

## **STANDARDS COMMITTEE (SPECIAL)**

(Civic Centre, Port Talbot)

**Members Present:**

**6<sup>th</sup> August, 2010**

**Chairman:** Mr G.T.Pullen

**Vice Chairman:** Mrs.L.J.Rees

**Independent Member:** Mrs.J.E.Howells

**NPTCBC Members:** Councillors Mrs L.H.James and A.J.Taylor

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

**Officers in Attendance:** Mr.D.Michael and Miss A.M.Farrell

**Ombudsman's  
Representative:** Mrs K.Shaw

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1. **MINUTES OF THE PREVIOUS MEETING**

**RESOLVED:** that the Minutes of the meeting held on 9<sup>th</sup> July, 2010 be accepted as a true record.

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

2. **APPLICATION FOR GRANT OF DISPENSATION UNDER SECTION 81(4) LOCAL GOVERNMENT ACT 2000**

(a) **Neath Port Talbot County Borough Council Member in respect of a member of their family employed by the Council**

The Committee considered the application from Councillor Mrs.B.Richards, in respect of a request for dispensation relating to family members employed by the Authority.

**RESOLVED:** that a dispensation be granted to the under-mentioned Councillor under the Standards Committees (Grant of Dispensation) (Wales) Regulations 2001, 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:

Councillor Mrs B.Richards - her son and daughter-in-law employed as Accounts Clerks.

(This dispensation to run to the Standards Committee which follows the Annual Meeting of Council 2011).

**(b) Miscellaneous Dispensations**

The Committee considered two dispensation applications from Councillor Mrs.S.Miller.

**RESOLVED:** that a dispensation be granted to the under-mentioned Councillor under the Standards Committees (Grant of Dispensation) (Wales) Regulations 2001, to speak and vote or speak only (as specified below), 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:

Councillor Mrs S.Miller:

- (i) Employment in ABM University Health Board, together with Local Health Board business pending re-organisation (to speak only, on the matter declared, provided that it shall not cover any other personal interests of the Member);
- (ii) Member of Melyn Community Conference which is a voluntary organisation and the position is unpaid

(to speak and vote on the matters declared).

(These dispensations to run to the Standards Committee which follows the Annual Meeting of Council 2011).

(c) **Application for Dispensation from Councillor H.M.Bebell**

The Committee noted that the above application, in respect of the grant of planning permission for an industrial building at Crymlyn Burrows, had been withdrawn, as the permission had been granted. It was also noted that the Head of Legal and Democratic Services/Monitoring Officer would keep the matter under review.

3. **ACCESS TO MEETINGS**

**RESOLVED:** that pursuant to Section 100A(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 13 of Part 4 of Schedule 12A to the above Act.

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

4. **REFERRAL FROM THE OMBUDSMAN**

The above circulated report contained details of an investigation by the Local Government Ombudsman in relation to a complaint of a breach of the Code of Conduct by a Community Councillor. The report also set out the adopted procedures in respect of Code of Conduct Hearings.

The Committee were informed by the Head of Legal and Democratic Services/Monitoring Officer that the person against whom the allegation was made, was no longer a Member of the Community Council concerned. The former Community Councillor had also declined to attend the meeting of the Standards Committee and had not given any written representations.

The Committee gave detailed consideration to the Ombudsman's findings, as set out in the circulated report and as presented to the Committee by the Ombudsman's Representative, Mrs. K. Shaw. Members also took into account the procedural advice as provided by the Head of Legal and Democratic Services/Monitoring Officer.

- RESOLVED:**
- (a) that, taking into account the findings of the Local Government Ombudsman in respect of this case, the Standards Committee is satisfied that there is evidence of a breach of the Member Code of Conduct – Paragraphs 4(a) and 6(1)(b), and that therefore the Committee's decision be as follows:-
    - (i) by virtue of his conduct on 28<sup>th</sup> March, 2008, which was inappropriate and lacking in respect and consideration for others, the Community Councillor had breached the above-mentioned paragraphs of the Code. The conduct was also likely to bring the office of Community Councillor and indeed the Community Council itself into disrepute, even though his actions had been undertaken when he was not exercising his role as Community Councillor;
    - (ii) the Standards Committee will therefore issue a censure to the former Community Councillor for his conduct under Regulation 9 (1) (c) of the 2001 Regulations;
  - (b) Subject to an appeal being lodged, the decision of the Standards Committee and a report on the investigation will be published in accordance with the statutory requirements.

**CHAIRMAN**