

STANDARDS COMMITTEE

7 DECEMBER 2018

PRESENT: M.A. Morgan (Chair)

Independent Members:

Mrs M. Dodd, Mrs D. Evans, Mrs J. James and Mr A. Williams

Community Member:

Town Councillor P. Rogers

Councillors:

S.J.G. Gilasbey, K Lloyd [substitute for Councillor A. McPherson]

The following Officers were in attendance:

R. Edgecombe, Legal Services Manager;

J. Owen, Democratic Services Officer.

Chamber, County Hall, Carmarthen: 10:00am - 11:10am

[Note: Mrs D. Evans joined the meeting on commencement of Minute Item 7].

1. APOLOGIES FOR ABSENCE.

Apologies of absence were received from Councillor A. McPherson and Councillor G. Thomas

2. DECLARATIONS OF PERSONAL INTEREST.

There were no declarations of personal interest.

VARIATION OF BUSINESS

The Committee agreed, at the Chair's invitation and in accordance with Council Procedure Rule 2 [3], to vary the order of the remaining business on the agenda.

3. APPLICATION FOR DISPENSATION BY COUNCILLOR JENNY YOUENS.

The Committee considered an application submitted by Councillor Jenny Youens of Llanddarog Community Council, for the grant of a dispensation under the provisions of the Standards Committees (Grant of Dispensations) (Wales) Regulations to speak and vote in relation to matters regarding Mynyddcerrig Workingmen's Club and Institute and Mynyddcerrig Welfare Committee.

It was reported that a dispensation was sought as Councillor Yoens had a personal interest in these matters by virtue of paragraph 10(2)(a)(ix)(ee) of the Code of Conduct in that she is a member of the management committees of both organisations.

Councillor Youens' interest was also prejudicial as a member of the public, with full knowledge of the facts, would reasonably regard that interest as being so significant that it would be likely to prejudice the Councillor's judgement of the public interest.

Councillor Youens had accordingly requested that a dispensation be granted under Regulation 2 (d) (e) (f) (g) and (h) of the Standards Committees (Grant of Dispensation) (Wales) Regulations 2001.

The Legal Services Manger advised the Committee that in considering the application it should note that paragraphs 2 (d) and (h) were the most appropriate grounds should the Committee be minded to approve the request to speak only.

Following a discussion it was

UNANIMOUSLY RESOLVED that dispensation be granted under Regulation 2 (d) and (h) of the Standards Committees (Grant of Dispensation) (Wales) Regulations 2001 to Councillor Jenny Youens to SPEAK only at meetings of Llanddarog Community Council in relation to matters regarding the Mynyddcerrig Workingmen's Club and Institute and Mynyddcerrig Welfare Committee and that the dispensation be valid until 31st December 2019.

4. APPLICATION FOR DISPENSATION BY COUNCILLOR ROY WILLIAM OWEN.

The Committee considered an application submitted by Councillor Roy William Owen of Llanddarog Community Council, for the grant of a dispensation under the provisions of the Standards Committees (Grant of Dispensations) (Wales) Regulations to speak and vote in relation to matters regarding Mynyddcerrig Workingmen's Club and Institute.

It was reported that a dispensation was sought as Councillor Owen had a personal interest in these matters by virtue of paragraph 10(2)(a)(ix)(ee) of the Code of Conduct in that he is a member of the committee.

Councillor Owen's interest was also prejudicial as a member of the public, with full knowledge of the facts, would reasonably regard that interest as being so significant that it would be likely to prejudice the Councillor's judgement of the public interest.

Councillor Owen had accordingly requested that a dispensation be granted under Regulation 2 (d) (e) (f) (g) and (h) of the Standards Committees (Grant of Dispensation) (Wales) Regulations 2001.

The Legal Services Manger advised the Committee that in considering the application it should note that paragraphs 2 (d) and (h) were the most appropriate grounds should the Committee be minded to approve the request to speak only.

Following a discussion it was

UNANIMOUSLY RESOLVED that dispensation be granted under Regulation 2 (d) and (h) of the Standards Committees (Grant of Dispensation) (Wales) Regulations 2001 to Councillor Roy William Owen to SPEAK only at meetings of Llanddarog Community Council in relation to matters regarding the Mynyddcerrig Workingmen's Club and Institute and that the dispensation be valid until 31st December 2019.

5. APPLICATION FOR DISPENSATION BY COUNCILLOR ROBERT HARLEY JONES.

The Committee considered an application submitted by Councillor Robert Harley Jones of Llanddarog Community Council, for the grant of a dispensation under the provisions of the Standards Committees (Grant of Dispensations) (Wales) Regulations to speak and vote in relation to matters regarding Pwyllogor Llesiant Porthyrhyd Welfare Committee.

