

STANDARDS COMMITTEE
3rd JULY 2017

Minutes of the meeting of the Standards Committee of the Flintshire County Council held at County Hall, Mold, on Monday, 3rd July 2017.

PRESENT: Ed Hughes (Chair)

Councillors:

Patrick Heesom, Paul Johnson and Arnold Woolley.

Co-opted Members:

Robert Dewey, Jonathan Duggan-Keen, Phillipa Earlam and Ken Molyneux.

IN ATTENDANCE:

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

Councillor Clive Carver was in attendance for agenda item number 4, Dispensations.

10. DECLARATIONS OF INTEREST (including whipping declarations)

Councillor Heesom declared a personal and prejudicial interest in agenda item number 4 on the dispensation requests which related to Mostyn Community Council. He left the room during the consideration of those requests for dispensation.

11. MINUTES

The minutes of the meeting held on 5th June 2017 were submitted.

On minute number 1, Quorum, and in response to a question from Mr Molyneux, the Monitoring Officer explained that he would circulate the list to members of the Committee which provided details of when each of the co-opted members were appointed and what date they were due to serve until.

On minute number 6, Member Induction, Mr Molyneux said he had not yet received the details of the political parties following the election. The Team Leader – Committee Services advised she would circulate the details to all members of the Committee.

On minute number 7, Local Resolution Procedure for Town and Community Councils, the Monitoring Officer explained that he had written to Town and Community Council Clerks to explain the Committee's resolution. A report would also be submitted to the next meeting of the County Forum. Mr Duggan-Keen commented that he was aware Denbighshire County Council had adopted a local resolution procedure for Town and Community Councils which the Monitoring Officer said he was not aware of but he would make enquiries with colleagues at Denbighshire.

RESOLVED:

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

12. DISPENSATIONS

Following despatch of the agenda, four dispensation requests had been received from County Councillor Clive Carver, Mostyn Community Councillor Peter Gibbons, Mostyn Community Councillor Angela Tattum and Mostyn Community Councillor David Roney. The Chair advised that as the three dispensations from Mostyn Community Councillors were identical, they would be dealt with together.

County Councillor Clive Carver

The Committee were asked to consider a request for dispensation submitted by County Councillor Clive Carver “to be able to communicate, in writing, telephone or in person, with the Clerk of Hawarden Community Council and to be able to discuss the matter with other Hawarden Community Councillors, both at and outwith Hawarden Community Council meetings, the more so since there are four Hawarden Community Councillors on the Hawarden Institute Management Committee”.

Councillor Carver explained that the dispensation related to works to Hawarden Community Council’s Council Chamber. He was a member of Hawarden Community Council which rented the Council Chamber from the Hawarden Institute for which body he was the Chair of the Management Committee. Following the increase in the number of Ewloe Ward Councillors from four to seven from the May 2017 elections, it had previously been decided to investigate the best way of accommodating the additional Members within the Council Chamber, ideally carrying out the work so that it would be ready for the meeting following the AGM. It was his understanding that the Community Council would take the lead in the design and for the Management Committee to be consulted on the plans for the work. The process had stalled and it was difficult to progress.

The Monitoring Officer sought clarity on the basis of which Councillor Carver had been appointed to the Hawarden Institute body. Councillor Carver explained that he had been appointed by Hawarden Community Council at the AGM. Following that explanation, the Monitoring Officer explained that Councillor Carver did not require a dispensation as paragraph 12(2)(a)(iii) of the Members’ Code of Conduct meant that his interest was personal but not prejudicial. This was because he had been appointed to the body by the Community Council. He also added that should a planning application be submitted in relation to the works then this exemption would not apply. A letter would be sent to Councillor Carver from the Monitoring Officer to provide him with the details which would offer adequate protection if required and explain the situations where that exemption would not apply.

Mostyn Town Councillors Peter Gibbons, Angela Tattum and David Roney

Having earlier declared an interest in this part of the item, Councillor Heesom left the room.

The Deputy Monitoring Officer provided details of the background to the applications which related to an agenda item at Mostyn Community Council which was requesting match funding for Mostyn Sports and Leisure Group (charity number 1170389) with a further 70% from Cadwyn Clwyd to secure a bid for a LEADER grant from the rural development programme. All three Community Councillors were trustees. The Deputy Monitoring Officer explained that when the item was due to be considered at the recent meeting of the Community Council, the item had to be deferred due to not enough information being available due to those three Members declaring personal and prejudicial interests and leaving the room. He confirmed that the relevant paragraphs under which dispensations were sought were (f) and (h).

Councillor Woolley and Mr Dewey spoke in support of the applications on the basis of, if dispensations were not granted, the item would not be able to be discussed due to the lack of information being available.

RESOLVED:

County Councillor Clive Carver

That a letter be sent to Councillor Carver to advise that his interest was not prejudicial and provide him with the details which would offer adequate protection if required. The situations where that exemption would not apply would also be explained.

Community Councillor Peter Gibbons

That Community Councillor Peter Gibbons be granted dispensation under paragraphs (f) and (h) of the Standards Committee (Grant of Dispensations) (Wales) Regulations 2001 to speak and/or answer questions at Mostyn Town Council meetings in relation to agenda items on match funding for Mostyn Sports and Leisure Group, and to leave the room during the debate and when the matter is voted on. Also to speak to officers provided that there was a witness which would ensure that at least three people would be present, and that the conversation be minuted.

