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Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr
Bridgend County Borough Council



Swyddfeydd Dinesig, Stryd yr Angel, Pen-y-bont, CF31 4WB / Civic Offices, Angel Street, Bridgend, CF31 4WB

*Rydym yn croesawu gohebiaeth yn Gymraeg.
Rhowch wybod i ni os mai Cymraeg yw eich
dewis iaith.*

*We welcome correspondence in Welsh. Please
let us know if your language choice is Welsh.*



**Cyfarwyddiaeth y Prif Weithredwr / Chief
Executive's Directorate**

Deialu uniongyrchol / Direct line /: 01656 643148 /
644099 / 643513

Gofynnwch am / Ask for:

Ein cyf / Our ref:

Eich cyf / Your ref:

Dyddiad/Date: Tuesday, 2 April 2024

Dear Councillor,

STANDARDS COMMITTEE

A meeting of the Standards Committee will be held remotely - via Microsoft Teams on **Tuesday, 9 April 2024 at 10:00.**

AGENDA

1. Apologies for Absence
To receive apologies for absence from Members.
2. Declarations of Interest
To receive declarations of personal and prejudicial interest (if any) from Members/Officers in accordance with the provisions of the Members' Code of Conduct adopted by Council on 1 September 2008.
3. Approval of Minutes 3 - 8
To receive for approval the Minutes of 07/03/2024
4. Appointment Of Chair 9 - 12
5. Appointment to the Committee 13 - 16
6. Exclusion of the Public
The Minutes and Report relating to the following items are not for publication as they contain exempt information as defined in Paragraph 12 of Part 4, and Paragraph 21 of Part 5 of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007.

If following the application of the public interest test the Committee resolves pursuant to the Act to consider these items in private, the public will be excluded from the meeting during such consideration.
7. Referral by the Ombudsman of Investigation under S69 of the Local Government Act 2000 17 - 222
8. Referral by the Ombudsman of Investigation under S69 of the Local 223 - 582

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Government Act 2000

9. Referral by the Ombudsman of Investigation under S69 of the Local Government Act 2000 583 -
1400

10. Urgent Items

To consider any item(s) of business in respect of which notice has been given in accordance with Rule 4 of the Council's Procedure Rules, and which the person presiding at the meeting is of the opinion should by reason of special circumstances be transacted at the meeting as a matter of urgency.

Note: This will be a Hybrid meeting and Members and Officers will be attending in the Council Chamber, Civic Offices, Angel Street Bridgend / Remotely via Microsoft Teams. The meeting will be recorded for subsequent transmission via the Council's internet site which will be available as soon as practicable after the meeting. If you have any queries regarding this, please contact cabinet_committee@bridgend.gov.uk or tel. 01656 643148 / 643694 / 643513 / 643696

Yours faithfully

K Watson

Chief Officer, Legal and Regulatory Services, HR and Corporate Policy

Councillors:

MJ Williams

G Thomas

Mr P Clarke

Councillors

G Walter

P Baker

R Lynch

Councillors

S Maughan

MINUTES OF A MEETING OF THE STANDARDS COMMITTEE HELD REMOTELY - VIA MICROSOFT TEAMS ON THURSDAY, 7 MARCH 2024 AT 10:00

Present

Councillor S Cullen – Chairperson

Present Virtually

MJ Williams
R Lynch

G Thomas
S Maughan

G Walter

P Baker

Officers:

Oscar Roberts
Laura Griffiths
Kelly Watson
Michael Pitman

Business Administrative Apprentice - Democratic Services
Principal Solicitor
Chief Officer Legal, HR and Regulatory Services
Technical Support Officer – Democratic Services

Declarations of Interest

Cllr G Walter declared a prejudicial interest in agenda item 8 – Approval of Exempt minutes, as he had previously declared a prejudicial interest at that particular meeting.

