

**IN THE MATTER OF COUNCILLOR ALED WYN DAVIES,
A MEMBER OF POWYS COUNTY COUNCIL**

STANDARDS COMMITTEE HEARING

**POWYS COUNTY COUNCIL'S STANDARDS COMMITTEE
13th MARCH 2017**

1. Having considered a Report of the Deputy Monitoring Officer, together with its enclosures including hearing written and oral submissions from the Ombudsman and Councillor Aled Davies in respect of the findings of the investigation and any allegation that Councillor Aled Davies had failed or may have failed to comply with the Code of Conduct contained in the report of the Public Services Ombudsman for Wales (PSOW) undertaken under Section 69 of the Local Government Act 2000, the Committee made a final determination.
2. In accordance with Part III of the Local Government Act 2000, the Council has adopted a Code of Conduct for Members, which is contained within the Council's Constitution, at Section 18. Councillor Aled Davies has signed an undertaking to abide by this Code of Conduct. Section 18 of the Constitution also sets out the procedure for dealing with allegations made against Councillors and referred (by the PSOW) to the Standards Committee.
3. The purpose of the Ombudsman investigation is to decide whether there has been a breach of the Code of Conduct and if so to refer back to the Standards Committee for determination and if deemed necessary, to impose a sanction.
4. The Ombudsman's investigation report, dated the 31st of October 2016 was considered at the first meeting of the Standards Committee on the 16th of December 2016, and in accordance with Section 18.4.5.1 of the Constitution, they determined that; *the Member should be given the opportunity to make representations either orally or in writing in respect of the findings of the investigation and any allegation that he or she has failed, or may have failed, to comply with the Code of Conduct.* (Section 18.4.6.4(b)). Accordingly, a Hearing was arranged on the 13th of March 2017.
5. At the Standards Committee Hearing on the 13th of March 2017, the Standards Committee heard representations from the Ombudsman's Investigating Officer, a witness (called by the Member) and the Member. The Standards Committee concluded that the Member had breached the County Council's Code of Conduct for Members, namely paragraph 6(1)(a) by bringing your office or Authority into disrepute.
6. The Committee concluded that there were no disputed facts (as outlined in the Ombudsman's Investigation Report) and that the Member's conduct amounted to a breach of the Code of Conduct by virtue of criminal proceedings against the Member in October 2015 under the Cattle Identification (Wales) Regulations 2007 (failing to maintain accurate cattle records) and Animal By-Products (Wales) Regulations 2014 (failing to dispose of animal carcasses), for which the Member pleaded guilty and received a criminal conviction.
7. The Committee were concerned that the Member had continued to deny the facts and sought to unfairly blame others.

8. The Committee heard mitigation from the Member and accepted that the Member had a good Council record, it was the first occasion he had been before the Standards Committee and the Member had co-operated throughout. The Committee recognised the Members hard work and dedication to the Council.
9. Accordingly, the Committee found that due to the nature and seriousness of the criminal conviction that Councillor Aled Davies's conduct had breached the Code of Conduct and brought his office and Authority into disrepute. The Committee imposed a full suspension upon Councillor Aled Davies as a member of Powys County Council for 2 weeks.
10. This suspension begins on the 11th of April 2017 and ceases after the 25th of April 2017.
11. At this stage in the proceedings there is no right of appeal against the decision of the Standards Committee, as the 21 day appeal period expired on the 10th April 2017.
12. It was also recommended that Councillor Davies undertake additional training on the Council's Code of Conduct.
13. During Councillor Davies's 2 week suspension he will not be able to take part in any form of business of the Authority. The Member will not have access to the Council's facilities, including emails, buildings and contact with officers, in his role as a member. Furthermore, the Member is unable to undertake any duties on outside bodies to which he has been appointed by the Council (including School Governing Bodies).

Helen Rhydderch-Roberts
Chair of the Standards Committee

Dated 11th April 2017