Community Councillor Angela Tattum

That Community Councillor Angela Tattum be granted dispensation under paragraphs (f) and (h) of the Standards Committee (Grant of Dispensations) (Wales) Regulations 2001 to speak and/or answer questions at Mostyn Town Council meetings in relation to agenda items on match funding for Mostyn Sports and Leisure Group, and to leave the room during the debate and when the matter is voted on. Also to speak to officers provided that there was a witness which would ensure that at least three people would be present, and that the conversation be minuted.

Community Councillor David Roney

That Community Councillor David Roney be granted dispensation under paragraphs (f) and (h) of the Standards Committee (Grant of Dispensations) (Wales) Regulations 2001 to speak and/or answer questions at Mostyn Town Council meetings in relation to agenda items on match funding for Mostyn Sports and Leisure Group, and to leave the room during the debate and when the matter is voted on. Also to speak to officers provided that there was a witness which would ensure that at least three people would be present, and that the conversation be minuted.

13. REAPPOINTMENT OF TOWN AND COMMUNITY COUNCIL REPRESENTATIVE

The Monitoring Officer explained that a report had been submitted to the Annual Meeting of the Council recommending that Councillor Duggan-Keen, the current Town and Community Council representative on Standards Committee, be reappointed for a further term which had been agreed.

Councillor Johnson asked for details on the process of nominating representatives for the position. The Monitoring Officer explained that he had consulted with Town and Community Councils asking for their observations on the reappointment of Councillor Duggan-Keen or if any alternative nominations were proposed. Only two responses had been received, both of which had no objections to the reappointment.

In response to a further question, the Monitoring Officer explained that the appointment term was for 5 years at which time Councillor Duggan-Keen will have served the maximum number of terms. Following a discussion, it was agreed that the Monitoring Officer would contact Welsh Government to explain the difficulties encountered on a recruitment process needing to begin before the next election without knowing who would be elected.

RESOLVED:

- (a) That it be noted that no Town or Community Council objected to the reappointment of Councillor Duggan-Keen;
- (b) That the Monitoring Officer contact Welsh Government to highlight the difficulties encountered in the recruitment process due to timing; and
- (b) That a report be submitted to the September meeting of County Council recommending that Councillor Duggan-Keen be reappointed for a further term.

14. CONDUCT TRAINING FOR TOWN AND COMMUNITY COUNCILS

The Monitoring Officer introduced the report and explained that the Council provided three training session for Town and Community Councillors on the Code of Conduct and Governance where 54 Councillors from 23 Council attended.

Due to a number of Councils having insufficient candidates for election and them being required to co-opt Councillors, there would be a number of Councillors who would not have been able to attend the training sessions that had been held. Therefore a further training session in September would be provided, the date of which was to be confirmed.

The Monitoring Officer asked if any of the members of Standards Committee would like to participate in that training session to which Mr Dewey said he would. The Chair also said he could take part subject to his availability.

In response to a question from Councillor Johnson, the Monitoring Officer explained that an annual training session was held for Town and Community Councils which usually covered the same topics however he would contact them and ask if they had anything specific they would welcome training on. Depending on the response and the areas in which they felt they needed training in, he would need to seek agreement from the relevant Chief Officers that they could commit to that resource. An alternative could be targeted training sessions before the Community Forum meetings. He would discuss the options with colleagues.

RESOLVED:

- (a) That the training provided be noted along with the additional date scheduled for September; and
- (b) That the Monitoring Officer contact Town and Community Councils to ask if they required training on any particular topics.

15. ANNUAL REPORT BY MEMBERS

The Monitoring Officer introduced the report which provided details from previous meetings where annual reports by Members had been discussed.

In May 2016, Standards Committee resolved "*That Members be contacted in May each year with a template annual report and be advised that any completed reports could be placed on the Council's website by Democratic Services*". Following the local elections, and in accordance with that minute, it was now appropriate to remind Members of the procedure.

In response to a question from Councillor Johnson, the Monitoring Officer explained that it was not a mandatory requirement for Members to produce an annual report, but it was mandatory for the Council to publish them on the website if any were produced. He added that a number of Members produced extensive newsletters so may not wish to also produce an annual report.

Following a discussion the Committee recognised the benefits of social media if used appropriately and it was agreed that the WLGA guidance on the use of social media would be circulated to all Members.

RESOLVED:

- (a) That all Members be advised of the procedures for writing annual reports; and
- (b) That the WLGA guidance on the use of social media be circulated to all Members.

16. FORWARD WORK PROGRAMME

The Monitoring Officer introduced the forward work programme and invited topics for future training sessions.

He explained that the meeting on 2nd October 2017 was the joint meeting with Town and Community Councils. The Ombudsman, Mr Nick Bennett would be in attendance at that meeting and he suggested that a suitable item for that meeting would be the Public Services Ombudsman's Annual Report which was supported. It was agreed that any questions from Standards Committee members would be submitted to the Monitoring Officer by the end of July which would then be sent to the Ombudsman to allow sufficient time for responses to be prepared. The Monitoring Officer would also offer the same to Town and Community Councils and a report would be submitted to Standards Committee in September in advance of the joint meeting in October.

The following items for the September meeting were also agreed:

- Terms of Office for Standards Committee lay members; and
- Review of dispensations.

RESOLVED:

- (a) That the Forward Work Programme be noted including the items above; and
- (b) That the Monitoring Officer contact Town and Community Council to ask that any questions they wished to ask of the Ombudsman at the joint meeting in October be sent to him by the end of July, including those submitted by Standards Committee members.

17. 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 7.30pm.

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Chairman