134. Approval of Minutes

Decision Made	<u>RESOLVED:</u> That the minutes of the 22/06/2023 and the 16/11/2023 be approved as a true and accurate record.
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Date Decision Made	07 th March 2024
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135. Update from Observations of Town and Community Council Meetings and Council Meetings

Decision Made	<p>The Chief Officer Legal and Regulatory Services, HR and Corporate Policy presented a report which updated the Committee on the observations undertaken by Members of this Committee observing meetings of Bridgend County Borough Council (BCBC) and Town and Community Councils (TCC).</p> <p>She explained that since the November meeting there have been 3 observations as listed in section 3 of the report. No specific feedback or concerns were given in relation to conduct. The observation sheet attached at Appendix 1 to the report had been provided to assist members with their observations.</p> <p>A Member queried the point made regarding Pencoed Town Council clerk/Members having asked whether they should have been consulted on. This was in relation to the decision made in the Standards Committee's November meeting to observe meetings. The Chief Officer Legal and Regulatory Services, HR and Corporate Policy stated that she did not believe Standards Committee Members needed to consult with them, as the remit of this committee covered Town & Community Councils also. The Chief Officer Legal and Regulatory Services, HR and Corporate Policy agreed to forward the correspondence she had with the clerk of the Town Council.</p> <p>A Member asked if there was a way to ensure that Members of the Committee were not double booking at a T&C Council meeting. The Chief Officer Legal and Regulatory Services, HR and Corporate Policy explained that a spreadsheet had previously been circulated which gave Members the chance to put their name down for a specific meeting and T&C Council of their choice. This would then be coordinated to ensure that Members were not all attending the same meetings.</p> <p>RESOLVED: That the Committee:</p> <ul style="list-style-type: none"> • Noted the report and feedback from observations; • Confirmed the use of the observation sheet at Appendix 1.
Date Decision Made	07 th March 2024

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136. Standards Committee - Hearings Process

Decision Made	<p>The Chief Officer Legal and Regulatory Services, HR and Corporate Policy presented a report which asked the Committee to note the adopted procedure to determine Code of Conduct complaints which are referred to the Standards Committee to ensure that matters are dealt with fairly and efficiently.</p> <p>She explained that the procedure was attached at Appendix 1. If there were to be any conflict between this document and any statutory requirements then those statutory requirements will prevail. The Monitoring Officer will advise the Committee as to process.</p> <p>A Member asked if it were possible to receive some guidance on the elected Members who sit on the Committee and their duty to declare an interest. He elaborated by giving an example that many hearings will often involve another elected Member whereby it makes it difficult for Committee Members to know what is a personal and what is a prejudicial interest, given that they work alongside them.</p> <p>The Chief Officer Legal and Regulatory Services, HR and Corporate Policy explained that as with any interest, it is always on a case-by-case basis. There may be a situation whereby you work in the same ward with them, are in the same political group, or are friends with a witness in the case. She stated that she was always happy to have a detailed conversation if needed about what relationship you have with that person and whether that constitutes a prejudicial interest.</p>
Date Decision Made	07 th March 2024

137. Urgent Items

Decision Made	None
Date Decision Made	07 th March 2024

138. Exclusion of the Public

Decision Made	<p><u>RESOLVED:</u> That under Section 100A(4) of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007, the public be excluded from the meeting during consideration of the following item of business, as the minutes contained exempt information as defined in Paragraph 12 of Part 4 of Schedule 12A and Paragraph 21 of Part 5 of Schedule 12A of the Act.</p> <p>Following the application of the public interest test it was resolved that pursuant to the provisions of the Act referred to above, to consider the under mentioned item in private with the public being excluded from the meeting, as it would involve the disclosure to them of exempt information as stated above.</p>
Date Decision Made	07 th March 2024

139. Approval of Exempt Minutes

Decision Made	<p><u>RESOLVED:</u> That the exempt minutes of the 22/06/2023 be approved as a true and accurate record.</p>
Date Decision Made	07 th March 2024

To observe further debate that took place on the above items, please click this [link](#)

The meeting closed at 10:35

Agenda Item 4

Meeting of:	STANDARDS COMMITTEE
Date of Meeting:	9 APRIL 2024
Report Title:	APPOINTMENT OF CHAIRPERSON
Report Owner / Corporate Director:	MONITORING OFFICER
Responsible Officer:	LAURA GRIFFITHS GROUP MANAGER LEGAL AND DEMOCRATIC SERVICES
Policy Framework and Procedure Rules:	There is no effect upon the policy framework and procedure rules; however the Standards Committee contributes to the maintenance of probity in the Council.
Executive Summary:	To appoint a Chair for the Standards Committee. Any appointment will be reported to full Council for noting.

1. Purpose of Report

1.1 To appoint a Chairperson for the Standards Committee.

2. Background

2.1 Under the Standards Committees (Wales) Regulations 2001 the members of a Standards Committee shall elect a Chairperson from amongst the Independent Members of the Committee.

2.2 A Chairperson shall be elected for whichever is the shorter of the following periods: (a) a period of not less than four nor more than six years, (b) until the term of office of that person as an independent member of that standards committee comes to an end.

