

STANDARDS COMMITTEE
8 JANUARY 2018

Minutes of the meeting of the Standards Committee of Flintshire County Council held at County Hall, Mold on Monday, 8 January 2018

PRESENT: Edward Hughes (Chairman)

Councillors:

Paul Johnson and Arnold Woolley

Co-opted members:

Rob Dewey, Phillipa Earlam, Julia Hughes and Ken Molyneux

APOLOGIES: Jonathan Duggan-Keen and Councillor Patrick Heesom

IN ATTENDANCE:

Monitoring Officer, Deputy Monitoring Officer and Democratic Services Officer

44. DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)

None were received.

45. MINUTES

The minutes of the meeting held on 4 December 2017 were submitted.

As a point of accuracy, it was noted that the meeting had been held at County Hall.

Matters Arising

On minute number 37, it was confirmed that a letter of thanks had been sent to Noelle Jones for her participation on the interview panel.

On minute number 38, the Monitoring Officer had been advised that the next meeting of the North Wales Standards Forum was likely to be hosted by Gwynedd Council rather than Flintshire. He would seek confirmation and report back to the Committee.

On minute number 39, a summary of the points raised during the discussion had been agreed with the Chairman and Vice-Chairman and would be circulated to the Committee.

RESOLVED:

That subject to the amendment, the minutes be approved and signed by the Chairman as a correct record.

46. DISPENSATIONS

The Committee was asked to consider a request for dispensation submitted by County Councillor Christine Jones who wished to speak at Planning Committee on application number 057808 which related to the erection of six dwellings. As a member of the Planning Committee, she had declared a personal and prejudicial interest due to the application site being located to the rear of her home. The application for approval of reserved matters would usually be dealt with through Delegated Powers given to the Chief Officer, however the strength of public views on the application meant that it may require consideration by the Planning Committee.

The Deputy Monitoring Officer explained that in such cases, Members were advised to ask another Member of the Planning Committee to act as ward Member on their behalf and that Councillor Ian Dunbar had been asked in this instance. Councillor Jones would be entitled to speak for three minutes (the same as members of the public) but was seeking dispensation for five minutes which was the same as Committee Members. The Deputy Monitoring Officer had advised Councillor Jones to apply to speak for the additional two minutes which would allow sufficient time and was in line with similar requests previously granted to other Members.

It was explained that the planning application had previously received outline approval. At that stage, Councillor Jones had requested to speak at Planning Committee for five minutes and to make written and oral communications to officers on the matter. However, on 8 December 2014, the Standards Committee had decided to grant dispensation to speak only for three minutes which was felt to be sufficient. The request for dispensation to communicate with officers no longer applied as this was now permitted under the Code of Conduct.

Councillor Arnold Woolley referred to the importance of consistency in decision-making on dispensation requests.

Following a query by Mr. Rob Dewey, it was clarified that the land - which was not in Councillor Jones' ownership - was to the rear of her property. Mr. Dewey expressed concerns about granting dispensation, given the proximity of the application site and indicated his intention to abstain from the vote.

Ms. Julia Hughes suggested comparison with other successful requests to establish any precedent on proximity to the application site. Officers explained that this should not be a factor in decision-making as dispensation had previously been granted to Members where they owned the application site in question. The Committee could be guided by precedents but must consider each request on its own merits. In response to further comments, it was explained that in Flintshire, it was the choice of Members seeking dispensation whether they wished to attend the meeting to aid the debate.

Following discussion, Mr. Ken Molyneux spoke in support of granting dispensation for Councillor Jones to speak for five minutes at Planning Committee on the matter before leaving the room. On being put to the vote, this was agreed.

The Monitoring Officer clarified that the dispensation applied for 12 months and would include matters that he considered similar to application 057808.

RESOLVED:

That Councillor Christine Jones be granted dispensation under paragraphs (d) and (f) of the Standards Committee (Grant of Dispensations) (Wales) Regulations 2001 to speak for five minutes as local Member at Planning Committee on planning application 057808, or any application which, in the opinion of the Monitoring Officer, is similar. Councillor Jones is to leave the meeting after speaking, before the application is debated and voted on. The dispensation to be granted for 12 months, ceasing on 8 January 2019.

