

No.

STANDARDS COMMITTEE

Minutes of a Remote meeting held on 10th September, 2020.

The Committee agenda is available [here](#)

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

Also present: Councillor J.C. Bird

770 APOLOGIES FOR ABSENCE –

These were received from Mr. R. Alexander (Independent Member) and Councillor Ms. M. Wright (Vale of Glamorgan Council).

771 MINUTES –

RESOLVED – T H A T the minutes of the meeting held on 12th March, 2020 be approved as a correct record, however during the discussion it was noted that at the last meeting Councillor B.T. Gray had been present for the meeting, but having regard to the Council's Constitution which required that at least half the Members present were Independent Members, Councillor Gray had withdrawn from the meeting in order for the Committee to comply with the Constitution. It was subsequently

RESOLVED – T H A T the minutes be approved and a footnote be added to the Standards Committee minutes of 12th March, 2020 to clarify that Councillor Gray had been in attendance but had withdrawn from the meeting to allow the Committee to comply with its terms of reference.

Reason for decision

To approve the minutes and to clarify that Councillor B.T. Gray was present at the start of the meeting but left having regard to the requirements of the Committees terms of reference as detailed within the Council's Constitution.

772 DECLARATIONS OF INTEREST –

No declarations were received.

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773 APPLICATION FOR DISPENSATION (MO / HLDS) –

The Committee was informed that an application for dispensation had been received from Councillor J.C. Bird to vote on and take part in any debate on a planning application for St. Nicholas School. As the Chairman of the Planning Committee, which would take the decision on the application, Councillor Bird wished to be able to represent all residents' views about the proposal with a mind to ensure that a fit for purpose school was built in the village of St. Nicholas for the children of the Vale of Glamorgan.

Councillor Bird was present at the meeting to present his application and advised that he did not think he had a personal or prejudicial interest. However, as he had been involved in looking for alternative sites for the school over the past years, he had considered that some may consider that he had a predisposed position on the application. However, he stated to the Committee that he did not and had presented the application for consideration by the Standards Committee in the interests of transparency.

The Chairman queried whether Councillor Bird had any financial interest in the land, to which he responded that he had no financial interests whatsoever.

Following a further query from a Member as to whether the Committee should be considering dispensations where there was no interest identified. The Chairman took the opportunity to commend Councillor Bird for erring on the side of caution. In noting Councillor Bird's comments that he did not consider he had a personal or prejudicial interest it was the Committee's view that although they would be minded to grant the application there was no requirement to do so and having considered the application it was subsequently

RESOLVED – T H A T there was no personal or prejudicial interest involved that required the granting of a dispensation however, it be noted that the Committee would have been minded to grant such a dispensation, if required to do so.

Reason for decision

Having regard to the fact that there was no personal or prejudicial interest outlined within the application and advised at the meeting by the Councillor.

774 FORWARD WORK PROGRAMME 2020/21 (MO / HLDS) –

The report provided the Committee with a suggested Forward Work Programme for the Municipal Year 2020/21 which was attached at Appendix 1 to the report for the Committee's consideration.

The Monitoring Officer, in presenting the report, advised Committee that the Local Government and Elections (Wales) Bill was taking its passage through the Senedd,

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and suggested that a detailed update on the Bill be added to the work programme for submission to Committee on 28th January, 2021.

In noting the dates of future meetings of the Committee the Chairman suggested that in view of the current meeting being only a few weeks away from the next meeting that the 1st October meeting be deleted and that the next meeting of the Committee takes place on 26th November 2020.

The Chairman also took the opportunity to refer to the outstanding Standards Committee hearing of a complaint that had been investigated by the Ombudsman that had been put on hold as a result of the COVID pandemic. The Chairman requested that the hearing be arranged to take place, as soon possible prior to the Committee meeting in November with the Members taking part as agreed at the March meeting.

The Monitoring Officer drew attention to the fact that the Vale Council would be holding its AGM on the 14th September and reminded all present that the meeting of the Standards Committee following an AGM required that the appointment of the Chairman and Vice-Chairman of the Committee be placed on the agenda, as the hearing is technically a meeting of the Committee but limited numbers would be in attendance, that at the hearing a Chairman and Vice-Chairman would be appointed for the Meeting only, and the Chairman and Vice-Chairman for the remainder of the Municipal Year would be appointed at the November Standards Committee Meeting.

It was subsequently

RESOLVED –

(1) T H A T the Standards Committee Forward Work Programme attached at Appendix 1 be approved subject to the deletion of the 1st October 2020 meeting, the additions of the appointment of the Chairman and Vice-Chairman of the Committee on 26th November 2020 and an update report on the Local Government Elections (Wales) Bill on 28th January 2021.

