

STANDARDS COMMITTEE

7 MARCH 2016

Minutes of the meeting of the Standards Committee of Flintshire County Council held in the Clwyd Committee Room, County Hall, Mold CH7 6NA on Monday, 7 March 2016

PRESENT: Robert Dewey (Vice Chair in the Chair)

Councillors: David Cox and Arnold Woolley

Co-opted members: Jonathan Duggan-Keen, Phillipa Earlam and Kenneth Molyneux

APOLOGIES: Councillor Hilary McGuill and Edward Hughes

ALSO PRESENT: Councillor Tim Newhouse

IN ATTENDANCE:

Monitoring Officer, Deputy Monitoring Officer, and Committee Officer

40. DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)

None were received.

41. MINUTES

The minutes of the meeting held on 8 February 2016 were submitted.

Review of Protocol on Councillor Newsletters

The Monitoring Officer explained that the questionnaire to be sent to Members to receive data on the communications they produce was to be combined with a further survey to be undertaken by Members to determine the time and frequency of Council meetings. A report on the data received from the survey would be brought back to a future meeting of the Committee.

RESOLVED:

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

42. DISPENSATIONS

Councillor Tim Newhouse

The Committee were asked to consider a request for dispensation submitted by Councillor Newhouse to speak, but not vote, at Audit Committee meetings concerning reports relating to E-Teach.

The Monitoring Officer provided background information and context. Councillor Newhouse detailed the reasons for his request for dispensation and commented on his understanding of how the E Teach system operated. He explained that he wished to speak at the next meeting of the Audit Committee on 16 March 2016 on the advantages and disadvantages of E Teach, agencies, and direct employment and would leave before any vote on the item at the meeting.

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

The Monitoring Officer provided clarification on the position of Councillor Newhouse as Chair of the Audit Committee and advised that it was normal practice that the Vice Chair would Chair the meeting in circumstances where the Chair had declared an interest on an item to be considered at the meeting. He also commented on the potential for consideration of further reports relating to E Teach to be submitted to future meetings of the Audit Committee. In response to the queries raised the Monitoring Officer advised that Councillor Newhouse would be required to leave before any debate and vote on the item took place at those meetings.

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

RESOLVED

That Councillor Tim Newhouse be granted dispensation under paragraphs (d), (e) and (f) of the Standards Committee (Grant of Dispensations) (Wales) Regulations 2001 to speak and answer questions in respect of matters relating to E Teach but to leave the room before the debate and vote when the item is considered at meetings of the Audit Committee. The Vice Chair to take the position of Chair during the absence of Councillor Newhouse as Chair of the Audit Committee. The dispensation to cover a period of 12 months.

43. STANDARDS FORUM

The Monitoring Officer provided a verbal update on the Standards Forum. He reported that at the meeting of the Forum held in June 2015, discussion had taken place around how often the Forum should meet and the protocols around how it would operate in the future. He explained that it was proposed that meetings of the Forum would be held twice a year, that the host Monitoring Officer should be the only Monitoring Officer to attend the meeting to dispense with the need for all 6 Monitoring Officers to attend each meeting, and that the local Chair would Chair the meeting.

During discussion the Monitoring Officer responded to the questions raised around the nature of the work undertaken by the Forum. The Monitoring Officer explained that the remit of the Forum was to share good practice and experience, however, it was not a decision making body.

RESOLVED:

That the Committee supported the following proposals:

- (a) That meetings of the Standard Forum be held every 6 months;
- (b) That the host Monitoring Officer be the only Monitoring Officer required to attend a meeting of the Forum, and
- (c) That the local Chair takes the Chair for the meeting.

44. ADDITIONAL ITEM

The Monitoring Officer advised that the Chairman had agreed that the Committee should consider an additional item on the grounds of urgency, as provided for under Section 100 4B4 of the Local Government Act 1972 (as amended). The item was concerning the Local Government Ethical Framework.

45. LOCAL GOVERNMENT ETHICAL FRAMEWORK

The Monitoring Officer distributed copies of a letter from the Welsh Government concerning the Local Government Ethical Framework. He reported that following consultation existing legislation had been amended through implementation of the statutory instruments on The Local Authorities (Model Code of Conduct (Wales) (Amendment) Order 2016; and The Local Government (Standards Committees, Investigations, Dispensations and Referral) (Wales) (Amendment) Regulations 2016, which come into force on 1 April 2016. He reported that the instruments also implemented other proposals to improve the operation of the local government ethical standards framework in Wales.

The Monitoring Officer distributed copies of a letter from the Welsh Government which detailed the proposals and reported on the main considerations. He also distributed copies of the text of the amended Model Code of Conduct for Members and Co-opted Members with voting rights. The Monitoring Officer advised that in accordance with section 51 of the 2000 Act, all relevant authorities must adopt a revised code of conduct by 26 July 2016.

During discussion the Monitoring Officer responded to the queries raised by members and commented that the obligation was to adopt a national model by a code of conduct which was no less onerous.

RESOLVED:

- (a) That the Committee recommends to Council that it applies the changes to the national model to its own local code; and
- (b) That the Council provides guidance to Town and Community Councils to enable them to make the same changes.

46. FORWARD WORK PROGRAMME

The Monitoring Officer presented the current Forward Work Programme and invited topics for future consideration. It was agreed that a report on the Planning Protocol would be provided to the next meeting of the Committee to be held on 11 April 2016.

During discussion it was also agreed that the Chair be asked to provide a report back on the Standards Forum to the meetings of the Committee to be held in July 2016 and January 2017. It was suggested that the Committee may also wish to consider items to be put forward to the Standards Forum at the meetings to be held in May 2016 and November 2016.

RESOLVED:

- (a) That the Forward Work Programme be noted;
- (b) That a report on the Planning Protocol be provided to the next meeting of the Committee; and
- (c) That the Chair be asked to provide a report back on the Standards Forum to the meetings of the Committee to be held in July 2016 and January 2017

47. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE

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

(The meeting started at 6.30 pm and ended at 7.47 pm)

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Chairman