

STANDARDS COMMITTEE
29TH APRIL 2019

Minutes of the meeting of the Standards Committee of Flintshire County Council held at County Hall, Mold on Monday, 29th April 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.

APOLOGIES:

None.

IN ATTENDANCE:

Monitoring Officer and Team Leader – Democratic Services.

67. DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)

None.

68. MINUTES

The minutes of the meeting held on 4th March 2019 were submitted and approved as a correct record.

RESOLVED:

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

69. DISPENSATIONS

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

Councillor Adele Davies-Cooke

Councillor Davies-Cook was not in attendance so the Monitoring Officer introduced the dispensation request. She wished to speak only for 5 minutes as the local Member at meetings of Planning Committee in relation to application number 059396 which was a planning application within her ward. She had been involved in a verbal altercation at her home with an individual who she knew to be a director of the applicant company. She reported the encounter to the Police. The application was for 80 dwellings, a convenience store and associated development and was likely to be considered by Planning Committee in May 2019. Whilst the dispute was behind her and that she would act impartially and

in the public interest, she understood that the objective perception could be that she had a personal and prejudicial interest.

Councillor Woolley proposed that the dispensation be granted so that Councillor Davies-Cooke could speak as local Member for 5 minutes. The Monitoring Officer queried the full details of the dispensation which were agreed as speaking for 5 minutes at Planning Committee, and leaving the room before the debate and vote on application number 059396, or any application which, in the opinion of the Monitoring Officer was similar. The dispensation was for 12 months and would cease on 29th April 2020.

RESOLVED:

That Flintshire County Councillor Adele Davies-Cooke be granted dispensation under paragraph (f) of the Standards Committee (Grant of Dispensations) (Wales) Regulations 2001 to speak for 5 minutes at Planning Committee, and leave the room before the debate and vote, on application number 059396, or any application which, in the opinion of the Monitoring Officer is similar. The dispensation was for 12 months and would cease on 29th April 2020.

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

The following independent members presented their verbal reports:

Ken Molyneux – Sealand Community Council (21.01.19)
Rob Dewey – Leeswood and Pontblyddyn Community Council (05.02.19)
Ken Molyneux – Saltney Town Council (13.02.19)

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.

The following additional points were made which were to be fed back to Town and Community Councils:

- The duration of meetings – it was noted that when meetings took a long time people could find it more difficult to concentrate and be less able to stay to hear items that may be of importance to them;
- The importance of good chairing skills, such as stopping people from speaking multiple times and curtailing debate after the issues had been thoroughly aired; and
- The positive presence of a Youth Councillor which the Council in question should be proud of.

The Chair proposed that once all visits had been undertaken and reported to Standards Committee that a leaflet could be produced for Town and Community Councils with areas of good practice, lessons learned etc. which was supported.

RESOLVED:

That the verbal reports be received and feedback given to Town and Community Councils.

71. OVERVIEW OF ETHICAL COMPLAINTS

The Monitoring Officer introduced the Overview of Ethical Complaints report which provided a running total of the complaints alleging a breach of the code that had been submitted to the Public Services Ombudsman for Wales.

The complaints distinguished between different Councils and Councillors whilst remaining anonymous. No complaints had been received since the last report. Four complaints had been resolved since the last report and were subject of a separate report.

A significant number of complaints had been submitted in relation to one Town Council; one was from a member of the public and the investigation was still underway. It was not appropriate to comment on that case whilst the investigation was ongoing.

In response to a question from Julia Hughes, the Monitoring Officer said the Ombudsman did not provide updates as to when ongoing cases were likely to be resolved. Rob Dewey expressed his concern that over two thirds of the complaints related to bullying.

RESOLVED:

That the number and types of complaints be noted.

72. STANDARDS COMMITTEE INDEPENDENT MEMBERS

The Monitoring Officer explained that the terms of two independent members of the Standards Committee was due to end later that week having each served a term of six years.

One member, Phillipa Earlam, wished to continue for a further term, the maximum of which could be for four years. The second member, Ed Hughes, wished to stand down due to work commitments. A report would be submitted to County Council to seek approval of the re-appointment of Phillipa Earlam. For the vacancy it would be recommended that the Council advertise the position jointly with Wrexham County Borough Council so that costs could be shared.

For the Interview Panel, the Monitoring Officer suggested it should consist of the Chair of the Council and the Chair of Standards Committee, plus the same from Wrexham. In addition, a lay person which would give the maximum of five allowed.

The Chair thanked Ed Hughes for his hard work and commitment to the Standards Committee and the Council during his six year term which had been invaluable.

RESOLVED:

- (a) That County Council be recommended to re-appoint Phillipa Earlam for a second term, a maximum of four years;
- (b) That Ed Hughes be thanked for all of his hard work on the Committee during his six year terms; and
- (c) That County Council be requested to approve a joint recruitment process with Wrexham County Borough Council for the vacancy.

73. FORWARD WORK PROGRAMME

The current Forward Work Programme was received.

The Monitoring Officer explained that Flintshire was hosting the Standards Committee Forum on 24th June, 11am – 3pm, and sought any questions that members would like to ask the Public Services Ombudsman for Wales who would be in attendance. He asked if members could let him know if they would be in attendance.

In response to a question, the Monitoring Officer said attendance was ordinarily aimed at Chairs and Vice-Chairs but substitutions were accepted.

It was agreed that the report requested at the meeting on 4th March, on further information on the case that was referred to the Adjudication Panel for Wales on a complaint against a Councillor at Monmouthshire County Council, would be reported to the Committee in June.

RESOLVED:

That the Forward Work Programme be noted.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 – TO CONSIDER THE EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED:

That the press and public be excluded for the remainder of the meeting for the following item by virtue of exempt information under paragraph 12 of Part 4 of Schedule 12A of the Local Government Act 1972 (as amended).

74. OUTCOME LETTERS OF COMPLAINTS CONSIDERED BY THE PUBLIC SERVICES OMBUDSMAN FOR WALES

The Monitoring Officer introduced the report which provided details of outcome letters of complaints considered by the Public Services Ombudsman for Wales.

Following a discussion, it was agreed that a training provider would be commissioned to provide training to a Town Council, with assistance from the Public Services Ombudsman for Wales. There may also be requirement for mediation given that the Members were familiar with the Members' Code of Conduct. The Town Council in question would be asked to share the costs of the training provided.

Following the discussion under the Forward Work Programme, it was agreed that a question would be drafted to be asked of the Public Services Ombudsman for Wales at the Standards Committee Forum on complaints.

RESOLVED:

- (a) Training be commissioned for a Town Council, with assistance from the Public Services Ombudsman for Wales;
- (b) That mediation be provided if necessary; and
- (c) That the Town Council be asked to share the costs of any training provided.

75. 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 7.46pm)

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Chairman