

Standards Committee

Monday, 14 September 2020

PRESENT: M.A. Morgan (Chair)

Independent Members:

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

Community Member:-

Town Councillor P. Rogers

Councillors:

S.J.G. Gilasbey and R. James

The following Officers were in attendance:

L.R. Jones, Head of Administration and Law

R. Edgecombe, Legal Services Manager

M. Evans Thomas, Principal Democratic Services Officer

M.S. Davies, Democratic Services Officer

S. Rees, Simultaneous Translator

J. Corner, Technical Officer

E. Bryer, Democratic Services Officer

Virtual Meeting - . - 10.00 - 10.50 am

1. APOLOGIES FOR ABSENCE.

There were no apologies for absence.

2. DECLARATIONS OF PERSONAL INTEREST.

Member	Item Number	Nature of Interest
Mrs. J James	6 – Adjudication Panel Decision.	Served on the Brecon Beacons National Park Authority with Cllr Roderick and Ms Doel for a period, but no close personal association involved. (Note – the Monitoring Officer concluded that this was not of personal interest).
Cllr. R. James	6 – Adjudication Panel Decision.	Cllr. Shotton is personally known to Cllr. James. Personal and prejudicial interest declared

3. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF THE COMMITTEE HELD ON THE 14TH FEBRUARY, 2020.

RESOLVED that the minutes of the meeting of the Standards Committee held on the 14th February, 2020 be signed as a correct record.

4. APPLICATION FOR DISPENSATION BY COUNCILLOR DOROTHY JONES.

The Committee considered an application submitted by County Councillor Dorothy Jones for the grant of a dispensation under the provisions of the Standards Committees (Grant of Dispensations) (Wales) Regulations to speak and vote on matters relating to the provision of home to school transport in the County of Carmarthenshire, in particular proceedings of the School Transport Review Advisory Panel established by the Executive Board to look into this issue which Cllr. Jones had been appointed to serve on.

It was reported that a dispensation was sought as Councillor Jones had a personal interest in this matter by virtue of paragraph 10(2)(b)(i) of the Members Code of Conduct in that she was the parent of school age children living in the County.

Councillor Jones' interest was also prejudicial in that 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 Regulations 2 (d) and (f) of the Standards Committees (Grant of Dispensation) (Wales) Regulations 2001.

The Committee noted that Cllr. Jones had been granted a dispensation in respect of this interest on the 14th February 2020 but had not yet had the opportunity to make use of it.

Following a discussion it was

UNANIMOUSLY RESOLVED that dispensation be granted under Regulations 2 (d) and (f) of the Standards Committees (Grant of Dispensation) (Wales) Regulations 2001 to Councillor Dorothy Jones to **SPEAK AND VOTE** on any council business relating to home to school transport in the County of Carmarthenshire and the dispensation be valid until the end of her current term of office.

5. APPLICATION FOR DISPENSATION BY COUNCILLOR KEN LLOYD.

The Committee considered an application submitted by County Councillor Ken Lloyd for the grant of a dispensation under the provisions of the Standards Committees (Grant of Dispensations) (Wales) Regulations to speak and make written representations only in respect of council business relating to, or likely to affect, Carmarthenshire Energy Limited, which was a community benefit society operating in the County.

It was reported that a dispensation was sought as Councillor Lloyd had a personal interest in this matter by virtue of paragraph (10)(2)(a) (ix)(bb) and (ee) and

10(2)(b)(v) of the Members Code of Conduct in that he and close personal associates of his were members of and held shares in that organisation.

Councillor Lloyd's interest was also prejudicial in that 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 Lloyd had previously been granted a dispensation in respect of this interest on the 21st January 2020 which he had used in order to speak in meetings of the Full Council on issues such as climate change.

Following a discussion it was

RESOLVED that dispensation be granted under Regulations 2 (d) and (f) of the Standards Committees (Grant of Dispensation) (Wales) Regulations 2001 to Councillor Ken Lloyd to SPEAK AND MAKE WRITTEN REPRESENTATIONS ONLY on general environment matters but not matters specifically relating to Carmarthenshire Energy Limited and that the dispensation be valid until the end of his current term in office.

6. ADJUDICATION PANEL DECISIONS

[NOTE:

1. Mrs J. James had earlier declared an interest in this item however it was concluded by the Monitoring Officer not to be of personal interest.
2. Councillor R. James, having earlier declared an interest in this item, was not present in the meeting and therefore did not take part in the consideration and determination thereof.]

The Committee considered a report recently published by the Adjudication Panel for Wales detailing its findings in the cases of County Councillor Roderick of Powys County Council and Brecon Beacons National Park Authority and County Councillor Shotton of Flintshire County Council .

The matters had been referred to the Panel by the Public Services Ombudsman for Wales as a result of complaints received.

Councillor Roderick was found to have failed to have shown consideration and respect to a female Councillor and brought his office into disrepute and also to have attempted to use his position improperly to confer an advantage to himself or a disadvantage to another. Councillor Roderick was suspended from both authorities for 4 months.

Councillor Shotton was found to have used his position improperly to confer an advantage to another person and to have brought his authority into disrepute by encouraging that person (an employee of the council) to behave inappropriately during office hours. Councillor Shotton was suspended from office for 3 months.

UNANIMOUSLY RESOLVED that the report be received.

7. CODE OF CONDUCT CASEBOOK

The Committee considered the Public Service Ombudsman for Wales' latest issue of the 'Code of Conduct' Casebook, published in January 2020, detailing summaries of 2 code investigations undertaken relating to members of County and Community Councils. None of the cases related to councillors from Carmarthenshire.

UNANIMOUSLY RESOLVED that the report be received.

8. OMBUDSMANS ANNUAL REPORT

The Committee considered the Public Service Ombudsman for Wales' Annual Report for 2019/20 incorporating the Statement of Accounts and providing information on both maladministration and Code of Conduct cases dealt with by his office during the period of the report.

The Committee noted that the key points from the report detailed:

- A total of 231 code complaints had been received during the reporting period representing a reduction of 18% on the previous year,
- A reduction in the number of cases referred to the Adjudication Panel for Wales from 4 to 1,
- A reduction in the percentage of code complaints closed (23.7% less than in previous year,
- Most code complaints are closed at an early stage.

Reference was made to the benefit from training or refresher training and that many members of Town and Community Councils often do not take up opportunities offered to them to receive training. The Committee was asked to note that due to Covid, training had not been provided this year and that training material had been circulated.

UNANIMOUSLY RESOLVED that the report be received.

9. ANY OTHER ITEMS OF BUSINESS THAT BY REASON OF SPECIAL CIRCUMSTANCES THE CHAIR DECIDES SHOULD BE CONSIDERED AS A MATTER OF URGENCY PURSUANT TO SECTION 100B(4)(B) OF THE LOCAL GOVERNMENT ACT 1972.

There were no items of urgent business.

CHAIR

DATE