

No.

## STANDARDS COMMITTEE

Minutes of a remote meeting held on 26<sup>th</sup> November, 2020.

The Committee agenda is available [here](#).

Present: Mr. R. Alexander, Mrs. P. Hallett, Mr. R. Hendicott, Mrs. L. Tinsley and Mr. G. Watkins (Independent Members); Councillor M. Cuddy (Town and Community Council Representative) and Councillors B.T. Gray, O. Griffiths and A.R. Robertson (Vale of Glamorgan Council).

### 216 APPOINTMENT OF CHAIRMAN –

RESOLVED – T H A T Mr. R. Hendicott be appointed Chairman of the Standards Committee for the current Municipal year.

### 217 APPOINTMENT OF VICE-CHAIRMAN –

RESOLVED – T H A T Mrs. L. Tinsley be appointed Vice-Chairman of the Standards Committee for the current Municipal year.

### 218 MINUTES –

RESOLVED – T H A T the minutes of the meeting held on 10<sup>th</sup> September, 2020 be approved as a correct record.

### 219 DECLARATIONS OF INTEREST –

No declarations were received. However it was noted that Mr. Watkins had consulted the Monitoring Officer in advance of the Meeting in respect of Agenda Item No. 6 given that he currently was a Member and Trustee of a Bowls Club; upon it being clarified that Mr. Watkins was not a Member or Trustee of the Cadoxton Bowls Club and Mr. Watkins had no further potential personal interest in Agenda Item No. 6, the Monitoring Officer advised that Mr. Watkins did not have a personal interest and therefore could fully participate in the discussion and vote on the matter.

### 220 APPLICATIONS FOR DISPENSATION AND THE USE OF THE MONITORING OFFICER'S DELEGATED POWERS (MO/HLDS) –

The Standards Committees (Grant of Dispensations) (Wales) Regulations 2001 permitted Members to apply to the Standards Committee to speak and, if appropriate, to vote on issues which due to prejudicial interests, they might not otherwise be able to speak or vote on or remain in the room.

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An Application for Dispensation from Councillor N. Moore to speak and vote on issues relating to Bowling Clubs within the Local Authority had been received and was attached as an appendix to the report.

The report also advised that an application for dispensation had been considered and granted under the Monitoring Officer's delegated powers in consultation with the Chairman of the Standards Committee on 2<sup>nd</sup> October, 2020. The dispensation granted was in respect of Vale of Glamorgan Council Councillor K.F. McCaffer's application to speak and vote on matters in relation to Stanwell School at all meetings of the Vale of Glamorgan Council when the issues arose. The Monitoring Officer, in consultation with the Chairman of the Standards Committee, and in light of the Committee's resolution on 24<sup>th</sup> January, 2019 (Min. No. 687) granted a dispensation under paragraphs (d), (e), (f) and (i) of the Standards Committee (Grant of Dispensations) (Wales) Regulations 2001, to speak and vote until the date of the next Local Government elections.

Having fully considered the report and the applications attached, it was subsequently

RESOLVED –

- (1) T H A T Councillor N. Moore be granted dispensation under paragraphs (d), (f), (g),(h) and (i) to speak and vote on issues relating to Bowling Clubs within the Local Authority until the next Local Government Elections.
- (2) T H A T the use of the Monitoring Officer's delegated powers in consultation with the Chairman of the Standards Committee with regard to Councillor McCaffer's application at Appendix 2 to the report be noted.

#### Reasons for decisions

- (1) To comply with the regulations and obligations for the grant of dispensations to speak and vote.
- (2) Having regard to the use of delegated powers under the Council's Constitution.

#### 221 AUDIT REVIEW OF COMPLIANCE TO MEMBERS' CODE OF CONDUCT (MO/HLDS) –

The purpose of the report was to advise Committee of the findings of the audit review of compliance to the Members' Code of Conduct by Vale of Glamorgan Council Members. The representative of the Regional Internal Audit Service was also present at the meeting to answer any Committee Members' questions.

An audit review of compliance to the Members' Code of Conduct had been undertaken as part of the 2020/21 annual Internal Audit Plan. It was noted that the Audit opinion had concluded that the effectiveness of internal controls was

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considered to be sound and substantial assurance placed upon the management of risks.

Following a query as to the monitoring of gifts and hospitality by Town and Community Councils (TCCs), Members were informed that this was a matter for each TCC to consider and that they should have their own procedures in place. A Member requested that in future reports any abbreviations should either be written in full at least once in a report or that a glossary of terms is attached as an appendix, which was duly noted by the officer.

Having fully considered the report it was subsequently

RESOLVED – T H A T the contents of the Internal Audit Report attached at Appendix A to the report be noted.

Reason for decision

Having regard to the information contained therein.

222 STANDARDS CONFERENCE WALES: OCTOBER 2020 (MO/HLDS) –

The purpose of the report was to provide Members with an update in respect of the Annual Standards Conference.

It was noted that an Annual Standards Conference would not be held in 2020 and that the next scheduled Conference would take place in October 2021.

RESOLVED – T H A T it be noted that an Annual Standards Conference would not be held in 2020, with the next conference to be scheduled in October 2021 with the intention that this be held on a virtual basis.

Reason for decision

To apprise Members of the position with regard to arrangements for the Standards Conference.

223 REPORT FOLLOWING OBSERVATIONS AT TOWN AND COMMUNITY COUNCIL COMMITTEE MEETINGS (MO/HLDS) –

The purpose of the report was to provide the Committee with an update of the observations by Independent Standards Committee Members at Vale of Glamorgan Council and Town and Community Council meetings.

