

STANDARDS COMMITTEE

Decision Notice – Remote Meeting, 8th June, 2023.

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

The recording of the meeting is available [here](#).

Present: R. Alexander, P. Hallett, R. Hendicott, L. Tinsley and G. Watkins
(Independent Members); Councillors R.M. Birch, J.E. Charles and C.P. Franks.

AGENDA ITEM 1. APPOINTMENT OF CHAIR –

RESOLVED – T H A T R. Hendicott be appointed Chair for the Municipal year.

AGENDA ITEM 2. APPOINTMENT OF VICE-CHAIR –

RESOLVED – T H A T L. Tinsley be appointed Vice-Chair for the Municipal year.

AGENDA ITEM 4. MINUTES –

RESOLVED – T H A T the minutes of the meeting held on 23rd March, 2023 be approved as a correct record.

AGENDA ITEM 5. DECLARATIONS OF INTEREST –

No declarations of interest were received.

AGENDA ITEM 6. APPLICATIONS FOR DISPENSATION (MO/HLDS) –

RESOLVED – T H A T dispensations as set out in the schedule below be granted up to the date of the next Local Government Elections:

Member Requesting Dispensation	Paragraph(s) of the Standards Committee (Grant of Dispensations) (Wales) Regulations 2001 Under Which Dispensation is Granted and as applied for	Decision
Councillor G. John	(d) and (f)	To speak and vote at Vale of Glamorgan Council and Llantwit Major

		Town Council meetings when matters concerning Llantwit Major Royal British Legion are being considered.
Councillor L. Green	(d), (e) and (i)	To speak only at meetings of Llanmaes Community Council when matters relating to the neighbour's field are discussed in respect of the replacement Local Development Plan and its updates/ consultations.
Councillor H. Payne	(c), (d), (f) and (h)	To speak only at Vale of Glamorgan Council meetings when matters regarding housing and homelessness are discussed relating to finance and property given the Councillors role for Llanmau.

Reason for decisions

To comply with the regulations and obligations for the grant of dispensations to speak and vote.

AGENDA ITEM 7. OBSERVATIONS BY INDEPENDENT MEMBERS OF TOWN AND COMMUNITY COUNCIL MEETINGS (MO/HLDS) –

RESOLVED –

- (1) T H A T the report and the feedback received in respect of observation visits undertaken by Independent Members of the Standards Committee to Town and Community Council meetings be noted.
- (2) T H A T where observations of Town and Community Council meetings are advised by Independent Members to have been managed effectively with no material issues identified, observations of such meetings be undertaken on a biennial basis as opposed to on an annual basis.
- (3) T H A T where matters following observation visits of Town and Community Council meetings are highlighted by Independent Members as issues requiring further attention or further visits and / or requests are made by the Monitoring Officer/ Head of Legal and Democratic Services for visits to be undertaken, these be arranged as and when required.

(4) T H A T where poor practice continued, consideration be given for meetings to be arranged for the Chair and Clerk to either attend a meeting of the Standards Committee or a meeting with the Chair of the Standards Committee and Monitoring Officer / Head of Legal and Democratic Services.

Reasons for decisions

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

(3) To maintain a watching brief having regard to the role of the Standards Committee and the Monitoring Officer / Head of Legal and Democratic Services.

(4) In the interests of promoting and maintaining high standards of conduct.

AGENDA ITEM 8. DRAFT STANDARDS COMMITTEE ANNUAL REPORT (TOGETHER WITH FEEDBACK FROM POLITICAL GROUP LEADERS ON COMPLIANCE WITH SECTION 62 OF THE LOCAL GOVERNMENT AND ELECTIONS (WALES) ACT 2021) (MO/HLDS) –

RESOLVED –

(1) T H A T the draft Annual Report attached at Appendix 1 to the report be approved and forwarded to Full Council.

(2) T H A T delegated authority be granted to the Monitoring Officer / Head of Legal and Democratic Services and the Chair of the Standards Committee to include the additional comments made at the meeting in order to finalise the Annual Report before submission to Full Council.

(3) T H A T a copy of the finalised draft be forwarded to each Member of the Standards Committee by email for their approval prior to submission to Full Council.

Reasons for decisions

(1) In compliance with the requirements of Section 63 of the Local Government and Elections (Wales) Act 2021.

(2) In order to insert additional comments into the Annual Report as discussed at the meeting.

(3) In order to seek final approval from Members of the Standards Committee before submission to Full Council.