It was reported that a dispensation was sought as Councillor Jones had a personal interest in these matters by virtue of paragraph 10(2)(a)(ix)(ee) of the Code of Conduct in that he is a member of the committee.

Councillor Jones' interest was also prejudicial as a member of the public, with full knowledge of the facts, would reasonably regard that interest as being so significant that it would be likely to prejudice the Councillor's judgement of the public interest.

Councillor Jones had accordingly requested that a dispensation be granted under Regulation 2 (d) (e) (f) (g) and (h) of the Standards Committees (Grant of Dispensation) (Wales) Regulations 2001.

The Legal Services Manger advised the Committee that in considering the application it should note that paragraphs 2 (d) and (h) were the most appropriate grounds should the Committee be minded to approve the request to speak only.

Following a discussion it was

UNANIMOUSLY RESOLVED that dispensation be granted under Regulation 2 (d) and (h) of the Standards Committees (Grant of Dispensation) (Wales) Regulations 2001 to Councillor Robert Harley Jones to SPEAK only at meetings of Llanddarog Community Council in relation to matters regarding Pwyllogor Llesiant Porthyrhyd Welfare Committee and that the dispensation be valid until 31st December 2019.

6. APPLICATION FOR DISPENSATION BY COUNCILLOR WILLIAM JOHN WYN EVANS.

The Committee considered an application submitted by Councillor William John Wyn Evans of Llanddarog Community Council, for the grant of a dispensation under the provisions of the Standards Committees (Grant of Dispensations) (Wales) Regulations to speak and vote in relation to matters regarding Llanddarog Village Hall and Pwyllgor Llesiant Porthyrhyd Welfare Committee.

It was reported that a dispensation was sought as Councillor Evans had a personal interest in these matters by virtue of paragraph 10(2)(a)(ix)(ee) of the Code of Conduct in that he is a member of both committees.

Councillor Evans' interest was also prejudicial as a member of the public, with full knowledge of the facts, would reasonably regard that interest as being so significant that it would be likely to prejudice the Councillor's judgement of the public interest.

Councillor Evans had accordingly requested that a dispensation be granted under Regulation 2 (d) (e) (f) (g) and (h) of the Standards Committees (Grant of Dispensation) (Wales) Regulations 2001.

The Legal Services Manger advised the Committee that in considering the application it should note that paragraphs 2 (d) and (h) were the most appropriate grounds should the Committee be minded to approve the request to speak only.

Following a discussion it was

UNANIMOUSLY RESOLVED that dispensation be granted under Regulation 2 (d) and (h) of the Standards Committees (Grant of Dispensation) (Wales) Regulations 2001 to Councillor William John Wyn Evans to SPEAK only at meetings of Llanddarog Community Council in relation to matters regarding Llanddarog Village Hall and Pwyllgor Llesiant Porthyrhyd Welfare Committee and that the dispensation be valid until 31st December 2019.

7. TO SIGN AS CORRECT RECORDS THE MINUTES OF THE FOLLOWING STANDARDS COMMITTEE MEETINGS:

[Note: At this point Mrs D. Evans joined the meeting].

7.1 STANDARDS COMMITTEE HELD ON THE 19TH OCTOBER, 2018

RESOLVED that the minutes of the meeting of the Committee held on the 19th October, 2018 be signed as a correct record.

7.2 STANDARDS COMMITTEE HELD ON THE 12TH NOVEMBER, 2018

RESOLVED that the minutes of the meeting of the Committee held on the 12th November, 2018 be signed as a correct record.

8. STANDARDS COMMITTEE ANNUAL REPORT 2017/2018

The Committee considered its 2017/18 Annual Report detailing the work undertaken during that period and noted that, if adopted, it would be presented to the Council meeting in January 2019 for approval.

Reference was made Whistleblowing Policy section within the report. It was suggested that in order to enhance the statistical information provided it would be beneficial to include the outcomes of the concluded cases. The Legal Services agreed and would include this information prior to being presented to full Council in January

UNANIMOUSLY RESOLVED TO RECOMMEND TO COUNCIL THAT the Standards Committee Annual Report 2017/18 be adopted subject to the inclusion of the outcomes of concluded Whistleblowing cases.

9. CODE OF CONDUCT COMPLIANCE BY TOWN AND COMMUNITY COUNCILLORS

The Committee, received for consideration, as part of its monitoring role in Code Compliance by Community and Town Councils, a report detailing the levels of Code Training received, declarations of interest made, dispensation requests granted and Code complaints for those authorities during the period 2015/16 – 2017/18.

Reference was made to the fact a number of Town and Community Councils had not received any Code of Conduct Training and to the significant proportion of Town and Community Councils who did not respond. However, the Legal Services Manager stated that overall the statistical evidence appeared to suggest a generally good level of Code compliance by Town and Community Councillors across the County.

