

STANDARDS COMMITTEE

5 OCTOBER 2015

Minutes of the meeting of the Standards Committee of Flintshire County Council held in the Edith Bankes Memorial Hall, Northop on Monday, 5 October 2015

PRESENT: Edward Hughes (Chairman)

Councillors:

David Cox and Arnold Woolley

Co-opted members:

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

ALSO PRESENT: Councillor Bernie Attridge

TOWN AND COMMUNITY COUNCIL REPRESENTATIVES:

Mr. Steven Goodrum (Clerk) of Connah's Quay Town Council

Councillor Kevin Hughes of Gwernymynydd Community Council

Ms. Sharon Jeffries (Clerk) and Councillors John Golledge, Hilary Lamb, John Lamb, Ronnie Purves and Linda Thew of Northop Hall Community Council

Councillors Alan Evans and Veronica Gay of Saltney Town Council

Councillor Tudor Jones of Ysceifiog Community Council

APOLOGIES: Peter Richmond, Clerk of Sealand Community Council and Martin Wright, Clerk of Buckley Town Council

IN ATTENDANCE:

Monitoring Officer, Deputy Monitoring Officer and Committee Officer

The Monitoring Officer announced that, in the absence of Mr. Peter Evans, Mr. Matt Georgiou (the Council's Planning Solicitor) had been appointed as the new Deputy Monitoring Officer and that his contact details would be circulated.

14. DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)

Councillor Bernie Attridge declared a personal and prejudicial interest in relation to his dispensation request (Agenda Item 5).

15. MINUTES

The minutes of the meeting held on 7 September 2015 were submitted.

RESOLVED:

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

16. ADVICE ON INTERESTS AND COMMUNITY ASSET TRANSFERS

The Monitoring Officer presented the draft advice note on interests and community asset transfers for comment, prior to circulation to all county, town and community councillors. The Chairman thanked him for the training session on this topic prior to the start of the meeting, which he hoped had been beneficial to all those present.

The launch of the community asset transfer initiative in 2014 had generated much debate across the county, leading to expressions of interest by 19 councils and 24 community groups in running 174 of the Council's assets to date. As it was feasible for a councillor to have more than one role, eg town or community council, county council or involvement with a community group, there was a need to carefully consider whether a personal or personal and prejudicial interest should be declared. The advice note, which had been drafted with relevant sections of the Code of Conduct and guidance from the Ombudsman, set out how interests could arise and where exemptions might apply with a reminder that dispensation could be sought if needed.

On seeking the Committee's views, the following changes were noted:

- Paragraph 1.02: amend the second sentence to read 'It is possible that there will be a debate at the county council where there is a councillor *who* is either on the town/community council or community group taking the asset.'
- Paragraph 2.01: amend (ix) to read 'any public authority, charity or body directed to charitable purposes, private club, society or organisation in which the councillor *holds a position* of management or of which the councillor is a member.'
- Paragraph 2.04: amend the first sentence to read 'When declaring a personal interest a councillor must state that it is personal and give the reason for the *interest*.'
- Paragraph 3.01: amend the second sentence to read: 'Whilst they may seem very wide ranging they **do not apply** if the matter is an application for any approval, consent, licence, permission or registration.'
- To amend the contact telephone number of the Chief Officer (Governance) at the end of the document and to add contact details of the newly appointed Deputy Monitoring Officer.

The Chairman welcomed representatives of town and community councils and sought their views on the advice note. It was commented that the note provided clarity on the subject and was a useful reference document.

In response to a query on dispensation time limits, the Monitoring Officer explained that the Committee was able to grant dispensation for a maximum of four years and that his advice was for the Committee to base its decision on whether the circumstances were likely to change over that period.

The Monitoring Officer stated that the amended note would be circulated to town and community councils, along with county councillors, to provide guidance on the process. He suggested that the note could also be highlighted

at the next County Forum meeting and made available on the County Forum webpage.

RESOLVED:

That, subject to the amendments, the advice note be approved and circulated to all county, town and community councillors.

17. DISPENSATIONS

Councillor Bernie Attridge

The Committee was asked to consider a request for dispensation submitted by Councillor Attridge to speak and answer questions relating to the Council's company, North East Wales (NEW) Homes Ltd, when considered at meetings of Cabinet and Overview & Scrutiny.

Councillor Attridge explained that his role as Chair of the company's board required him to present regular reports and answer questions about the progress of the company and that if his dispensation was granted, he would leave before any debate and vote on the item at those meetings. He explained that his request was for dispensation over four years to avoid repeated applications to the Committee.

The Monitoring Officer reiterated that Councillor Attridge had no personal stake in the company and as Chair of the Board, would be expected to speak on the item at those meetings. He said that as the circumstances were unlikely to change, this was a reasonable request for determination by the Committee.

Councillor Attridge left the room whilst the dispensation request was considered.

In response to a query from Councillor Arnold Woolley, the Monitoring Officer agreed to check whether the Committee could grant dispensation for four years as this was beyond the end of the current Council term in 2017. He suggested that if the legislation did not permit this, the time limit could be curtailed until the next County Council Elections in 2017. On that basis, Councillor Woolley moved approval and this was seconded by Mr. Dewey.

Following questions by the Chairman, the Monitoring Officer provided clarification on the officer services procured by NEW Homes Ltd.

Mr. Dewey commented on the potential for future planning applications to be considered at Planning Committee. The Monitoring Officer advised that this did not apply at the present time and could be considered at a later stage.

Councillor Attridge returned to the meeting and was informed of the decision.

RESOLVED:

That Councillor Bernie Attridge be granted dispensation under paragraphs (d) and (f) of the Standards Committee (Grant of Dispensations) (Wales) Regulations 2001 to speak and answer questions on matters relating to NEW Homes Ltd but to leave the room before the debate and vote when the item is considered at meetings of Overview & Scrutiny and Cabinet. If legislation permits, the dispensation to cover a period of four years (ending 4 October 2019) or else until the end of the current Council term in 2017. The Monitoring Officer to liaise direct with Councillor Attridge on the outcome.

18. FORWARD WORK PROGRAMME

The Monitoring Officer presented the current Forward Work Programme for consideration. It was noted that he and Councillor Hilary McGuill had both agreed to attend the North Wales Standards Conference on 20 October 2015 leaving three available places. Mr. Robert Dewey and Councillor Alan Evans of Saltney Town Council both stated that they had confirmed their attendance. The Chairman advised that he would be unavailable. The Monitoring Officer said that an invitation had been circulated to town and community councils and that anyone wishing to fill the remaining vacant place should contact his office.

The Monitoring Officer asked that town and community councils give consideration to hosting a future meeting, incorporating a training session on the Code of Conduct.

RESOLVED:

That the Forward Work Programme be noted.

19. ANY OTHER BUSINESS

No items were raised by town and community council representatives. The Chairman thanked them for their attendance.

20. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE

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

(The meeting started at 6.45 pm and ended at 7.15 pm)

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Chairman