One of the roles of the Standards Committee was to promote and maintain high standards of conduct by Councillors, Co-opted Members and Church and Parent Governor representatives of the Council.

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To assist this process, in March 2018, Independent Members of the Standards Committee agreed to undertake observations at Vale of Glamorgan Council meetings. In March 2019 this was extended to observations being also undertaken of Town and Community Council meetings.

Following such observations, Independent Members reported verbally on a regular basis their findings to the Standards Committee.

Mrs. Hallett advised that she had recently attended (virtually) a Community Council meeting which she stated had been well managed by an excellent Chairman.

Mr. Alexander had also attended a Community Council and a Vale Council Meeting, both of which he stated had been well managed with Members respecting each other.

Mrs. Tinsley had attended a Town Council meeting which had had a number of matters of significant local interest on the agenda and although she could not see anyone in the meeting other than the Mayor, Deputy Mayor and officers, in her view it had been a positive meeting.

The Chairman however, stated that he would wish his feedback in respect of a meeting he had attended to be provided under Part II as this had not as yet been shared with the Community Council.

During the discussion it was agreed that going forward the Principal Democratic Services Officer prepare a programme of visits to be shared with the Independent Standards Committee Members in the early part of 2021.

RESOLVED –

(1) T H A T the verbal updates provided by Standards Committee Independent Members at the meeting be noted.

(2) T H A T the intention to continue to undertake observations of Town and Community Council and Vale of Glamorgan Council meetings by Standards Committee Independent Members be noted and that a programme of visits be established and emailed to Independent Committee Members.

#### Reason for decisions

(1&2) Having regard to the observations undertaken and the role of the Standards Committee.

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224 STANDARD COMMITTEE HEARING PANEL MEMBERSHIP RE ALLEGATIONS OF FAILURE TO OBSERVE THE MEMBERS' CODE OF CONDUCT (MO/HLDS) –

The Monitoring Officer, in presenting the report, advised that in light of a recent Standards hearing that had been held, it was requested that the Committee consider that if not all Members were attending a Standards Committee hearing the Monitoring Officer be granted delegated authority to develop a rota of Members attending each individual hearing, when required. This was being requested to ensure that, if not all Members were attending a hearing, that every Member of the Standards Committee was afforded an opportunity to sit on a Standards Committee hearing, if required.

RESOLVED – T H A T, if not all Members of the Standards Committee are attending a hearing, delegated authority be granted to the Monitoring Officer to develop a rota of Members attending each individual Standards Committee hearing, when required.

Reason for decision

In order that a rota can be devised in the interests of fairness and transparency and to ensure that every Member of the Committee is afforded an opportunity to sit on a hearing when required.

225 CORRESPONDENCE WITH THE PUBLIC SERVICES OMBUDSMAN FOR WALES (MO/HLDS) –

The report outlined that the Monitoring Officer / Head of Legal and Democratic Services would provide an update to Members of the Committee at the meeting under Part II of the agenda in relation to recent correspondence and matters arising in line with the procedures of the Ombudsman which were confidential in nature.

The item was a standing item on the agenda in order that the Monitoring Officer / Head of Legal and Democratic Services could apprise Members as appropriate.

RESOLVED – T H A T the contents of the report be noted, having regard to the fact that an update on the correspondence received from the Public Services Ombudsman for Wales and any matters arising under Part II of the report would be considered under Part II of the agenda.

Reason for decision

To apprise Members of the Committee.

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226 EXCLUSION OF PRESS AND PUBLIC –

RESOLVED – T H A T under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part 4 of Schedule 12A (as amended) of the Act, the relevant paragraphs of the Schedule being referred to in brackets after the minute heading.

227 CORRESPONDENCE WITH THE PUBLIC SERVICES OMBUDSMAN FOR WALES (MO / HLDS) (EXEMPT INFORMATION – PARAGRAPHS 12, 13 AND 14) –

As outlined at Part I of the agenda, it had been agreed by the Standards Committee that a standing item appear on the Committee's agenda in order that the Monitoring Officer / Head of Legal and Democratic Services be able to apprise Standards Committee Members of correspondence received from the Public Services Ombudsman for Wales (the Ombudsman) on any matters arising, the items being confidential in nature in line with the Ombudsman's procedure.

The Monitoring Officer / Head of Legal and Democratic Services proceeded to apprise the Committee verbally of recent correspondence with the Ombudsman.

Reference was also made to the outcome of a recent Standards Committee meeting that had been held in private (having been agreed by all parties) on 26<sup>th</sup> October in respect of allegations made against a Councillor following an investigation by the Ombudsman. The minutes of the hearing would be reported to the next Standards Committee in January 2021, it being noted that the decision of the meeting had been that the Community Councillor receive three censures.

RESOLVED – T H A T the information provided by the Monitoring Officer / Head of Legal and Democratic Services be noted.

Reason for decision

Having regard to the correspondence received from the Ombudsman, noting that this was confidential at this stage.

228 REPORT FOLLOWING OBSERVATIONS AT TOWN AND COMMUNITY COUNCIL COMMITTEE MEETINGS (MO/HLDS) (EXEMPT INFORMATION – PARAGRAPHS 12, 13 AND 14) –

The Chairman, with the Committee's approval, shared his observations of a recent Town and Community Council (TCC) meeting under Part II of the agenda, having regard to the fact that the observations had not as yet been shared with the particular TCC.

Following the discussion it was

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RESOLVED – T H A T the observations presented by the Chairman be referred by the Monitoring Officer to the Chairman and the Clerk of the relevant Town and Community Council for consideration.

Reason for decision

Having regard to the role of the Standards Committee.