

STANDARDS COMMITTEE
2 SEPTEMBER 2013

Minutes of the meeting of the Standards Committee of Flintshire County Council held at Clwyd Committee Room, County Hall, Mold on Monday, 2 September 2013

PRESENT: Mrs Patricia Jones (Chair)
Councillors: David Cox and Hilary McGuill

Co-opted members: Robert Dewey, Jonathan Duggan-Keen and Edward Michael Hughes

APOLOGIES: Councillor Arnold Woolley, Chris Bretherton-Watt and Phillipa Ann Earlam

IN ATTENDANCE: Head of Legal & Democratic Services, Democracy & Governance Manager and Committee Officer

16. DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)

No declarations of interest were made.

17. MINUTES

The minutes of the meeting held on 8 July 2013 had been circulated with the agenda.

Accuracy

The Chair pointed out an error in her title which required amendment.

Matters Arising

The Democracy & Governance Manager advised that following a suggestion made at a previous meeting, the database listing details of Dispensations considered by the Committee had been established. The Head of Legal & Democratic Services said that the database could be found in the Library under the 'Council and Democracy' section of the Council's website and suggested that a demonstration be given at the next meeting.

RESOLVED:

- (a) That, subject to one amendment, the minutes be approved as a correct record and signed by the Chairman; and
- (b) That a demonstration of the Dispensations database be given at the November meeting of the Committee.

18. DISPENSATIONS

An application had been received from Councillor Christine Jones to seek dispensation to speak and vote as a member of the Planning Committee on future agenda items relating to a Crematorium in Flintshire. Councillor Jones had indicated that this was a personal and prejudicial interest due to a link between a family member and local undertaker.

The Head of Legal & Democratic Services pointed out that the form specified that Councillor Jones wished to speak on the item at Planning Committee although the level of dispensation sought was to speak and vote. It was therefore assumed that the request was to speak and remain for discussion on the item in order to vote.

Whilst discussing the information provided on the form, the Head of Legal & Democratic Services gave examples of the circumstances in which the Committee may grant dispensations which could be appropriate in this case. He went on to advise that Councillor Jones had decided she had a personal and prejudicial interest in the item, however it was for the Committee to decide the extent of this and whether the circumstances were appropriate to be granted a dispensation.

Officers responded to queries raised and provided further advice to assist the Committee in reaching a decision. In response to some views expressed that the interest was not deemed to be both personal and prejudicial, the Democracy & Governance Manager said that the decision rested with the individual councillor who had decided so did.

Following the debate, Councillor H.J. McGuill proposed that Councillor Jones be allowed to speak and vote on the item at Planning & Development Control Committee. This was duly seconded by Councillor D.L. Cox. The Head of Legal & Democratic Services suggested that the dispensation be limited to meetings taking place over the next 12 months. This was agreed by the Committee.

RESOLVED:

That Councillor Christine Jones be granted dispensation for a period of 12 months (ending 1 September 2014) to speak at, remain in the room during the debate on and to vote on:

- any council or committee meetings of Flintshire County Council which are considering matters pertaining to the planning application 051043 (including any subsequent appeal(s)) for erection of a crematorium with associated car parking, new access, landscaping and garden of rest at land east of A5119 and south of Tyddyn Starkey, Starkey Lane, Northop, Mold, CH7 6DG (or any application which in the opinion of the Monitoring Officer in consultation with the Chair of the Standards Committee is substantially the same).

19. RESULT OF CASE TRIBUNAL

The Head of Legal & Democratic Services introduced a report on the outcome of the case tribunal hearing in respect of Councillor Patrick Heesom. He circulated an email in which Councillor Heesom requested that the item be withdrawn at this stage from the meeting, pending the outcome of his appeal. On seeking a response from those present, the Committee voted to proceed with the item.

In providing an overview of the report, the Head of Legal & Democratic Services explained the timescales involved and the requirement to submit case tribunal reports to the first available meeting of the Standards Committee. He gave a brief chronology of the matter, culminating with the Case Tribunal finding Councillor Heesom in breach of the Codes of Conduct and subsequently disqualifying him for 2½ years. He went on to update the Committee on developments since the report had been produced, in relation to Councillor Heesom being successful in applying for an order to stay his disqualification and further action to be taken in response to this.

The Head of Legal & Democratic Services provided clarification on a number of queries raised by the Committee on estimated costs and timescale, and advised that he would brief Group Leaders on progress and would also keep the Committee informed. He confirmed that following the hearing, no recommendations had been made by the case tribunal to the Council in terms of training or improved procedures.

RESOLVED:

- (a) That the outcome of the hearing be noted; and
- (b) That the Committee be kept informed of progress.

20. FORWARD WORK PROGRAMME

The Head of Legal & Democratic Services invited members to consider the current Forward Work Programme and to suggest items for discussion at future meetings or specific training which may be required. The next meeting on 14 October 2013 would be held at Connah's Quay Town Council providing all Town and Community Councils with the opportunity to attend and submit agenda items in advance.

The Democracy & Governance Manager advised that a report on the audit of the Declaration of Interest process would be available for the next meeting. He also commented that a training session for Town and Community Councils on the Code of Conduct was to be hosted by Flint Town Council in November.

Councillor H.J. McGuill requested that training on the relationships between Clerks and elected Members be included in the refresher training at the next meeting. The Head of Legal & Democratic Services agreed that this could be scheduled for October or November and advised that an item would also be scheduled to report on the workings of Overview & Scrutiny in relation to Cabinet.

Mr. R. Dewey said that it would be helpful to include a topic on the Council's structure and reporting arrangements, including a glossary of commonly used abbreviations in the Council, such as Corporate Management Team (CMT) etc.

Councillor McGuill suggested that future topics could also include outside bodies and joint working regional arrangements where differing criteria may be in place on the same project in different Councils. The Head of Legal & Democratic Services suggested that Overview & Scrutiny may be a more appropriate forum for the latter topic as it did not relate to the Members' Code of Conduct. Councillor McGuill replied that she had tried to pursue this through a joint Overview & Scrutiny committee but had been unsuccessful.

RESOLVED:

That the Forward Work Programme be updated accordingly.

21. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE

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

(The meeting started at 6.00pm and ended at 7.35pm)

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Chair