

STANDARDS COMMITTEE

(Civic Centre, Port Talbot)

Members Present:

1st July, 2011

Chairman: Mr.G.T.Pullen

Vice Chairman: Mrs.L.J.Rees

Independent Member: Mrs.J.E.Howells

NPTCBC Member: Councillor P.D.Richards

**Community Committee
Member:** Councillor M.Evans

Officers in Attendance: D.Michael and Mrs.T.Davies

Apologies: Councillors Mrs.L.H.James and A.J.Taylor

1. **MEMBERS' DECLARATIONS OF INTEREST**

The following Members made declarations of interest:-

Councillor P.D.Richards - Minute No. 3 re: Grant of dispensation in respect of members of their family employed by the Council, as his wife is employed by the Authority.

Councillor Mrs.L.J.Rees - Minute No. 3 re: Grant of dispensation in respect of members of their family employed by the Council, due to her acquaintance with Councillor J.Rogers.

2. **MINUTES OF THE PREVIOUS MEETING**

RESOLVED: that the Minutes of the meeting of the 8th April, 2011, be accepted as a true record subject to the following changes:

(a) that the venue be amended to "Neath";

- (b) that page 24, paragraph (iii)(d) be amended to read "...By failing to withdraw from the meetings he had been in breach of Paragraphs 14(1)(a), (b) and (c) together with Paragraph 14(2) of the Code of Conduct".

Matters Arising

- Members enquired whether the Councillors from Onllwyn Community Council who had recently been found to have been in breach of the Code of Conduct, had received any relevant training following the decision of the Standards Committee. The Head of Legal and Democratic Services/Monitoring Officer explained that no training had been given to date, but that it would be arranged in the near future.

Report of the Head of Legal and Democratic Services/Monitoring Officer

3. **GRANT OF DISPENSATION UNDER SECTION 81(4) LOCAL GOVERNMENT ACT 2000 – NPT COUNTY BOROUGH COUNCIL MEMBERS IN RESPECT OF MEMBERS OF THEIR FAMILY EMPLOYED BY THE COUNCIL**

(Councillor P.D.Richards reaffirmed his interest in this item and withdrew during the discussion and voting thereon).

The Committee considered the above circulated Report.

RESOLVED: that the list of Member dispensations set out in the circulated report, as given as Appendix 1 hereto, be granted up to the first Standards Committee in the Civic Year 2012/13, and that the Members listed in that Appendix be granted dispensation to speak and vote at meetings of the Council and its Committees, in respect of the matters given in the above circulated report, subject to the terms and conditions set out in the circulated report.

4. **MISCELLANEOUS DISPENSATIONS**

The Committee considered the above circulated Report.

RESOLVED: that the applications for dispensation set out in the circulated report, as given in Appendix 2 hereto, be approved in the circumstances set out in Regulations 2(d) of the Standards Committee (Grant of Dispensations) (Wales) Regulations 2001 - to speak and vote, or to speak only if appropriate, these dispensations be granted up to the first Standards Committee in the Civic Year 2012/13.

5. **GENERAL GRANT OF DISPENSATIONS - SCHOOL GOVERNORS**

(At this point Councillor P.D.Richards rejoined the meeting)

The Committee considered the above circulated Report.

RESOLVED: that the general dispensation previously granted to all Members who are school governors under Standards Committees (Grant of Dispensations) (Wales) Regulations 2001, to speak and vote on education issues including the Strategic Schools Improvement Programme, be granted up to the first Standards Committee in the Civic Year 2012/13.

6. **PROVISIONS OF THE BRIBERY ACT 2010**

The Head of Legal Democratic Services/Monitoring Officer gave Members an overview of the circulated report which summarised the provisions of the Bribery Act 2010, which came into force on 1st July 2011. The Act will replace, update and extend the existing law against corruption, which dates back to 1889.

RESOLVED:

- (a) that no amendment be proposed to the Members' Code of Conduct or that relating to officers;
- (b) that the Monitoring Officer reports back to Standards Committee on any amendments made to documentation, policies and procedures of the Council.

7. **URGENT ITEM**

Because of the need to deal now with the matter contained in Minute No. 8 below, the Chairman agreed that this could be raised at today's meeting as an urgent item pursuant to Section 100B (4)(b) of the Local Government Act 1972.

Reason:

Due to the time element.

Urgent Addendum Report of the Head of Legal and Democratic Services/Monitoring Officer

8. **LETTER FROM POWYS STANDARDS COMMITTEE**

The Head of Legal and Democratic Services/Monitoring Officer raised the above urgent matter and tabled copies of correspondence from Powys County Council and the Code of Conduct factsheet from the Public Services Ombudsman for Wales.

