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To: Edward Michael Hughes (Chairman)

Councillors: Patrick Heesom, Paul Johnson and Arnold Woolley

Co-opted Members:

Robert Dewey, Jonathan Duggan-Keen, Phillipa Earlam, Julia Hughes and Kenneth Molyneux

26 June 2018

Dear Sir/Madam

You are invited to attend a meeting of the Standards Committee which will be held at 6.30 pm on Monday, 2nd July, 2018 in the Clwyd Committee Room, County Hall, Mold CH7 6NA to consider the following items

Please note that a training session for the Standard Committee members will be held from 6.00pm until 6.30pm

A G E N D A

1 **APOLOGIES**

Purpose: To receive any apologies.

2 **MINUTES** (Pages 3 - 8)

Purpose: To approve the minute of the meeting on 4 June 2018.

3 **DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)**

Purpose: To receive any Declarations and advise Members accordingly.

4 **DISPENSATIONS**

Purpose: To receive any requests for dispensations.

5 REPORT BACK FROM THE STANDARDS COMMITTEE FORUM - 29TH JUNE 2018

Purpose: To receive a verbal report.

6 STANDARDS CONFERENCE - FOR INFORMATION

Purpose: The Standards Conference will take place on 14th September 2018 in the Medrus Conference Suite, Aberystwyth University, Ceredigion.

7 FORWARD WORK PROGRAMME (Pages 9 - 10)

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

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 - TO CONSIDER THE EXCLUSION OF THE PRESS AND PUBLIC

The following item is considered to be exempt by virtue of Paragraph(s) 18a of Part 4 of Schedule 12A of the Local Government Act 1972 (as amended).

The information being considered is subject to an obligation of confidentiality.

8 REVIEW OF THE MEMBERS' CODE OF CONDUCT (Pages 11 - 24)

Purpose: That the Committee notes that the evidence indicates that existing systems seem to be working and that the members' Code of Conduct does not need revision.

Yours faithfully



Robert Robins
Democratic Services Manager

STANDARDS COMMITTEE **4TH JUNE 2018**

Minutes of the meeting of the Standards Committee of Flintshire County Council held at County Hall, Mold on Monday, 4th June 2018

PRESENT: Edward Hughes (Chairman)

Councillors:

Patrick Heesom, Paul Johnson and Arnold Woolley.

Co-opted members:

Rob Dewey, Jonathan Duggan-Keen, Julia Hughes and Ken Molyneux.

APOLOGY:

Phillipa Earlam

IN ATTENDANCE:

Monitoring Officer, and Team Leader – Democratic Services

75. DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)

None.

76. MINUTES

The minutes of the meeting held on 9th April were submitted and confirmed as a correct record.

RESOLVED:

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

77. DISPENSATIONS

The Monitoring Officer explained that one application for dispensation had been received from Councillor Dennis Hutchinson and was included in the agenda. In addition, a further application for dispensation had been received from Councillor Hutchinson and copies were made available at the meeting.

The first dispensation related to planning application number 058212, land adjacent to Woodside Cottages, Bank Lane, Drury, Buckley. A similar dispensation had been received, and granted, on 5th December 2016 which had now expired.

Councillor Hutchinson explained that he was applying for dispensation as he owned land in close proximity to the application site and the development would therefore have an impact on his land.

Councillor Hutchinson left the room whilst the dispensation was considered.

In response to a question from Julia Hughes, the Monitoring Officer provided examples of similar requests from other Members where the decisions had been to grant the dispensations.

It was agreed that the dispensation would be granted under paragraphs (d) and (f), to speak at Planning Committee for five minutes and communicate in writing with officers, but to leave the meeting before the debate and the vote. The dispensation would apply for a period of 12 months and include similar applications as deemed by the Monitoring Officer. Councillor Hutchinson returned to the room and was advised of the decision.

On the second dispensation, the Monitoring Officer advised the Committee that the circumstances of the dispensation sought were similar and on the same basis as the first dispensation. Councillor Hutchinson explained that this related to planning application number 58489. He was part owner of land to the rear of 'Hillcrest', off Mount Pleasant Road which had planning consent for housing and the site was within one mile of the application site.

Councillor Hutchinson left the room whilst the dispensation was considered. Given the advice of the Monitoring Officer in that this was deemed a similar application, the Committee granted the dispensation under paragraphs (d) and (f), to speak at Planning Committee for five minutes and communication in writing with officers, but to leave the meeting before the debate and the vote. The dispensation would apply for a period of 12 months and include similar applications as deemed by the Monitoring Officer. Councillor Hutchinson returned to the room and was advised of the decision.

RESOLVED:

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 at Planning Committee and make written representations on planning applications 058212 and 58489, or any application which, in the opinion of the Monitoring Officer, is similar. Councillor Hutchinson is to leave the meeting after speaking and before the applications were debated and voted on. The dispensations to be granted for 12 months, ceasing on 3rd June 2018.

78. OVERVIEW OF ETHICAL COMPLAINTS

The Monitoring Officer presented the Overview of Ethical Complaints report which provided a running total of complains alleging a breach of the Code that had been submitted to the Public Services Ombudsman for Wales. The complaints distinguished between different Councils and Councillors whilst remaining anonymous.

There had been a significant number of complaints submitted relating to one Town Council since the previous report. Of these, one complaint had been

submitted by a member of the public, which the Ombudsman had decided to investigate.

In response to a question from Julia Hughes the Monitoring Officer explained that a timeline could be added to the data in future reports.

RESOLVED:

- (a) That the number and type of complaints be noted; and
- (b) That future reports include a timeline.

