

STANDARDS COMMITTEE
14TH AND 15TH FEBRUARY 2023

**FINAL HEARING IN RELATION TO A REPORT ISSUED BY THE
PUBLIC SERVICES OMBUDSMAN FOR WALES IN RESPECT OF
COUNCILLOR TERRY DAVIES**

Recommendations / key decisions required:

To hear the evidence presented and determine whether or not Councillor Davies has breached the members code of conduct for Llanelli Rural Council.

Reasons:

This is one of the statutory functions of the committee.

Relevant scrutiny committee to be consulted: N/A

Cabinet Decision Required: N/A

Council Decision Required: N/A

Cabinet Member Portfolio Holder:- N/A

Directorate: Chief Executives	Designations:	Tel / Email addresses:
Name of Head of Service: Linda Rees-Jones	Head of Administration and Law	
Report Author: Robert Edgecombe	Legal Services Manager	01267 224018 rjedgeco@carmarthenshire.gov.uk

**EXECUTIVE SUMMARY
STANDARDS COMMITTEE
14TH AND 15TH FEBRUARY 2023**

**FINAL HEARING IN RELATION REPORT ISSUED BY THE PUBLIC
SERVICES OMBUDSMAN FOR WALES IN RESPECT OF
COUNCILLOR TERRY DAVIES**

On the 27th May 2022 the Council's Monitoring Officer received a report from the Public Services Ombudsman for Wales setting out the results of their investigation into allegations that Councillor Davies has breached the members code of conduct for Llanelli Rural Council. A copy of the Ombudsman's report is attached.

On the 4th August 2022 the Committee carried out an initial consideration of the Ombudsman's report and concluded that the matter should proceed to the next stage of the determination process. A copy of this process is also attached.

Following a pre-hearing review held in November 2022 it was decided that a final hearing would be held at which witnesses would be called and evidence and legal submissions presented.

Councillor Davies, his legal representative and a representative of the Ombudsman will be in attendance at the meeting, as will other individuals who will give evidence as to the events that gave rise to the investigation.

The hearing will proceed in stages as set out in the attached procedure. In summary these are

- Stage 1 – Determining those factual issues which are in dispute.
- Stage 2 – Deciding whether those facts amount to a breach of the members code of conduct.
- Stage 3 – If the Committee decides that the facts do amount to a breach of the members code of conduct they will then need to decide what sanction should be imposed.

DETAILED REPORT ATTACHED?

YES

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report:

Signed: *LRJones*

Administration and Law

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
NONE	YES	NONE	NONE	NONE	NONE	NONE

Legal Implications

Should the committee determine that Cllr Davies did breach the code of conduct and impose a sanction upon him, then Cllr Davies would have a right of appeal against that decision to the Adjudication Panel for Wales.

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: *LRJones*

Head of Administration and Law

1. **Scrutiny Committee** – not applicable
2. **Local Member(s)** - not applicable
3. **Community / Town Council** - not applicable
4. **Relevant Partners** - not applicable
5. **Staff Side Representatives and other Organisations** - not applicable

**CABINET MEMBER PORTFOLIO
HOLDER(S) AWARE/CONSULTED**

NO

**Section 100D Local Government Act, 1972 – Access to Information
List of Background Papers used in the preparation of this report:**

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Legal Services file	DPSC-198	County Hall, Carmarthen