(2) T H A T the Standards Committee Hearing of the Ombudsman investigation takes place asap prior to the next meeting of the Committee in November 2020.

Reasons for decisions

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

(2) To expedite the matter.

775 REPORT FOLLOWING OBSERVATIONS OF TOWN AND COMMUNITY COUNCIL COMMITTEE MEETINGS (MO / HLDS) –

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. To assist in this process the Standards Committee had agreed that the Independent Members of the Standards Committee undertake observations of Vale of Glamorgan Council meetings and Town and Community Council meetings. A copy of the Vale of Glamorgan Council's calendar of meetings was attached at Appendix 1 to the report with the Democratic Services Officer advising that a calendar of meetings for Town and Community Councils had been prepared having been recently updated with the current information, which would be forwarded to the independent Standards Committee Members for their consideration. In view of the current pandemic, it was acknowledged that all observations going forward would be undertaken virtually.

Following a query as to how many meetings should be observed the Monitoring Officer suggested that each Independent Member observe at least one meeting of the Vale of Glamorgan Council and one meeting of a Town and Community Council over the next few months. Members were advised to inform the Democratic Services Officer of the meetings they intended observing in order that any clashes of attendance could be avoided and that the necessary virtual meeting invitations could be obtained.

It was subsequently

RESOLVED –

- (1) T H A T the intention to continue to undertake observations of Town and Community Council and Vale of Glamorgan Council meetings be noted.
- (2) T H A T Independent Members of the Standards Committee advise the Democratic Services Officer of their intentions to undertake observations of Vale of Glamorgan and Town and Community Councils' meetings with one meeting each being undertaken by each Member.

Reasons for decisions

- (1) Having regard to the observations undertaken in the role of the Standards Committee.
- (2) In order that the Standards Committee can undertake observations at an appropriate and time having regard to the virtual platforms being used during the Covid 19 pandemic.

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776 AUDIT BRIEF – MEMBERS’ CODE OF CONDUCT (MO / HLDS) –

The Monitoring Officer apprised the Committee of the Vale of Glamorgan Council’s Internal Audit of the Members’ Code of Conduct and its initial outline brief which was attached at Appendix 1 to the report. The report also referred to the Elected Member Code of Conduct Questionnaire, attached at Appendix 2, that was being forwarded to all Members of the Council to gauge Members’ awareness.

It was

RESOLVED –

(1) T H A T the contents of the outline brief at Appendix 1 and the questionnaire at Appendix 2 be noted.

(2) T H A T an update report be presented to the Standards Committee following the audit and added to the Committees work programme.

Reasons for decisions

(1) Having regard to the outline brief of the Internal Audit.

(2) To apprise Members having regard to the Standards Committee role in promoting and maintaining high standards of conduct.

777 ADJUDICATION PANEL FOR WALES ANNUAL REPORT 2018-19 (MO / HLDS) –

The purpose of the report was to apprise Standards Committee Members of the Adjudication Panel for Wales’ Annual Report 2018-19 which was attached at Appendix 1 to the report and which detailed the progress and performance for 2018-19.

It was noted that section 2 at pages 8 – 11 provided details of the performance and progress from 2014 to 2019 and detailed the number of references and appeals that had been received each year.

Having considered the contents of the Adjudication Panel for Wales’ Annual Report, it was subsequently

RESOLVED – T H A T the report be noted.

Reason for decision

For Members’ information.

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

In line with the Committee's Forward Work Programme, it had been agreed that a standing item appear on the Committee's agenda in order that the Committee could be apprised of correspondence with the Ombudsman and any matters arising. Due to the confidential nature of such matters, the Monitoring Office would be providing an update to the Committee under Part II of the agenda.

It was subsequently

RESOLVED – T H A T the report be noted having regard to the fact that the Monitoring Officer would provide an update in respect of the confidential matters under Part II of the agenda.

Reason for decision

In light of the confidential nature of the correspondence.

779 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.

780 CORRESPONDENCE WITH THE PUBLIC SERVICES OMBUDSMAN FOR WALES (MO/HLDS) (EXEMPT INFORMATION – PARAGRAPHS 12, 13 AND 18C) –

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 would be able to apprise Standards Committee Members of correspondence received from the Public Services Ombudsman for Wales (the Ombudsman) on any matters arising. The item was confidential in nature in line with the Ombudsman's procedure.

The Monitoring Officer / Head of Legal and Democratic Services therefore provided the Committee with a verbal update in respect of recent confidential correspondence with the Ombudsman in line with the above. There being no questions in relation to the information, it was

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

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Reason for decision

To apprise Members noting that the matters were confidential at this stage.