

Public Document Pack

Gareth Owens LL.B Barrister/Bargyfreithiwr
Head of Legal and Democratic Services
Pennaeth Gwasanaethau Cyfreithiol a Democraataidd



To: Kevin Sibbons (Chairman)

CS/NG

Councillors: David Cox, Hilary McGuill and
Arnold Woolley

27 November 2012

Co-opted Members

Chris Bretherton-Watt, Jonathan Duggan-Keen,
Patricia Jones, Kenneth Martin and Merfyn Roberts

01352
702345/702350/702324/702331/7
02322

Dear Sir / Madam

A meeting of the **STANDARDS COMMITTEE** will be held in the **CLWYD COMMITTEE ROOM, COUNTY HALL, MOLD CH7 6NA** on **MONDAY, 3RD DECEMBER, 2012** at **6.00 PM** to consider the following items.

Yours faithfully

Democracy & Governance Manager

A G E N D A

- 1 **APOLOGIES**
- 2 **DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)**
- 3 **MINUTES** (Pages 1 - 4)
To confirm as a correct record the minutes of the last meeting.

County Hall, Mold. CH7 6NA
Tel. 01352 702400 DX 708591 Mold 4
www.flintshire.gov.uk
Neuadd y Sir, Yr Wyddgrug. CH7 6NR
Ffôn 01352 702400 DX 708591 Mold 4
www.siryfflint.gov.uk

The Council welcomes correspondence in Welsh or English
Mae'r Cyngor yn croesawau gohebiaeth yn y Cymraeg neu'r Saesneg

4 **DISPENSATIONS**

5 **TRAINING FOR COUNCILLORS**

6 **FORWARD WORK PROGRAMME** (Pages 5 - 6)

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

STANDARDS COMMITTEE **5 NOVEMBER, 2012**

Minutes of the meeting of the Standards Committee of the Flintshire County Council held at Flintshire County Council on Monday 5 November 2012

PRESENT: Mr. K.P. Sibbons (Chairman)

Mr. K.A. Martin, Mr C. Bretherton Watt, Mr J. Duggan-Keen, Mrs P.S. Jones
Councillors: H.J. McGuill and A. Woolley

ALSO PRESENT:

As an observer: Councillor P. Heesom

APOLOGIES:

Councillor D.L. Cox, Mr M. Roberts

IN ATTENDANCE:

Head of Legal and Democratic Services, Committee Officer

23. DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)

Councillor H J McGuill declared a personal and prejudicial interest in relation to her application for a dispensation.

24. MINUTES

Matters arising

The Head of Legal and Democratic Services confirmed that Flintshire County Council was now hosting a new web page on its website for Town and Community Councils which contained guidance notes. Declaration of interest forms were also available on the website.

The Chairman asked if an actions column could be added to the minutes.

Councillor H.J. McGuill asked if a representation had been made to the Ombudsman regarding the Code of Conduct and Treating Others with Respect. The Head of Legal and Democratic Services said that he had spoken to the Ombudsman at the ACCESS group of Local Authority Monitoring Officers on 5 October 2012. The Ombudsman had said that he would consider revisions to the guidance and would accept written suggestions. The Head of Legal Services would submit a written response on behalf of Flintshire County Council.

RESOLVED:-

The minutes of the meeting held on 1 October 2012 were confirmed as a correct record.

25. DISPENSATIONS

The Chair introduced item 4 on the Agenda which related to an application for dispensation by Councillor H.J. McGill.

The Head of Legal and Democratic Services advised that Councillor McGill be allowed to state her case, receive advice and would then be requested to leave the room whilst the matter was discussed.

Councillor H.J. McGill explained that she wished to be able to speak on behalf of her planning application at the Planning Committee meeting on 7 November 2012 and to be able to speak to officers about the application. She explained that the application related to plans to build houses on her land and changes to her own home. Councillor McGill said that this would be the second time that her application had gone to Planning Committee, and felt that the first time, false information had been given to the Committee and she was unable to respond to this during the meeting.

The Head of Legal and Democratic Services asked if Councillor H.J. McGill had a planning agent to speak on her behalf. Councillor McGill said that she did, but that he was unavailable to attend the Planning Committee on 7 November 2012 due to other commitments.

Councillor A. Woolley asked if the application could be deferred to the next Planning Committee so that the agent could attend. The Head of Legal and Democratic Services said that deferral was not possible as the Council was obliged to determine this application as soon as possible and it was already on the agenda for the meeting.