The correspondence from Powys County Council indicated that it advocated the view that all cases should be referred to Standards Committees, or in certain cases the Adjudication Panel for Wales, regardless of whether the Ombudsman would consider that it was likely to attract a penalty.

Members were asked to discuss an appropriate response to Powys' correspondence, reflecting their views on this matter.

RESOLVED: (a) that the Monitoring Officer replies to Powys County Council expressing the Committee's view that not all cases should be referred to Standards Committees and that the Ombudsman should continue to sift cases for seriousness; the Ombudsman may also wish to consider a review of the cases dealt with under his policy to ensure consistency;

- (b) that the Monitoring Officer sends a letter to the Ombudsman to the same effect as set out in (a) above.

9. **ACCESS TO MEETINGS**

RESOLVED: that pursuant to Section 100(4) and (5) of the Local Government Act 1972, the public be excluded for the following item of business which involved the likely disclosure of exempt information as defined in Paragraphs 12 and 18C of Part 4 of Schedule 12A to the above Act.

**Private Report of the Head of Legal and Democratic Services/
Monitoring Officer**

10. **REFERRAL FROM THE OMBUDSMAN**

On 8th April 2011, an adjourned meeting of Standards Committee met to consider a referral from the Ombudsman into a complaint of a breach of the Code of Conduct by three Councillors of Onllwyn Community Council.

The Standards Committee considered the complaint had been proven and decided to suspend those Councillors for one month. No appeal had been submitted against the decision, and therefore in accordance with procedure, a statutory advertisement will be placed in the press and a copy of the report of the Standards Committee will be made available to the public.

RESOLVED: that the report be noted.

CHAIRMAN

APPENDIX 1

Grant of Dispensations under Section 81(4) Local Government Act 2000:
Employment – Applications

Councillor	Employment Dispensation
H. M. Bebell	His niece is employed in Environment Services as a Project Co-ordinator
D. W. Davies	His sister-in-law is employed as a Nursery Nurse.
I. B. James	His wife is employed as a permanent parking attendant.
Mrs. L. H. James	Her daughter in law is employed as a parking attendant
Mrs. O. Jones	Her niece is employed as a Teacher.
E. V. Latham	His son is employed as a Parks Attendant.
Mrs. M. A. Lewis	Her daughter in law is employed as a Support Teacher
A. Llewelyn	His wife is employed as a Teacher.
J. D. Morgan	His wife is employed as a Teaching Assistant
W. E. Morgan	His daughter is employed as a Clerk in Blaengwrach School.
L. Purcell	Her ex-husband is employed in Social Services, Health and Housing.
P. A. Rees	His daughter-in-law is employed as a School Clerk.
Mrs. B. Richards	Her son and daughter in law are employed as Accounts Clerks
P. D. Richards	His wife is employed as a Specialist Behavioural Outreach Worker
J. Rogers	1. His daughter is employed as a Teaching Assistant 2. His son is employed as an Admin Officer
A. N. Woolcock	His niece is employed as a Training and Development Support Officer

APPENDIX 2

Applications for Dispensations: Miscellaneous

**Circumstances set out in Regulation 2(d) of the Standards Committee
(Grant of Dispensations) (Wales) Regulations 2001**

Member	Subject of Dispensation	Extent of Requested Dispensation	Circumstances
A. P. H. Davies	When One Voice Wales is under consideration in Coedffranc Community Council or NPTCBC meetings	Speak and Vote	Reg 2 (d)
J. Dinham	To speak and vote on matters relating to the Integrated Children's Centre	Speak and Vote	Reg 2 (d)
A. Llewelyn	Ystalyfera Development Trust.	Speak and Vote	Reg 2 (d)
	Strategic housing matters even when they relate to housing association.	Speak only	Reg 2 (d)
J. Miller	1) Employment in ABMU - LHB	Speak	Reg 2 (d)
	2) Melyn Community Conference	Speak and Vote	
Mrs. S. Miller	1) Employment in ABMU - LHB	Speak	Reg 2 (d)
	2) Melyn Community Conference	Speak and Vote	Reg 2 (d)
P. D. Richards	1) To speak and vote on matters relating to the Youth Offending Panel.	Speak and Vote	Reg 2 (d)
	2) To speak only and not vote, on matters of general, commercial and retail development, subject to the condition that the dispensation will not apply to any planning application by or transaction with the Co-operative Group, or with any subsidiary or related enterprise.	Speak only	Reg 2 (d)