The Committee noted that the number of the declarations made and dispensations sought continued to be varied, and did not reveal a correlation between these factors and the level of code of conduct training provided. Similarly, the evidence within the report did not appear to reveal any correlation between the provision of code training and the number of code complaints.

In light of the above, a discussion ensued regarding what could be done to improve the return rate of the training of code of conduct information and how best to ensure that training is provided to all Town and Community Councillors. The following suggestions were raised:-

- Send follow up letters to those Town and Community Councils who have not responded;
- Encourage County Councillors to enquire with Clerks if they have returned the information
- Training Clerks of Town Community Councils to deliver induction training and enable them to cascade an element of code of conduct training.

The Legal Services Manager agreed that currently it was not standard practice to send follow up letters, however, agreed that it may prove beneficial to improve the response rate. In addition, he stated that he would review the way code of conduct training was currently delivered to Town and Community Councillors and consider the abovementioned suggestions along with alternative methods to deliver the training which would provide a more flexible approach.

In response to a request for further discussion to take place at a future meeting with regard to the Town and Community Councillor training, the Legal Services Manager stated that he intended to provide a report to the Committee in March which would include the draft presentation to Town and Community Councillors on the Code of Conduct training and provide an opportunity for further discussion. In addition, a copy of the Committee's draft Forward Work Programme would be circulated to Committee Members in January 2019.

UNANIMOUSLY RESOLVED that the report be received.

10. APPLICATION FOR DISPENSATION BY COUNCILLOR CAROL DYER – Y LLOFFWR.

The Committee considered an application submitted by Councillor Carol Dyer of Myddfai Community Council, for the grant of a dispensation under the provisions of the Standards Committees (Grant of Dispensations) (Wales) Regulations to speak and vote in relation to matters regarding the Welsh Community newspaper Y Lloffwr.

It was reported that a dispensation was sought as Councillor Dyer had a personal interest in these matters by virtue of paragraph 10(2)(a)(ix)(ee) of the Code of Conduct in that she is the Chair of the Committee for Y Lloffwr (voluntary position).

Councillor Dyer's interest was also prejudicial as a member of the public, with full knowledge of the facts, would reasonably regard that interest as being so significant that it would be likely to prejudice the Councillor's judgement of the public interest.

Councillor Dyer had accordingly requested that a dispensation be granted under Regulation 2 (d) (e) (f) (g) and (h) of the Standards Committees (Grant of Dispensation) (Wales) Regulations 2001.

The Legal Services Manger advised the Committee that in considering the application it should note that paragraphs 2 (d) and (h) were the most appropriate grounds should the Committee be minded to approve the request to speak only.

Following a discussion it was

UNANIMOUSLY RESOLVED that dispensation be granted under Regulation 2 (d) and (h) of the Standards Committees (Grant of Dispensation) (Wales) Regulations 2001 to Councillor Carol Dyer to SPEAK only at meetings of Myddfai Community Council in relation to matters regarding the Welsh Community newspaper Y Lloffwr and that the dispensation be valid until 31st December 2019.

11. APPLICATION FOR DISPENSATION BY COUNCILLOR CAROL DYER - MENTER BRO DINEFWR.

The Committee considered an application submitted by Councillor Carol Dyer of Myddfai Community Council, for the grant of a dispensation under the provisions of the Standards Committees (Grant of Dispensations) (Wales) Regulations to speak and vote in relation to matters regarding Menter Bro Dinefwr.

It was reported that a dispensation was sought as Councillor Dyer had a personal interest in these matters by virtue of paragraph 10(2)(a)(ix)(ee) of the Code of Conduct in that she is the Director of Menter Bro Dinefwr (voluntary position).

Councillor Dyer's interest was also prejudicial as a member of the public, with full knowledge of the facts, would reasonably regard that interest as being so significant that it would be likely to prejudice the Councillor's judgement of the public interest.

Councillor Dyer had accordingly requested that a dispensation be granted under Regulation 2 (d) (e) (f) (g) and (h) of the Standards Committees (Grant of Dispensation) (Wales) Regulations 2001.

The Legal Services Manger advised the Committee that in considering the application it should note that paragraphs 2 (d) and (h) were the most appropriate grounds should the Committee be minded to approve the request to speak only.

Following a discussion it was

UNANIMOUSLY RESOLVED that dispensation be granted under Regulation 2 (d) and (h) of the Standards Committees (Grant of Dispensation) (Wales) Regulations 2001 to Councillor Carol Dyer to SPEAK only at meetings of Myddfai Community Council in relation to matters regarding Menter Bro Dinefwr and that the dispensation be valid until 31st December 2019.

12. ANY OTHER ITEMS OF BUSINESS

There were no items of any other business.

CHAIR

DATE