

**MINUTES OF A MEETING OF THE STANDARDS COMMITTEE HELD IN
MEETING ROOM 3, GUILDHALL, WREXHAM ON THURSDAY, 7 DECEMBER
2017**

MEMBERS

Mr Michael Pugh, Chair
*Mr Neil Benson, Vice-Chair

Ms Julie Adams
Mrs Claire Blanchard
Mrs Sandra Hunt

Councillor Andrew Atkinson
Councillor I David Bithell, MBE
Councillor Kevin Hughes

Mr Geoff Edwards - Community Councillor

*Absent

19 DECLARATIONS OF PERSONAL INTERESTS, IF ANY

Members were reminded of their responsibility, under Paragraph 11 of the Members' Code of Conduct, to declare any interests in relation to any of the business to be transacted at this meeting. The following declarations were made

Agenda Item 4 – Application for Dispensation by Members of Gresford Community Council
Councillor Andrew Atkinson – Personal and Prejudicial – Member of Gresford Community Council. The Councillor withdrew from the meeting for this item taking no part in the discussion and voting thereon.

20 CONFIRMATION OF MINUTES

RESOLVED – That the Minutes of the Meeting held on 7 September 2017 be signed as a correct record.

21 APPLICATION FOR DISPENSATION BY MEMBERS OF GRESFORD COMMUNITY COUNCIL

(Members declarations of interest in relation to this item are set out in Minute 19 above)

The Monitoring Officer submitted a report (HCCS/77/17) to enable Members to consider an application by members of Gresford Community Council for a dispensation to take part in and vote on business in which they may have a prejudicial interest by virtue of their membership of Gresford and District War Memorial Community Centre Trust (Gresford Trust).

The Clerk to Gresford Community Council had submitted an application for a dispensation on behalf of six Members of the Community Council, three of whom were Trustees of the Gresford Trust and also Members of the Community Council and three of whom were Members of the Community Council appointed to represent the Community Council on the Gresford Trust.

The Standards Committee considered the application for dispensation in respect of the two categories of Members separately. Firstly the three Members of Gresford Community Council who had been nominated to represent the Community Council on the Gresford Trust. These Members could rely on the exemption afforded by paragraph 12(2)(a)(iii) of the Code of Conduct for Members as they had been nominated by their authority to the Gresford Trust, provided the business before the Community Council did not relate to the determination of any approval, consent, licence, permission or registration. As these were not matters for which the Community Council had responsibility the Standards Committee agreed that a dispensation in addition to the exemption was not strictly necessary for these three Members.

The Clerk of the Community Council and Community Councillors Mrs Jen Dutton and Janet Holmes were present at the meeting to provide additional information in support of the application and responded to questions from the Committee regarding the following:

Participation in meetings – The Clerk and Community Councillors explained that having the Members present at meetings improved the quality of decision making. The Members were able to provide additional background information at meetings which might otherwise lead to a decision being delayed whilst the Clerk sought the information requested.

Quorum – attendance was usually good and the Clerk had never struggled to achieve a quorum. The Clerk confirmed that if a situation arose, whereby a meeting became inquorate by excluding the three Members, then the decision would be delayed as none of the three Members would take part in the vote.

Voting – The Community Councillors confirmed that they always declared an interest when items regarding Gresford Trust were considered and that they did not vote on these items.

The Standards Committee then considered the application under Regulations 2(d), (f) and (h) of the Standards Committees (Grant of Dispensations) (Wales) Regulations 2001.

RESOLVED –

- (i) That a dispensation be granted to the following Members of Gresford Community Council who are also Trustees of Gresford Trust ('the Members'):
Community Councillor Andrew Bailey
Community Councillor Mrs Jen Dutton
Community Councillor Janet Holmes**
- (ii) That the dispensation be granted pursuant to Regulation 2 (d), (f) and (h) of the Standards Committees (Grant of Dispensations) (Wales) Regulations 2001.**

- (iii) That the terms of the dispensation are as follows:-
- (a) The dispensation applies only to business considered by Gresford Community Council relating to the Gresford and District War Memorial Community Centre Trust and enables the Members to remain in the meeting and participate in discussion on these items but not to take part in the vote.
 - (b) The Members relying on the dispensation must comply with the provisions of paragraph 14(3)(b) of the Code of Conduct for Members.
 - (c) The dispensation will expire on 30 April 2022.

Reason for decisions

To enable Members of the Gresford Community Council to participate in consideration of matters relating to Gresford and District War Memorial Community Centre Trust with the benefit of a statutory dispensation.

22 REVIEW OF LOCAL RESOLUTION PROTOCOL AND PROCEDURE

The Monitoring Officer submitted a report (HCCS/76/17) to enable the Committee to review the operation of the Local Resolution Protocol and procedure adopted by the Council in September 2013.

The Deputy Monitoring Officer informed Members that there had been no instances recorded by the Monitoring Officer of any referral under the Members' Self-Regulatory Protocol. In the absence of any instances of referral to the Monitoring Officer or Standards Committee it was felt that a fundamental review was not merited at this time. A further monitoring report would be submitted to the Standards Committee in 12 months.

RESOLVED – That the contents of report HCCS/76/17 be noted.

Reason for decision

To inform the Standards Committee of the operation of the Members' Self-Regulatory Protocol and procedure since its adoption in September 2013.

23 PROCEDURE FOR DEALING WITH HEARINGS

The Deputy Monitoring Officer submitted, for Members information, the procedure for dealing with allegations made against Councillors which may be referred to the Standards Committee. The procedure, adopted in 2014, set out the procedure that the Standards Committee would follow if it was required to take decisions about the conduct of Councillors following investigations by the Public Services Ombudsman for Wales or the Council's Monitoring Officer under Part III of the Local Government Act 2000 and related regulations.

In response to a Member's query the Deputy Monitoring Officer confirmed that should any individual have concerns about the behaviour of a Councillor it was down to that individual to make a formal complaint to the Public Services Ombudsman for Wales or contact the Monitoring Officer, who could advise the best course of action. The Standards Committee would only be involved following investigations by the Public Services Ombudsman for Wales or the Council's Monitoring Officer under Part III of the Local Government Act 2000 and related regulations.

RESOLVED – That the procedure be noted

24 **FEEDBACK FROM THE NORTH WALES STANDARDS FORUM HELD ON 24 NOVEMBER 2017**

Members of the Committee who attended said they had found it an interesting Forum, items discussed were:

New Member Induction and Training on Ethical Issues - feedback on the training and discussion as to how it was delivered.

WLGA - 5 years to Make a Difference - feedback on the regional event for new councillors held in Conwy on 3 November with a focus on the Code of Conduct and the pitfalls for a local Councillor.

Procedures for dealing with claims against Members – following a recent incident there was a discussion on what procedures/mechanisms were in place to support elected Members who may have allegations made against them.

Mr Michael Pugh
Chair