

STANDARDS COMMITTEE
4TH MARCH 2019

Minutes of the meeting of the Standards Committee of Flintshire County Council held at County Hall, Mold on Monday, 4th March 2019

PRESENT: Rob Dewey (Chairman)

Councillors:

Patrick Heesom, Paul Johnson and Arnold Woolley.

Co-opted members:

Jonathan Duggan-Keen, Phillipa Earlam, Edward Hughes, Julia Hughes and Ken Molyneux

IN ATTENDANCE:

Monitoring Officer and Team Leader – Democratic Services

60. DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)

Councillor Johnson declared a personal interest in agenda item number 6 – Reports from Independent Member Visits to Town / Community Councils as he was a member of Holywell Town Council.

61. MINUTES

The minutes of the meeting held on 4th February 2019 were submitted.

On minute number 55, it was agreed that the Deputy Monitoring Officer would report back to the next meeting of the Committee on what was resolved on the frequency of reporting ethical complaints.

On minute number 57 and the question from Ken Molyneux, it was agreed that the wording would be changed to read “Ken Molyneux asked that a copy of the feedback be provided at the same time as it was sent to Town and Community Councils”.

Following a question from Councillor Heesom on minute number 58, the Monitoring Officer explained that a positive meeting had been held with the Trade Unions who were supporting of the Officers’ Code of Conduct. A report would now be submitted to Constitution and Democratic Services Committee and then full Council.

The Chair asked that, following the suggestion from Phillipa Earlam that an update on Community Asset Transfers be included on the Forward Work Programme, could it be placed on the Programme for the next meeting which was agreed.

RESOLVED:

That subject to the amendment on minute number 57, the minutes be approved and signed by the Chairman as a correct record.

62. DISPENSATIONS

The Monitoring Officer presented one dispensation request for consideration, received after publication of the agenda.

Councillor Dennis Hutchinson

Councillor Hutchinson was not in attendance so the Monitoring Officer introduced the dispensation request. He wished to speak only at Planning Committee on application number: 058489 – Outline application for the demolition of 81 Drury Lane and construction of up to 66 dwellings on land to the rear of Drury Lane, Buckley development. He was the local Member and wished to represent the local views regarding the proposal. The details of the prejudicial interest were that he owned land in close proximity to the application site and the development would therefore have an impact upon his land.

The Monitoring Officer said the same dispensation request had previously been considered by the Committee on 5th December 2016 where the dispensation had been granted, but that had now lapsed.

County Arnold Woolley proposed that the dispensation be granted on the same grounds as it had previously, which was supported.

RESOLVED:

That Flintshire County Councillor Dennis Hutchinson be granted dispensation under paragraphs (d) and (f) of the Standards Committee (Grant of Dispensations) (Wales) Regulations 2001 to speak for five minutes at Planning Committee on application number 058489, or any application which, in the opinion of the Monitoring Officer is similar, then leave the room before the debate commences and not vote. He could also write to officers about the issue. The dispensation was for 12 months and would cease on 3rd March 2020.

63. PUBLIC SERVICES OMBUDSMAN FOR WALES (PSOW) CASEBOOK ISSUE 18 (JULY – SEPTEMBER 2018)

The Monitoring Officer presented the report and explained that the Public Services Ombudsman for Wales (PSOW) considered complaints that Members of Local Authorities in Wales had broken the Code of Conduct.

There were four findings that the PSOW could arrive at:

- That there was no evidence of breach;
- That no action needed to be taken in respect of the complaint;

- That the matter be referred to the authority's Monitoring Officer for consideration by the Standards Committee; and
- That the matter be referred to the President of the Adjudication Panel for Wales (APW) for adjudication by a tribunal.

Casebook Issue 18 highlighted ten complaints that were investigated by the PSOW during July to September 2018. There were four findings of no evidence of breach, four findings of no action necessary, one referral to the relevant Monitoring Officer for consideration by the Standards Committee and one referral to the APW for adjudication by a tribunal. The case outcomes conformed to expectations and did not reveal any insights or learning that needed to be shared.

The Committee requested further information on the case that was referred to the APW which was regarding a complaint against a Councillor at Monmouthshire County Council.

RESOLVED:

- (a) That the findings of the complaints investigated by the Public Services Ombudsman for Wales during July to September 2018, as summarised in Issue 18 of the Casebook, be noted; and
- (b) A report be submitted to a future meeting on the case referred to the APW which was regarding a complaint against a Councillor at Monmouthshire County Council.

64. REPORTS FROM INDEPENDENT MEMBER VISITS TO TOWN / COMMUNITY COUNCILS

The following independent members presented their verbal reports:

- Rob Dewey – Llanfynydd Community Council (19.11.18)
- Phillipa Earlam – Holywell Town Council (20.11.18)
- Rob Dewey – Hope Community Council (05.12.18)
- Phillipa Earlam – Brynford Community Council (11.12.18)
- Rob Dewey – Penyffordd Community Council (12.12.18)
- Julia Hughes – Trelawnyd & Gwaenysgor Community Council (10.01.19)
- Ken Molyneux – Broughton & Bretton Community Council (15.01.19)
- Julia Hughes – Halkyn Community Council (21.01.19)

All reported that observing the meetings had been a positive experience and that they had been well led by Chairs with helpful assistance from Clerks and good participation by attendees. Clerks had been very co-operative prior to the meetings in providing the required information about venues, times, access etc.

Some minor procedural points were identified which could assist members of the public wishing to attend meetings, some of which had been identified at previous meetings of the Standards Committee on:

- Up to date meeting information being available;
- Importance of clearly declaring interests at meetings;
- Importance of recording the declarations of interests made on the website;
- Importance of recording dispensations on the website;
- Signs to direct the venue of the meeting;
- Importance of new Members being given the Code of Conduct;
- Audibility in the venue to be sufficient for members of the public;

In addition to the procedural points, the Committee requested that the following be fed back to Town and Community Councils:

- The recognition of the benefit of youth involvement;
- The benefit of public consultation sessions;
- Access to the Code of Conduct being made available on the website.

It was also agreed that a list of what Town and Community Councils were required to publish on their website would be sent out.

RESOLVED:

- (a) That the verbal reports be received and feedback given to the four Town and Community Councils; and
- (b) That a list of mandatory things required to be published on the Town and Community Council websites be sent out.

65. FORWARD WORK PROGRAMME

The current Forward Work Programme was received.

Following an earlier request, an update report on Community Asset Transfers would be reported to the next meeting.

A report would also be submitted to a future meeting on the case referred to the APW which was regarding a complaint against a Councillor at Monmouthshire County Council.

It was agreed that if no dispensations were received in advance of the meeting on 1st April, this meeting would be cancelled. The next meeting of the Committee would then be 29th April 2019.

RESOLVED:

That the Forward Work Programme be noted.

66. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE

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

(The meeting started at 6.30pm and ended at 8.10pm)

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Chairman