79. REVIEW OF THE MEMBERS' CODE OF CONDUCT

The Monitoring Officer presented the Review of the Members' Code of Conduct report and explained that the Local Government Act 2000 required the Council to adopt a Code of Conduct based on a national prescribed model.

The Council last reviewed its Code in 2016 when it adopted revisions to the national model. The Council had been careful to seek to establish a working culture of respect and professional behaviour, which was fundamental to reducing behaviour that gave rise to complaints. As a consequence the number of complaints about County Councillors was low and below the Wales average. The Council was also often able to resolve low level complaints through discussion and/or the local resolution process without the need for a formal complaint.

In response to a comment from Rob Dewey, the Monitoring Officer said he could provide anonymised details relating to the complaints in 2017 and share that information with the Committee.

Councillor Johnson asked if the Council nominated Councillors to bodies that did not have a Code of Conduct. The Monitoring Officer confirmed it did and there were many outside bodies. The Councils Code of Conduct would apply if any of the bodies did not have their own.

Julia Hughes suggested that a reminder be sent to Clerks of Town and Community Councils to remind their Members about the Code of Conduct. The Monitoring Officer explained that each Town and Community Council had their own Code of Conduct but a reminder could be sent out.

RESOLVED:

- (a) That it be noted that the evidence indicates systems seem to be working and that the Members' Code of Conduct does not need revision;
- (b) That anonymised data be sent to the Committee on the complaints in 2017; and

- (c) That a reminder be sent to Clerks of Town and Community Councils on the Code of Conduct.

80. TRAINING FOR TOWN AND COMMUNITY COUNCILLORS

The Monitoring Officer introduced the report on Training for Town and Community Councillors which provided details of the level of attendance at training events on the Members' Code of Conduct prior to and following the elections in 2017.

Following a question from Julia Hughes, the Monitoring Officer explained that the training sessions were published through the County Forum including the provision of the training material being available. He suggested that Standards Committee members could promote any future training sessions at any Town and Community Councils they were to visit in the future.

Details of the attendance at the training session on 1st May would be included in a future report alongside the details of the forthcoming session in September. Julia Hughes suggested that alongside the reminder to Clerks of Town and Community Councils on the Code of Conduct, details could also be provided on the training session in September which was supported.

RESOLVED:

- (a) That a report be brought to a future meeting of the Committee on the level of attendance at a training event on the Members' Code of Conduct delivered to Town and Community Councillors by the Monitoring Officer on 1st May 2018;
- (b) That the Deputy Monitoring Officer delivers a further training session on the Members' Code of Conduct in September 2018 and a report is brought back to a future meeting of the Committee on the level of attendance at that training events; and
- (c) That alongside the reminder to Clerks of Town and Community Councils on the Code of Conduct, details of the training event in September also be included.

80. FORWARD WORK PROGRAMME

The Monitoring Officer introduced the Forward Work Programme and invited suggestions for any items.

Rob Dewey said a North Wales Standards Forum was scheduled for later in the month and suggested that an item be placed on the agenda with feedback from that meeting.

Julia Hughes said a decision had not yet been made as to which members of the Committee would visit which Town and Community Councils. The

Monitoring Officer suggested that the related paperwork for the visits could be shared but not in the main Committee meeting.

RESOLVED:

That the Forward Work Programme be noted, including the topics suggested.

81. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE

There was one member of the public in attendance.

(The meeting started at 6.30pm and ended at 7.35pm)

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Chairman

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FLINTSHIRE COUNTY COUNCIL – STANDARDS COMMITTEE – FORWARD WORK PROGRAMME

Date of Meeting	Topic	Notes/Decision/Action
July 2018	<ul style="list-style-type: none"> • Training • Dispensations 	
June 2018	<ul style="list-style-type: none"> • Training • Dispensations • Review of the Members’ Code of Conduct • Town and Community Council Training • Overview of Ethical Complaints 	<p>To review the Members’ Code of Conduct as part of the Committee’s programme of review of the Council’s Constitution</p> <p>To advise the Committee of the level of attendance by Town and Community Councillors at training events regarding the Members’ Code of Conduct prior to and following the elections in 2017.</p> <p>That the Committee notes the number and type of complaints.</p>
May 2018 Cancelled	<ul style="list-style-type: none"> • Training • Dispensations 	
April 2018	<ul style="list-style-type: none"> • Training • Dispensations • Update on Members’ Annual Reports • Visits to Town and Community Councils 	<p>To consider a template annual report to be circulated to members in May</p>
March 2018	<ul style="list-style-type: none"> • Training 	

	<ul style="list-style-type: none"> • Dispensations • North Wales Standards Forum 	To discuss items for the agenda for the North Wales Standards Forum to be held in May 2018 and hosted by Gwynedd Council.
February 2018	<ul style="list-style-type: none"> • Training • Dispensations • Social Media Protocol • Training Governors on the Code of Conduct • Details of Training for Town and Community Councillors 	<p>To consider whether the Council needs to adopt a Social Media Protocol or whether the Guidance issued by WLGA is sufficient</p> <p>That Members who are themselves school governors ensure they are aware of their school's own code of conduct.</p> <p>To update the Committee on the training arranged and provided for Town and Community Councillors, including numbers in attendance.</p>
January 2018	<ul style="list-style-type: none"> • Training • Dispensations • Review of Constitution 	To set a new programme for the rolling review of the document
December 2017	<ul style="list-style-type: none"> • Training • Dispensations • NW Standards Forum • Appointment of independent member • Case tribunal decision 	<p>Sentencing guidelines from the Adjudication Panel for Wales and examples from the PSOW's case book to form part of future training session(s)</p> <p>Report back from Vice Chair</p> <p>Results of panel interviews</p> <p>Report of decision on former Councillor Halford</p>

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of the Local Government Act 1972.

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