47. REVIEW OF CODES AND PROTOCOLS

The Monitoring Officer presented a report to consider a timetable for reviewing the codes and protocols within the Council's Constitution which were under the remit of the Committee. A draft timetable was shared, acknowledging that there may be a requirement for additional reviews as and when necessary.

Councillor Paul Johnson referred to the protocol on the production of councillor newsletters and said that greater focus should be given to the risks involved in using social media. During discussion, the Monitoring Officer agreed to circulate guidance published by the Welsh Local Government Association (WLGA) and to schedule a future item to discuss in more detail.

The resolution of the report was agreed by the Committee, subject to amendment of a typographical error and the future item on social media.

RESOLVED:

- (a) That the timetable for reviewing codes and protocols is adopted; and
- (b) That an item on councillors' use of social media is scheduled on the Forward Work Programme following circulation of the WLGA guidance.

48. INDUCTION AND TRAINING FOR THE STANDARDS COMMITTEE

The Monitoring Officer presented a report to consider the training and development needs of members of the Committee, some of whom had joined during the current municipal year.

Ms. Julia Hughes requested training on the Members' Code of Conduct. She referred to the remit of the Committee and asked how members could be assured of the training given to church and parent governor representatives on upholding the standards. The Monitoring Officer would seek confirmation on this support which was provided by the Education & Youth portfolio. Ms. Hughes suggested that the Committee consider details of training programmes and attendance levels, particularly given the concerns about training attendance statistics of town and community council representatives. She made reference to the practice in Denbighshire Council for

independent members of the Standards Committee to attend town and community council meetings on a rotational basis. This was promoted as a support mechanism to observe and report back the findings to the Committee, and to highlight the work of both parties.

Mr. Rob Dewey spoke in support of adopting similar arrangements in Flintshire, as did Councillor Paul Johnson who said that training would be required to enable Committee members to undertake this role.

Councillor Arnold Woolley suggested that town and community councils be consulted first. He said that the reasons for lack of attendance at training sessions should be established to identify a way forward.

Following discussion, the Monitoring Officer agreed to write to town and community councils to seek views on (i) a consistent approach for the visits and (ii) possible reasons for the lack of attendance at training sessions. The responses would be reported back to a future meeting.

In respect of the Members' Code of Conduct, the Monitoring Officer explained that training on various aspects could be split across different meetings, including the Flintshire standard and differences locally from the national model.

It was agreed that training on the Council's Indemnity Scheme would be best provided at a time when it was most needed, due to the low number of hearings. The Monitoring Officer suggested a training session to provide an overview of the principles of national justice.

RESOLVED:

- (a) That training be provided across future meetings to cover elements of the Members' Code of Conduct: Flintshire standard and differences locally from the national model, together with an overview of the principles of national justice;
- (b) That information on the Code of Conduct training and guidance given to church and parent governor representatives by Education & Youth be shared to give the Committee assurance; and
- (c) That the Monitoring Officer write to town and community councils to seek views on (i) a consistent approach for the visits and (ii) reasons for the lack of attendance at training sessions. The responses to be reported back to a future meeting.

49. FORWARD WORK PROGRAMME

As a result of earlier discussion, the items to be scheduled were:

- Councillors' use of social media.
- Refresher training covering elements of the Members' Code of Conduct.
- Clarification on Code of Conduct training and guidance provided to church and parent governor representatives.

- Responses from town and community councils on the proposed visits and possible reasons for lack of attendance at training sessions.

Following suggestions by Ms. Julia Hughes, the Monitoring agreed to schedule a summary log of Code of Conduct complaints (nature and stages of allegations) as a standing agenda item. An item on lessons learnt from the Public Services Ombudsman Wales Casebook would also be scheduled for twice yearly.

In response to a query from Councillor Paul Johnson, it was clarified that a Record of Dispensations was published on the website (under the 'Agendas, Reports, Minutes' link on the Council & Democracy section).

RESOLVED:

That the Forward Work Programme be updated.

50. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE

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

(The meeting started at 6pm and ended at 7.45pm)

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Chairman