	RESOURCE IMPLICATIONS
2.01	There are no additional resource implications. Annual Reports will be placed on the website by staff in Democratic Services who will also send out the yearly reminder.

3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	All Members of the Council were sent a copy of the survey.

4.00	RISK MANAGEMENT
4.01	There are no risks identified in this report.

5.00	APPENDICES
5.01	None.

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	<p>Report of the Chief Officer (Governance) to Standards Committee on 8 February 2016 and related minute.</p> <p>Contact Officer: Nicola Gittins, Team Manager – Committee Services Telephone: 01352 702345 E-mail: nicola.gittins@flintshire.gov.uk</p>

7.00	GLOSSARY OF TERMS
7.01	<p>Annual Reports – the Council is required to make arrangements so that those Members who wish to do so can produce an annual report of their work and have it publicised.</p>

This page is intentionally left blank

FLINTSHIRE COUNTY COUNCIL – STANDARDS COMMITTEE – FORWARD WORK PROGRAMME

Date of Meeting	Topic	Notes/Decision/Action
July 2017	Annual Report	April 2016 meeting - It was agreed that a template Annual Report would be provided to Members on an annual basis which would act as a prompt for producing the document.
January 2017	<ul style="list-style-type: none"> • Training • Dispensations • Standards Forum 	The Chair to provide a report back on the Standards Forum from November.
	<ul style="list-style-type: none"> • Member Newsletters • Frequency of Council Meetings 	Future item be submitted on the data received by Members on newsletters or other regular communications produced to be combined with a further survey to be undertaken by Members to determine the time and frequency of Council meetings. A report on the data received from the survey would be brought back to a future meeting of the Committee – 7/3/16 meeting
October 2016	<ul style="list-style-type: none"> • Training on Code of Conduct • Standards Forum Meeting November 	<p>Joint meeting with Town and Community Councils including a training session on the Code of Conduct</p> <p>Items for November’s meeting</p>
August 2016	<ul style="list-style-type: none"> • Training • Dispensations • Standards Forum 	The Chair to provide a report back on the Standards Forum (July).

May 2016	<ul style="list-style-type: none">• Training• Dispensations • Survey on Member Communications • Standards Forum July	<p>A report on the results of the survey on Members' communications would be submitted to the meeting.</p> <p>To receive any items for the Forum.</p>
-----------------	---	---