

## **STANDARDS COMMITTEE**

(Civic Centre, Port Talbot)

**Members Present:**

**22<sup>nd</sup> July, 2005**

**Chairman:** Mr.R.Gwyn Davies

**Vice Chairman:** Mr. D. Pickrell

**Independent Member:** Mrs.J.Burgess

**Neath Port Talbot  
County Borough  
Members:** Councillors J.Dinham and J.D.Edwards

**Community  
Committee Member:** Councillor R.Davies

**Officers in Attendance:** Mrs.C.A.John and Miss.A.M.Farrell

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### 1. **MINUTES OF PREVIOUS MEETINGS**

**RESOLVED:** that the Minutes of the undermentioned meetings of the Committee be approved:-

15<sup>th</sup> April, 2005

13<sup>th</sup> May, 2005 (Special)

### **Report of the Head of Legal Services/Monitoring Officer**

### 2. **APPLICATIONS FOR THE GRANT/REGRANT OF DISPENSATION UNDER THE CODE OF MEMBER CONDUCT 2000**

(a) **Application in Respect of a Local Councillor as School Governor**

**RESOLVED:** that the undermentioned Councillor's application for dispensation to speak and vote on matters where that Councillor has an interest as a Governor, be

approved subject to the Terms and Conditions set out in the above circulated report, to expire on the 31<sup>st</sup> March, 2006 to enable further reconsideration by this Committee of the same in the light of any National Assembly For Wales Guidance that may be received:-

Councillor Mrs.G.E.Davies

- (b) Application from Councillor H.M.Bebell re:Extension to Building Land at Elba Crescent and Baldwins Avenue, Crymlyn Burrows.

**RESOLVED:** that Councillor H.M.Bebell be granted dispensation to speak but not vote in respect of a Planning Application or related issue for an Extension to Building Land at Elba Crescent and Baldwins Avenue, Crymlyn Burrows, subject to Councillor Bebell vacating the Chair of the Planning and Development Control Committee during the discussion thereon and subsequently vacating the meeting during the vote thereon.

- (c) Applications by Cwmllynfell Community Councillors Edward Paige and Pauline Newman re Amman Awel Tawe.

**RESOLVED:** that dispensations be granted to Community Councillors Edward Page and Pauline Newman of Cwmllynfell Community Council to speak on issues regarding Amman Awel Tawe when all aspects regarding this Company are considered by their Community Council, subject to the Terms and Conditions set out in the above circulated report; these dispensations to expire on the 31<sup>st</sup> March, 2006.

### 3. **DRAFT PROCEDURES ON INVESTIGATIONS AND HEARINGS**

The Committee received, as Appendix 1 to the circulated report, the Draft Procedures for Dealing with Complaints of Misconduct against Members of Councils.

**RESOLVED:** that the Standards Committee shall have no formal set procedure for dealing with Complaints of Misconduct against Members of Councils, but that the Chairman of the Committee be given delegated powers to deal with the procedure for each case as it arises taking into account as necessary any legal advice provided by the Head of Legal Services/Monitoring Officer.

4. **DRAFT RESPONSES TO WELSH ASSEMBLY GOVERNMENT CONSULTATION PAPER ON THE PROPOSED REVISION OF THE MODEL MEMBER CODE OF CONDUCT**

The above Draft Response document was circulated at the meeting for Members' consideration.

**RESOLVED:** that the above Draft Response be approved and forwarded to the Welsh Assembly Government.

5. **ACCESS TO MEETINGS**

**RESOLVED:** that, pursuant to Section 100A(4) 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 7, 12, 13 & 15 of Part 1 of Schedule 12A of the 1972 Act.

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

6. **REFERRED MATTER UNDER SECTION 71(2) OF THE LOCAL GOVERNMENT ACT 2000**

The Committee received and considered the above private report which included the findings of the Local Government Ombudsman in respect of an investigation into an allegation against a Community Council Member.

The Head of Legal Services/Monitoring Officer provided oral legal advice on this matter at the meeting.

- RESOLVED:**
- (a) that it be agreed that the Report from the Local Government's Ombudsman, in respect of the above complaint against a Community Council Member, offers the Standards Committee sufficient information from which it can make a Stage I determination on this case, so
  - (b) that, on the basis of the Ombudsman's Report, the Committee could not determine that there was no evidence of a failure to comply with the said Community Council' Code of Conduct for Members and accordingly the Community Council Member was to be given the opportunity to respond orally in respect of the above Findings at a Special Meeting of the Standards Committee to be held in public on 26<sup>th</sup> August, 2005, when the Committee will determine the future conduct of the case;
  - (c) that the Standards Committee do not at this stage require the attendance of the investigating officer, the complainant nor any other persons other than the Community Councillor in question.

**CHAIRMAN**