2.3 The Council's Standards Committee consists of five Independent Members, two County Borough Council Members and one Town and Community Council Member.

2.4 There is currently a vacancy of the post of Chairperson due to the recent resignation of Mr Shawn Cullen.

3. Current situation / proposal

3.1 The Role Description for the Chair of the Standards Committee as set out within the Council's Constitution is as follows:

Accountabilities

To Full Council.

Role Purpose and Activity

- (a) *Providing Leadership and Direction*
 - (i) *To act within technical, legal and procedural requirements to oversee the functions of the committee fairly and correctly.*
 - (ii) *To ensure thoroughness and objectivity in the committee, receiving and responding to professional advice on the Code of Conduct.*
 - (iii) *To demonstrate independence, integrity and impartiality in decision making which accord with legal, constitutional and policy requirements.*
 - (iv) *To provide confident and effective management of meetings to facilitate inclusivity, participation and clear decision making.*
 - (v) *To lead the committee in its role in:*
 - (A) *promoting and maintaining high standards of conduct by Councillors and co-opted members;*
 - (B) *assisting the Councillors and co-opted members to observe the Members' Code of Conduct;*
 - (C) *advising the Council on the adoption or revision of the Members' Code of Conduct;*
 - (D) *monitoring the operation of the Members' Code of Conduct;*
 - (E) *advising, training or arranging to train Councillors, co-opted members on matters relating to the Members' Code of Conduct;*
 - (F) *granting dispensations to Councillors and co-opted members on dealing with any reports from a case tribunal or interim case tribunal, and any report from the Monitoring Officer on any matter referred to that officer by the Public Services Ombudsman for Wales;*
 - (G) *the exercise of these functions in relation to community councils and the members of those community councils.*

Values

To be committed to the values of the council and the following values in public office:

- (b) *openness and transparency;*

- (c) *honesty and integrity;*
- (d) *tolerance and respect;*
- (e) *equality and fairness;*
- (f) *appreciation of cultural differences;*
- (g) *sustainability.*

3.2 If the Chair is absent from a meeting then the Vice-Chair shall preside, if present. If both the Chair and Vice-Chair are absent, the Committee shall choose another Independent Member to preside.

4. Equality implications (including Socio-economic Duty and Welsh Language)

4.1 The protected characteristics identified within the Equality Act 2010, Socio-economic Duty and the impact on the use of the Welsh Language have been considered in the preparation of this report. As a public body in Wales, the Council must consider the impact of strategic decisions, such as the development or the review of policies, strategies, services and functions. It is considered that there will be no significant or unacceptable equality impacts as a result of this report.

5. Well-being of Future Generations implications and connection to Corporate Well-being Objectives

5.1 The well-being goals identified in the Act were considered in the preparation of this report. It is considered that there will be no significant or unacceptable impacts upon the achievement of well-being goals/objectives as a result of this report. This report also assists in the achievement of the following well-being objective under the Well-being of Future Generations (Wales) Act 2015:-

A county borough where people feel valued, heard and part of their community.

5.2 The Standards Committee is responsible for promoting and maintaining high standards of conduct by members and co-opted members. Standards are an implicit requirement in the successful implementation of the corporate well-being objectives.

6. Climate Change Implications

6.1 There are no climate change implications.

7. Safeguarding and Corporate Parent Implications

7.1 There are no safeguarding and corporate parent implications.

8. Financial Implications

8.1 In accordance with the Independent Remuneration Panel for Wales Annual Report for 2024-25, the remuneration for Chairs of Standards Committees is £268 (4 hours and over), £134 (up to 4 hours) and for ordinary members of the Committee - £210 (4 hours and over) and £105 (up to 4 hours).

- 8.2 The changes to the remuneration of Elected Members for the financial year 2024/25 increased the financial commitment required from this Authority. Some of the cost may be negated by members electing to forgo some or all of their salaries or choosing not to opt into the Local Government Pension Scheme. The additional costs are being met from the centrally held provision for pay and price increases during the 2024/25 financial year.

9. Recommendation

- 9.1 It is recommended that the Committee appoint a Chairperson from amongst the Independent Members to take office from the date of this Committee meeting for a term to be determined.