AGENDA ITEM 9. MONITORING OFFICER MEETINGS WITH CLERKS OF TOWN AND COMMUNITY COUNCILS (MD/HLDS) –

RESOLVED – T H A T the report in respect of the Monitoring Officer's meeting with Clerks held on 28th April, 2023 be noted.

Reason for decision

Having regard to discussions held at the meeting on 28th April, 2023.

AGENDA ITEM 10. INTERNAL AUDIT REPORT IN RESPECT OF ELECTED MEMBERS 2022-2023 (MO/HLDS) –

RESOLVED –

(1) T H A T the report and the outcome of the internal audit on the adequacy and effectiveness of internal control, governance and risk management arrangements that are in place with regards to Elected Members be noted.

(2) T H A T a copy of the Internal Audit report be forwarded to all Members of the Committee for their information and placed on the agenda of the next meeting of the Committee.

Reasons for decisions

(1) Having regard to the purpose of the audit, which was to provide assurance on the adequacy and effectiveness of the internal control, governance and risk management arrangements.

(2) For information.

AGENDA ITEM NO. 11 RESPONSE TO THE WELSH GOVERNMENT CONSULTATION ON THE RECOMMENDATIONS OF THE INDEPENDENT REVIEW OF THE ETHICAL STANDARDS FRAMEWORK (RICHARD PENN REPORT); AND THE HARMONISATION OF GIFTS AND HOSPITALITY THRESHOLDS TO ALIGN WITH AN ALL WALES APPROACH (MO/HLDS) –

RESOLVED –

(1) T H A T the draft response at Appendix 1 to the report in respect of the Welsh Government Consultation on the recommendations of the Independent Review of the Ethical Standards Framework (Richard Penn Report), with the additional amendments as below, be agreed:

Question 5 – What avenues would be open to the Adjudication Panel for Wales if a summons was not adhered to and the implications.

Question 7 – That the following words be added to the end of the response “...albeit it is noted that the general rule is that hearings are to be held in public.”

10a – That the words “... even where there are very serious safeguarding concerns” be added to the second sentence of the second paragraph of the response i.e. the sentence to read as “ No such similar provision exists in relation to members even where there are very serious safeguarding concerns”. That an extra paragraph be included relating to when a Councillor was charged with a specified category of an offence and particularly offences which carried a custodial sentence an interim suspension would be appropriate.

Question 13 – The response be amended to No and the response paragraph deleted with a new sentence inserted as “ It is important to ensure that potential candidates from a wide range of backgrounds are attracted to the role and all channels including newspapers, websites or existing networks are utilised”.

Question 16 – The additional response be added as agreed for Question 5 above.

(2) T H A T it be recommended to Cabinet that the Vale of Glamorgan Council’s threshold for Gifts be amended in line with paragraph 1.5 of the report as follows: Gifts, material benefits or advantages – £25.00 or totalling £100.00 over a year from a single source.

(3) T H A T delegated authority be granted to the Monitoring Officer / Head of Legal and Democratic Services in consultation with the Chair of the Standards Committee, to make the amendments to the response, as agreed by the Standards Committee at the meeting.

(4) T H A T the report be referred to Corporate Performance and Resources Scrutiny Committee for consideration.

Reasons for decisions

(1) In order to respond to Welsh Government consultation in respect of the recommendations of the Richard Penn Report.

(2) To recommend for approval in line with agreement of All Wales Monitoring Officer Group an All Wales Standards Committee Forum in the interest of harmonisation across all Welsh Local Authorities.

(3) Having regard to the comments made at the meeting.

(4) For pre Cabinet scrutiny and having regard to the deadline for submission of a response on 23rd June, 2023.

AGENDA ITEM NO. 12 DRAFT TERMS OF REFERENCE FO STANDARDS
COMMITTEE PANEL (MO/HLDS) –

RESOLVED – T H A T the draft Terms of Reference attached at Appendix 1 to the report be approved.

Reason for decision

Having regard to the contents of the report and discussions at the meeting.

AGENDA ITEM 13. CORRESPONDENCE WITH THE PUBLIC SERVICES
OMBUDSMAN FOR WALES (MO/HLDS) –

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.

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 item of business on the grounds that it involves 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.

AGENDA ITEM 15. CORRESPONDENCE WITH THE PUBLIC SERVICES
OMBUDSMAN FOR WALES (MO/HLDS) (EXEMPT INFORMATION –
PARAGRAPHS 12, 13 AND 14) –

RESOLVED – T H A T the confidential information provided by the Monitoring Officer at the meeting be noted.

Reason for decision

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