The Head of Legal and Democratic Services advised that the planning agent could deal with officer enquiries, or Councillor H.J. McGill could be granted dispensation to communicate in writing to officers, but not in person, for reasons of openness. At Planning Committee, Councillor McGill could apply to speak as a member of the public for the allocated 3 minutes. If granted a dispensation, she could speak as a non voting member of the Council for 5 minutes. There would be two members of the public allowed to speak at the Planning Committee about this application, 1 for the application and 1 against.

Councillor H.J. McGill left the room so that the Committee could consider her request.

The Committee debated the matter and considered Councillor H.J. McGill's request.

Councillor H.J. McGill was asked to return to the Committee room to hear the decision.

RESOLVED:-

That no dispensations be granted to Councillor H.J. McGuill as the nature of interest, as land owner was too significant. As a member of the public, Councillor H.J. McGuill could apply to speak for 3 minutes at Planning Committee, declare her interest and then leave the meeting.

26. TRAINING FOR COUNCILLORS ON THE CODE OF CONDUCT

The Head of Legal and Democratic Services introduced a report to inform Members of the training undertaken so far in this municipal year in respect of the Code of Conduct.

Three training sessions for Town and Community Councillors had been arranged in June 2012. In total 37 Councillors, from a possible 441 seats attended which equated to a 16% attendance. Further training for Town and Community Councillors would take place on 26 November at 6.30 pm at Douglas Court Community Centre, Saltney. Three training sessions were held in May for County Councillors and 6 attended. This represented 4% of the total number of Councillors and 60% of those Councillors elected in May 2012 who had not previously been a County Councillor.

The Head of Legal and Democratic Services said that he has been invited to attend Group Leaders Meetings to provide 20 minute training sessions in respect of interests, rather than the Code of Conduct. He reported that he had already given a training session to the Conservative Group and had dates arranged for training the Independent Alliance and Liberal Democrat Groups. He had been contacted by the Labour Group but had not been able to arrange a date and this left the Independent Group and one ungrouped Member.

RESOLVED:-

That Members note the level of coverage achieved so far and that further training has been arranged for both Town and Community Councils and County Councillors.

27. ADJUDICATION PANEL FOR WALES ANNUAL REPORT

The Head of Legal and Democratic Services introduced the report for 2011-12 and said that two cases involving Flintshire County Council were mentioned in the report.

Reference was made to one ongoing case and the findings of a second, involving Saltney Town Council and Flintshire County Council which was featured on page 28. The Town Councillor and County Councillor concerned had been given a 12 month suspension from Saltney Town Council. The Head of Legal and Democratic Services explained that after 12 months, the individual would be eligible to stand again as Town Councillor or County Councillor. He reported that the person concerned had opted not to stand

again as Town Councillor and had lost his seat in the 2012 County Council elections.

RESOLVED:-

That Members note the contents of the report.

28. FORWARD WORK PROGRAMME

The Head of Legal and Democratic Services introduced the Forward Work Programme and referred to the December meeting when there would be a Change of membership in respect of the current Chair, who would retire in December.

The Head of Legal and Democratic Services advised the Committee that at a recent County Council meeting, the Council had rejected a recommendation that councillors be permitted to use Council computers to design (but not to print) community newsletters. In light of that self denying ordinance he thought it appropriate to have a wider range of consultation with Group Leaders on the more extensive protocol around the use of resources that the Committee had requested. This might mean that it would not be possible to bring a report on the Use of Resources Protocol to the December meeting.

RESOLVED

That the Forward Work Programme be agreed.

29. DURATION OF MEETING

The meeting commenced at 6.30 p.m. and ended at 7.15 p.m.

30. MEMBERS OF THE PUBLIC AND PRESS IN ATTENDANCE

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

.....
Chairman

FLINTSHIRE COUNTY COUNCIL – STANDARDS COMMITTEE – FORWARD WORK PROGRAMME

Date of Meeting	Topic	Notes/Decision/Action
2014	<ul style="list-style-type: none"> Retirements from Committee 	Independent Member – M Roberts (Jan), Mrs P Jones (July)
2013	<ul style="list-style-type: none"> Retirements from Committee 19 April – All Wales Standards Conference 	Independent Members - K Martin (Feb), C Bretherton-Watt (Nov)
7 January 2013	<ul style="list-style-type: none"> North Wales Standards Committee Forum meeting Election of new Chair person Training Session Any requests for dispensation Recruitment of Independent Member 	Independent Member – K Sibbons (retires Dec)
3 December 2012	<ul style="list-style-type: none"> Training Session Any requests for dispensation 	Councillor Glyn Banks

This page is intentionally left blank