Background documents:

None

Meeting of:	STANDARDS COMMITTEE
Date of Meeting:	9 APRIL 2024
Report Title:	APPOINTMENT TO THE COMMITTEE
Report Owner / Corporate Director:	MONITORING OFFICER
Responsible Officer:	LAURA GRIFFITHS GROUP MANAGER LEGAL AND DEMOCRATIC SERVICES
Policy Framework and Procedure Rules:	There is no effect upon the policy framework and procedure rules; however the Standards Committee contributes to the maintenance of probity in the Council.
Executive Summary:	To advise the Committee of proposals to appoint an Independent Member to the Committee.

1. Purpose of Report

- 1.1 To advise the Committee of proposals to appoint an Independent Member (co-opted) to the Committee.

2. Background

- 2.1 The membership of Standards Committees shall consist of not less than five nor more than nine members in accordance with the Standards Committees (Wales) Regulations 2001, and shall not consist of persons other than members of the relevant authority, independent members (co-opted) or community committee members.
- 2.2 The Standards Committee of this Council has a current membership of eight members.
- 2.3 As prescribed by Regulations, where the total number of members of the committee is an even number at least half that number shall be independent members or if an odd number, a majority of that number shall be independent members.
- 2.4 Independent Members are appointed for a period of not less than four and not more than six years and may be reappointed for a consecutive term. Members of local authorities who are Members of the Standards Committee will have a term of office until the next ordinary local government election following their appointment. They may be reappointed for one further consecutive term.

3. Current situation / proposal

- 3.1 A meeting of the Standards Committee will only be quorate when at least three Members, including the Chairperson, are present; and at least half the Members present (including the Chairperson) are Independent Members. A quorum of the committee cannot therefore be constituted by the County Borough Members and Town and Community Council Member themselves as the majority should rest with the Independent Members. This places an unduly heavy burden on the Independent Members, and the committee being in danger of not having adequate or required numbers (a quorum) for meetings. On 20 July 2022, Council approved that the membership of the Committee be increased to eight Members and an additional Independent Member (co-opted) be appointed to the Committee.
- 3.2 A vacancy of Independent Member has arisen on the Committee following the recent resignation of the Chairperson, Mr Shawn Cullen.
- 3.3 The Council has previously provided delegated authority to the Monitoring Officer to oversee recruitment processes and appointment to the Standards Committee, and to report back to Council any successful appointment.
- 3.4 In accordance with the Regulations, it is proposed that the Monitoring Officer go through the usual process of advertising the vacancy of Independent Member in two newspapers circulating in the area and that a Panel (consisting of not more than five Members and at least one Independent Member and one Town and Community Council Member) be convened to consider applications and conduct interviews. Following interviews, the Panel will make a recommendation on the appointment to Council.

4. Equality implications (including Socio-economic Duty and Welsh Language)

- 4.1 The protected characteristics identified within the Equality Act 2010, Socio-economic Duty and the impact on the use of the Welsh Language have been considered in the preparation of this report. As a public body in Wales, the Council must consider the impact of strategic decisions, such as the development or the review of policies, strategies, services and functions. It is considered that there will be no significant or unacceptable equality impacts as a result of this report.

5. Well-being of Future Generations implications and connection to Corporate Well-being Objectives

- 5.1 The well-being goals identified in the Act were considered in the preparation of this report. It is considered that there will be no significant or unacceptable impacts upon the achievement of well-being goals/objectives as a result of this report. This report also assists in the achievement of the following well-being objective under the Well-being of Future Generations (Wales) Act 2015:-

A county borough where people feel valued, heard and part of their community.

- 5.2 The Standards Committee is responsible for promoting and maintaining high standards of conduct by members and co-opted members. Standards are an implicit requirement in the successful implementation of the corporate well-being objectives.

6. Climate Change Implications

6.1 There are no climate change implications.

7. Safeguarding and Corporate Parent Implications

7.1 There are no safeguarding and corporate parent implications.

8. Financial Implications

8.1 In accordance with the Independent Remuneration Panel for Wales Annual Report for 2024-25, the remuneration for Chairs of Standards Committees is £268 (4 hours and over), £134 (up to 4 hours) and for ordinary members of the Committee - £210 (4 hours and over) and £105 (up to 4 hours).

8.2 The changes to the remuneration of Elected Members for the financial year 2024/25 increased the financial commitment required from this Authority. Some of the cost may be negated by members electing to forgo some or all of their salaries or choosing not to opt into the Local Government Pension Scheme. The additional costs are being met from the centrally held provision for pay and price increases during the 2024/25 financial year.

9. Recommendation

9.1 It is recommended that the Committee note the report.

Background documents:

None

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