

MINUTES OF A MEETING OF THE STANDARDS COMMITTEE HELD IN COMMITTEE ROOM 2/3, CIVIC OFFICES, ANGEL STREET, BRIDGEND ON TUESDAY, 6 MAY 2014 AT 10.00AM

Present:

Independent Members:

Ms M Powell - Chairperson
Mrs B Heller
Mr J Bevan

County Borough Council Members:

Councillor R D Jenkins
Councillor D R W Lewis

Invitees:

Councillor M E J Nott OBE – Leader
Councillor D Sage – Deputy Leader
Councillor M Gregory – Cabinet Member – Resources
Councillor P J White – Cabinet Member - Communities

Officers:

Mr P A Jolley - Assistant Chief Executive Legal and Regulatory Services and Monitoring Officer
Mrs L Griffiths - Senior Solicitor – Corporate Team
Mr M A Galvin - Senior Democratic Services Officer - Committees

58 APOLOGIES FOR ABSENCE

Apologies for absence were received from Town Councillor R J Hancock who was unable to attend the Committee as he had a prejudicial interest in Agenda Item 4, due to him being a Member of the Labour Party

59 DECLARATIONS OF INTEREST

Councillor Bevan declared a personal interest in Agenda Item 4, in that he was acquainted with Members of the Cabinet who were intended Invitees to the meeting.

Following the receipt of advice from the Monitoring Officer the following Members declared a prejudicial interest in Agenda Item 4, as members of both the local and national Labour Party and left the meeting prior to the report being considered by the remaining Committee Members:-

Councillor R D Jenkins
Councillor D R W Lewis

60 MINUTES OF THE PREVIOUS MEETING

RESOLVED: That the minutes of a meeting of the Standards Committee dated 28 February 2014 be approved as a true and accurate record.

In respect of Minute No. 55, second paragraph, the Monitoring Officer confirmed in response to a question, that the Authority's updated Grievance Policy was still being consulted upon with the Trade Unions.

61 CHAIRPERSON'S ANNOUNCEMENT

The Chairperson announced on behalf of Members, that this was her first meeting as Chair but that Members and Officers should recognise the excellent work committed to the Committee by the previous Chairperson Mr J Irvine.

Members and the Monitoring officer echoed these sentiments, and the Chairperson advised those present that by way of appreciation, the Committee presents farewell gifts to Mr Irvine, (i.e. in the form of a pen and a plaque bearing the Council's logo.)

The Committee agreed with this course of action and unanimously commended Mr Irvine for the excellent role he previously provided as Chairperson.

62 REQUEST FOR DISPENSATION

The Monitoring Officer submitted a report to advise the Committee of applications received from Cabinet Members for dispensation to speak and vote in connection with the proposed decision to sell the freehold interest on the site and premises known as the Ogmores Constituency Labour Party Social Club.

By way of background information, the Monitoring Officer reminded Members that under Paragraph 14 of the Members Code of Conduct, where a Member has a personal interest which is prejudicial, the Member will be prevented from participating in Council business relating to that matter, unless there is a saving provision within the Code, or the Standards Committee grant special dispensation.

The circumstances in which dispensations may be granted were attached for information at Appendix 1 to the report.

The Monitoring Officer then advised that in respect of the premises subject of the report, the Ogmores Constituency Labour Club, the Council held a freehold interest in the land and premises which are the subject of a 99 year lease to the Trustees of the Ogmores Constituency Labour Party Social Club (OCLP), which was assigned by Licence dated 5th March 2012 to Labour Party Nominees Limited.

The Council had approached the leaseholder (OCLP) in October 2013 when local agents had been appointed by them to market the leasehold interest for sale. The Council, at that time, reached an agreement in principle to advertise and dispose of the site for development and for the proceeds of sale to be shared between the Council and OCLP.

The current capital programme approved by the Council required new capital receipts to be delivered by the end of 2015/16. This included the potential receipt from the sale of this site along with other anticipated sales being progressed. In order to maximise consideration for the Council's freehold interest in the site, it was proposed that it is now sold subject to the OCLP leasehold interest at Public Auction on 11th June 2014.

The above would require a decision of the Council's Cabinet on 27 May 2014, and with that in mind, the Monitoring Officer had received five applications from Cabinet Members namely Councillor Mel Nott OBE, Councillor David Sage, Councillor Phil White, Councillor Lyn Morgan and Councillor Mike Gregory for special dispensation to enable them to speak and vote on this matter at the above meeting. These requests for dispensation were outlined at Appendix 2 to the report.

The Monitoring Officer confirmed that for the reasons outlined in paragraph 4.2 of the report, such dispensation was required, as he was of the opinion that the above Members would have both a personal and prejudicial interest in this item when it was scheduled to be considered by Cabinet.

The Monitoring Officer then outlined the possible statutory grounds by which dispensation to the above mentioned Cabinet Members could be granted, as illustrated in paragraphs 4.3 of the report.

He concluded his report by advising Committee they could grant or refuse the applications for special dispensation, or grant with conditions or restrictions should they be minded to do so. . If the dispensations were granted, the Cabinet Members would still declare their interests and disclose the nature of the dispensations relied upon before participating in the matter.

The Cabinet Members i.e. the Leader, Deputy Leader, Cabinet Member - Resources and Cabinet Member - Communities were then invited into the meeting, and in turn, they reiterated independently that dispensation was being sought by them, as not to do so, would give rise to an inability to make a decision at the meeting of Cabinet where this item was scheduled to be considered.

They each in turn added that their prejudicial interest was only due to membership of the National Labour Party, and therefore the decision was very unlikely to be a concern to the public. They each in turn, added that no personal benefit would be accrued from the decision they were likely to make, which conversely was very likely to be in the best interests of the public at large.

The Monitoring Officer added that the above request for dispensation also applied to the Cabinet Member - Wellbeing, who was unable to be present at today's meeting due to illness.

He added that the sixth Member of Cabinet, the Cabinet Member - Children and Young People, was not seeking dispensation as he had a prejudicial interest in his own right as a Member of the Club Management Committee, and due to this, would not be able to play a part in the determination of this matter when it was considered by Cabinet.

The Chairperson, then on behalf of Members, thanked the Leader and each of the other Cabinet Members for their attendance, and giving an explanation as to why they were seeking dispensation to consider this item in due course at Cabinet.

Members then considered the request by the above Cabinet Members for dispensation to both speak and vote on this report when it was due to be considered by Cabinet at its meeting on 27 May 2014.

Following such consideration, the Committee

RESOLVED: That the Standards Committee considered the applications for dispensation attached at Appendix 2 to the report and agreed in accordance with the Standards Committees (Grant of Dispensations) (Wales) Regulations 2011 and the Local Government Wales Act 2000 to grant such dispensations on the following grounds:-

- (1) No fewer than half of the Members of a Leader and Cabinet Executive of the relevant Authority by which the business is to

be considered has an interest which relates to that business and either paragraph (d) or (e) apply.

- (2) The nature of the Members' interests is such that the Members participation in the business to which the interests relates would not damage public confidence in the conduct of the relevant Authority's business.

The meeting closed at 11.30am.