

## STANDARDS COMMITTEE

Decision Notice – Meeting, 25<sup>th</sup> November 2021.

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

The Meeting recording is available [here](#).

Present: R. Hendicott (Chairman); L. Tinsley (Vice-Chairman); R. Alexander, P. Hallett and G. Watkins (Independent Members); Councillor M. Cuddy (Town and Community Council Representative) and Councillor A.R. Robertson (Vale of Glamorgan Council).

Also present: Councillor V. P. Driscoll.

### AGENDA ITEM 1. APOLOGIES FOR ABSENCE –

These were received from Councillors R.M. Birch and B.T.Gray

### AGENDA ITEM 2. MINUTES –

RESOLVED – T H A T the minutes of the meeting held on 9<sup>th</sup> September 2021 be approved as a correct record it being noted that following a query from Mr Alexander as to whether the Standards Committee could undertake interim training prior to the induction programme in 2022 as referred to on page 281 the Monitoring Officer advised that she would liaise with the Equalities Team.

### AGENDA ITEM 3. DECLARATIONS OF INTEREST –

Cllr A. R. Robertson advised the Committee that with regard to items 9 and 12 on the agenda, following advice from the Deputy Monitoring Officer having regard to the Member's Code of Conduct, he did not consider that he had a close personal association with the Member referred to in the report.

### AGENDA ITEM 4. APPLICATIONS FOR DISPENSATION (MO/HLDS) -

RESOLVED –

(1) T H A T Vale of Glamorgan Councillor and Dinas Powys Community Councillor V.P. Driscoll be granted dispensation to speak only at meetings of the Vale of Glamorgan Council where issues are raised in respect of Holton Road, Barry, in accordance with paragraph (f) of The Standards Committees (Grant of Dispensations) (Wales) Regulations 2001, until the next Local Government elections.

(2) T H A T Vale of Glamorgan Councillor and Penarth Town Councillor L. Burnett be granted dispensation to speak and vote at meetings of the Vale of Glamorgan Council where issues are raised in respect of the Council's adult domiciliary care services and in relation to any arrangements or charges for blue badge holders, in

accordance with paragraphs (d), (e) and (f) of The Standards Committees (Grant of Dispensations) (Wales) Regulations 2001, until the next Local Government elections.

(3) T H A T Vale of Glamorgan Councillor and Penarth Town Councillor L. Burnett be granted dispensation to speak and vote at meetings of the Vale of Glamorgan Council where issues are raised where staff terms and conditions are considered and general discussions relating to CLA (Children Looked After) and Foster care (including budgets) are considered, in accordance with paragraphs (d) and (f) of The Standards Committees (Grant of Dispensations) (Wales) Regulations 2001, until the next Local Government elections.

(4) T H A T Vale of Glamorgan Councillor and Penarth Town Councillor L. Burnett be granted dispensation to speak and vote at meetings of the Vale of Glamorgan Council where issues are raised (including budgets) in respect of Ysgol St Baruc, Oakfield Primary and Jenner Park Primary schools , in accordance with paragraphs (d), (e), (f) and (i) of The Standards Committees (Grant of Dispensations) (Wales) Regulations 2001, until the next Local Government elections.

#### Reason for decision

(1-4) To comply with the regulations and obligations for the grant of dispensations to speak and vote.

#### AGENDA ITEM 5. OBSERVATIONS AT TOWN AND COMMUNITY COUNCIL COMMITTEE MEETINGS (MO/HLDS) -

RESOLVED –

(1) T H A T the verbal updates provided by Standards Committee Independent Members, at the meeting, be noted and the observations shared with the Chairs and Clerks of the relevant Town and Community Councils.

(2) T H A T prior to a new schedule of Vale of Glamorgan Council and Town and Community Council meetings being established following the May 2022 Local Government Elections it be accepted that some Town and Community Council meetings may be requested by the Monitoring Officer to be observed further as deemed appropriate.

#### Reasons for decisions

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

#### AGENDA ITEM 6. INDEPENDENT REVIEW OF ETHICAL STANDARDS FRAMEWORK IN WALES (MO/HLDS) -

RESOLVED –

(1) T H A T the contents of the report be noted.

(2) T H A T following the second phase of the review a further report be presented to the Standards Committee for consideration as and when available

Reasons for decisions

1&2 Having regard to the contents of the report.

AGENDA ITEM 7. AUDIT WALES REPORT: INADEQUACIES IN GOVERNANCE AND FINANCIAL MANAGEMENT – SULLY AND LAVERNOCK COMMUNITY COUNCIL (MO/HLDS) -

RESOLVED –

(1) T H A T the contents of the Audit Wales report: Inadequacies in Governance and Financial Management - Sully and Lavernock Community Council be noted.

(2) T H A T arrangements be made for the Chair of the Standards Committee and the Monitoring Officer to meet with the Chair, Vice-Chair and Clerk of Sully and Lavernock Community Council to discuss matters arising from the Audit Wales report relating to Code of Conduct matters.

(3) T H A T the Standards Committee noted that the matter had been raised by the Monitoring Officer at the Monitoring Officer's meeting with Clerks of Town and Community Council's on 24th November, 2021 and that a copy of the report be emailed to all Clerks of Town and Community Councils in the Vale of Glamorgan for information.

Reasons for decisions

(1&2) Having regard to the contents of the report.

3. In order that the contents of the report can be shared to raise awareness.

AGENDA ITEM 8. 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.

AGENDA ITEM 9. REPORT RELATING TO A COMPLAINT AGAINST COUNCILLOR A IN RESPECT OF THE VALE OF GLAMORGAN COUNCIL AND X TOWN COUNCIL (DMO/OMLS) -

RESOLVED – T H AT the report be noted and considered in connection with the Part II report later on the agenda.

Reason for decision

To allow Part I and Part II reports to be considered and in compliance with the provisions of the 2001 Regulations and the Procedure for Dealing with Allegations Made against Councillors and Referred to the Standards 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 11. 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.

AGENDA ITEM 12. REPORT RELATING TO A COMPLAINT AGAINST COUNCILLOR A IN RESPECT OF THE VALE OF GLAMORGAN COUNCIL AND X TOWN COUNCIL (DMO/OMLS) (EXEMPT INFORMATION – PARAGRAPHS 12, 13 AND 18C) -

RESOLVED –

(1) T H A T Councillor A be given the opportunity to make representations at a future meeting of the Standards Committee, either orally or in writing in respect of the findings of the investigation and any complaint that Councillor A had failed, or may have failed, to comply with the Vale of Glamorgan Council's and the X Town Council's Members' Code of Conduct.

(2) T H A T the Public Services Ombudsman for Wales' investigating officer be requested to attend a future meeting of the Standards Committee having regard to resolution (1) above in line with Regulations 8 (3A) and 8 (3C) of the Local

Government Investigations (Functions of Monitoring Officers and Standards Committees) (Wales) Regulations 2001.

(3) T H A T delegated authority be granted to the Deputy Monitoring Officer in consultation with the Chair of Standards Committee to finalise a draft document setting out the allegations for approval, by email, by Standards Committee Members.

Reasons for decisions

(1) To comply with the provisions of the Local Government Investigations (Functions of Monitoring Officers and Standards Committees) (Wales) Regulations 2001 ("the 2001 Regulations).

(2) In line with the provisions of the 2001 Regulations.

(3) In order that Members of the Standards Committee can consider and approve a draft allegations document.

N.B. The Monitoring officer withdrew from the meeting when Items 9 and 12 were being considered.