

STANDARDS COMMITTEE
5 DECEMBER 2016

Minutes of the meeting of the Standards Committee of Flintshire County Council held in the Clwyd Committee Room, County Hall, Mold CH7 6NA on Monday, 5 December 2016

PRESENT: **Edward Michael Hughes (Chairman)**

Councillor:

Arnold Woolley

Co-opted members:

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

APOLOGIES:

Councillors David Cox and Hilary McGuill

IN ATTENDANCE:

Monitoring Officer, Deputy Monitoring Officer and Team Leader – Democratic Services.

22. DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)

None were received from Standards Committee members.

Councillor Dennis Hutchinson declared a personal and prejudicial interest in agenda item number 4, Dispensations. Following presenting any additional information to the submitted form and answering any questions, he would leave the room during the debate. Councillor Hutchinson asked that he be advised of the outcome the following day.

23. MINUTES

The minutes of the meeting held on 3rd October 2016 were submitted.

Mr Robert Dewey commented on minute number 20 'Meeting with Town and Community Councils' and his concern on the low number of attendees. He suggested that earlier notification of the meeting could be given to encourage attendance which was agreed.

RESOLVED:

- (a) That the minutes be received, approved and signed by the Chairman as a correct record; and
- (b) Town and Community Council be notified at the earliest opportunity on the joint meetings dates with the Standards Committee.

24. DISPENSATIONS

Following despatch of the agenda, two dispensation requests had been received from County Councillor Dennis Hutchinson and Buckley Town Councillor Richard Jones.

County Councillor Dennis Hutchinson

The Committee were asked to consider a request for dispensation submitted by County Councillor Dennis Hutchinson. The request was to speak for five minutes as local Member at the Planning and Development Control Committee in relation to application number 056023 (Demolition of existing dwelling and provision of access junction and access road). He was the owner of land to the rear of Hillcrest, Drury Lane / Mount pleasant Road which had planning permission for residential development and was currently awaiting the outcome of a renewal application.

The Deputy Monitoring Officer said he had discussed the application with Councillor Hutchinson and explained that if the planning application was granted, land would be unlocked for housing development and advised that the dispensation should also apply to land at the rear of the site. He suggested that the following wording be included "and any subsequent applications for residential development on the adjoining land for which access is to be gained through that application".

In response to a question, the Monitoring Officer explained that if the Committee also granted that Councillor Hutchinson could communicate in writing to officers that would allow him the opportunity to ask questions on behalf of local residents.

Councillor Hutchinson left the room during consideration of the application.

Mr Kenneth Molyneux asked if a condition should be added in line with other dispensations granted so that should any meetings with officers take place, a 3rd party representative should also be present. The Monitoring Officer explained that it was not necessary for this application as Councillor Hutchinson was not the person submitting the planning application.

It was agreed that the dispensation be granted, as requested, and with the addition of the wording suggested by the Deputy Monitoring Officer.

Buckley Town Councillor Richard Jones

The Committee were asked to consider a request for dispensation submitted by Town Councillor Richard Jones.

The Deputy Monitoring Officer provided details of the background to the application which was to speak to officers, Members and others to enable him to put the case for the effect and changes required in relation to Non Domestic Rate values that may be considered necessary. Councillor Richard Jones was President of the Buckley and District Chamber of Commerce and it was making

representation to organisations including the Local Authority. In addition, Councillor Jones' wife was a trader in the town.

In response to a question from Mr Robert Dewey, the Monitoring Officer clarified that the application was sought as a Buckley Town Councillor, not as a County Councillor.

As background, The Monitoring Officer provided a comprehensive explanation as to the process for collection of Non Domestic Rates and why the dispensation applied, which was due to Councillor Jones' wife being a trader in the town and as he would be addressing the Valuation Office on behalf of the local businesses in his role as President of the Buckley and District Chamber of Commerce.

It was agreed that the dispensation be granted, as requested.

RESOLVED:

County Councillor Dennis Hutchinson

That County Councillor Dennis Hutchinson be granted dispensation under paragraphs (d) and (f) of the Standards Committee (Grant of Dispensations) (Wales) Regulations 2001 to speak for five minutes both in relation to the application number 056023 and also subsequent applications for residential development on the adjoining land for which access is to be gained through that application, and to communicate with officers in writing.

Town Councillor Richard Jones

That Town Councillor Richard Jones be granted dispensation under paragraphs (d) and (e) of the Standards Committee (Grant of Dispensations) (Wales) Regulations 2001 to speak to officers, Members and others, to make written representations and to speak to Buckley Town Council Committees on Non Domestic Rates and to remain in the chamber and hear the related debate.

25. REPORT BACK FROM THE NORTH WALES STANDARDS COMMITTEE FORUM

The Chair, Mr Ed Hughes introduced the item and explained that he and Mr Robert Dewey had attended the North Wales Standards Committee Forum as Chair and Vice Chair of the Standards Committee at Flintshire. A copy of the Chair's and Vice Chair's notes, and the minutes, were included in the agenda.

Particular points of interest from the meeting were the following:

- Local Resolution Protocols (LRPs) – it was explained that the Ombudsman was not proposing to provide standard LRPs but he did recommend the One Voice Wales (OVW) protocol. It was suggested that, as not all of Flintshire's Town and Community Councils prescribed to OVW, the Standards Committee could suggest a protocol to them for LRPs
- Concern at a loss of confidence if complaints were treated as frivolous / trivial – it was felt that complainants should be able to have their complaints / issues listened to

- It was suggested, and agreed, that the Ombudsman would be invited to the next meeting with Town and Community Councils

The Monitoring Officer explained that he had been contacted by Aberystwyth and Powys Councils who were requesting to join the group of Councils on the Forum. If that was granted, he emphasised that meetings would be held in those areas too as meeting locations were shared on a rota basis. Members were supportive of the suggestion.

On Members Register of Interests not being able to be completed on line in Welsh, the Team Leader – Democratic Services explained that Modern.gov had been asked to look at a solution for all Welsh authorities. An approximate cost for the work was £10,000 which if agreed, could be shared between Welsh authorities at an approximate cost of £450.

RESOLVED:

- (a) That the feedback from the North Wales Standards Committee Forum be received;
- (b) That the Ombudsman be invited to the next meeting with Town and Community Council's; and
- (b) That the authorities requesting to join the Forum be welcomed.

26. FORWARD WORK PROGRAMME

The Monitoring Officer introduced the Forward Work Programme.

The situation with One Voice Wales (OVW) would be monitored and if their Local Resolution Protocol (LRP) was not shared then one could be developed.

It was agreed that the information being sent out to election candidates would be shared with the Committee.

Following a comment from Mr Robert Dewey, the Monitoring Officer said he would contact Wrexham County Borough Council to ask if a discussion had taken place on referring dispensations to other Councils by agreement.

RESOLVED:

- (a) That the Forward Work Programme be noted;
- (b) That the situation with One Voice Wales (OVW) would be monitored and if their Local Resolution Protocol (LRP) was not shared then one could be developed;
- (c) That information being sent out to election candidates would be shared with the Committee; and

- (d) That the Monitoring Officer contact Wrexham County Borough Council to ask if a discussion had taken place on referring dispensations to other Councils by agreement.

27. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE

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

(The meeting started at 6.00 pm and ended at 6.55 pm)

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Chairman