

MINUTES OF A MEETING OF THE STANDARDS COMMITTEE HELD IN COMMITTEE ROOM 1, CIVIC OFFICES, ANGEL STREET, BRIDGEND ON THURSDAY, 23 APRIL 2009 AT 1.00PM

Present:-

Independent Members

Mr J Irvine - Chairperson
Mr J Bevan
Mrs B Heller
Ms M Powell

Town and Community Councillors

Community Councillor R J Hancock
Community Councillor D Lewis

Officers:

Mr P A Jolley - Monitoring Officer
Ms S Hughes - Senior Solicitor
Mrs M Lawrence - Senior Access to Information Officer
Mr A Rees - Senior Cabinet and Committee Officer

1 APOLOGIES FOR ABSENCE

Apologies for absence were received from the following Members for the reasons so stated:-

Councillor R Jenkins - Other Council business
Councillor B I Quennell - Illness

2 DECLARATIONS OF INTEREST

The following Members declared an interest in the under-mentioned items for the reasons so stated:-

Community Councillor R J Hancock - Agenda item 7 - A personal interest as he knew the person subject to the complaint through his political party membership.

Community Councillor D Lewis - Agenda item 7 - Community Councillor Lewis declared a prejudicial interest as he is the chairperson of the Community Council referred to in the report and is married to the niece of the person referred to in the report. Councillor Lewis withdrew from the meeting whilst this matter was being considered.

3 MINUTES OF THE PREVIOUS MEETING

RESOLVED: That the minutes of a meeting, of the Standards Committee held on 2 April 2008 be accepted as a true and accurate record.

4 COMPOSITION OF THE STANDARDS COMMITTEE

The Monitoring Officer presented a report which advised of amendments to the remit of the Standards Committee, so as to include Town and Community Council

matters previously dealt with by the Sub-Committee and new appointments to the Committee following the local elections.

He reported that Council at its meeting on the 21 May 2008 approved the establishment of a Standards Committee with similar functions in relation to the Town and Community Councils within the County Borough and their members and co-opted members, to those in relation to the County Borough Council and its members and co-opted members. It was agreed that subject to consultation with the Town and Community Councils situated within the County Borough the Standards Committee would comprise eight members, namely:-

- Four Independent Members (No vacancies)
- Two County Borough Council Members (Vacancies)
- Two Town/Community Council Members (Vacancies)

The Council at its meeting on the 21 May 2008 appointed Councillor B I Quennell and Councillor R D Jenkins as the two County Borough Councillors upon the Standards Committee.

In order for the two Town and Community Council vacancies to be filled, the Council granted the Monitoring Officer delegated powers to appoint two Town and Community Council representatives to the Standards Committee, following consideration of any nominations received. The nominated members completed and returned application forms designed to measure their suitability. The Monitoring Officer considered the application forms and short-listing of candidates and interviews subsequently followed. In accordance with the delegated power referred to, the Monitoring Officer on 4 December 2008 appointed Councillor David Lewis of St Brides Minor Community Councillor and Councillor Robert Hancock of Pencoed Town Council as the Town and Community Council representatives upon the Authority's Standards Committee.

RESOLVED: That the report be noted.

5 **UPDATE UPON THE CODE OF CONDUCT**

The Monitoring Officer presented a report which updated the Committee on the adoption, training arrangements and signing up to the Code of Conduct by Members.

The Standards Committee at its meeting on the 2 April 2008 recommended that Council adopt the Model Code of Conduct within six months of the Local Authorities (Model Code of Conduct)(Wales) Order 2008 coming into force. Council at its meeting on the 13 August 2008 adopted the Code of Conduct with effect from 1 September 2008. A total number of thirteen training sessions were held by the Monitoring Officer, inviting attendance from Members, Co-opted Members and Officers of the Authority and Clerks and Members of Town and Community Councils within the County Borough.

All Members were required to sign up to the Code of Conduct and all 54 County Borough Councillors plus the co-opted Members of the Authority had completed and returned their declarations within the required timescale. In addition a letter was sent to the Clerks of all Town and Community Councils within the County Borough reiterating the requirement for their Councils to adopt the Code and for their Members to sign up to it.

He advised the Committee that the County Borough had undertaken more training sessions of its Members and Town and Community Council Members than other

local authorities in Wales and he thanked the Senior Solicitor and Senior Access to Information Officer for their input in the training undertaken on the Code.

He also advised that the Ombudsman was in the process of producing guidance on the operation of the Code which would be reported to the Standards Committee in due course.

The Chairperson thanked the Monitoring Officer and his staff for their efforts in training Members on the Code of Conduct.

The Monitoring Officer undertook to provide additional training sessions on the Code of Conduct for Town and Community Councils.

RESOLVED: That the report be noted.

6 OVERVIEW OF CODE OF CONDUCT COMPLAINTS MADE TO THE PUBLIC SERVICES OMBUDSMAN FOR WALES

The Monitoring Officer reported on a brief overview of the cases recently examined by the Public Services Ombudsman for Wales regarding allegations that Members had broken the Code of Conduct.

RESOLVED: That the report be noted.

7 PROCEDURE FOR THE INVESTIGATION OF COMPLAINTS

The Monitoring Officer reported on a Procedure for the Investigation of Complaints. Under the Local Government Act 2000, all allegations and breaches of the Code of Conduct had to be submitted to the Public Services Ombudsman for Wales for investigation in the first instance. The Ombudsman may determine a matter be referred to the Authority's Monitoring Officer for investigation. The Local Government Investigations (Functions of Monitoring Officers and Standards Committee) (Wales) Regulations 2001 set out the functions of the Monitoring Officer and the Standards Committee in relation to investigations.

He advised that where the Ombudsman determines to refer a matter to the Monitoring Officer for investigation the Procedure appended to this report shall apply.

RESOLVED: That the Procedure for the Investigation for Complaints appended to the report be noted.

8 EXCLUSION OF THE PUBLIC

RESOLVED: That under Section 100A(4) of the Local Government Act 1972 the public be excluded from the meeting for the following item of business because of the likelihood that, if members of the public are present during this item there would be disclosure to them of confidential information in breach of the obligation of confidence:-

Minute No.

Summary of Item:

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| 9 | Complaint referred by the Ombudsman to the Monitoring Officer. |
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