



City and County of Swansea

Notice of Meeting

You are invited to attend a Special Meeting of the

Standards Committee

At: Remotely via Microsoft Teams

On: Thursday, 18 February 2021

Time: 2.00 pm

Chair: Jill Burgess

Membership:

Councillors: J A Hale, M B Lewis and L G Thomas

Co-opted Members: Gareth Evans, Michaela Jones, Mike Lewis and Margaret Williams

Community Council Representative: Philip Crayford

Watch Online: <http://bit.ly/3jTbAZ>

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Next Meeting: Friday, 19 March 2021 at 10.00 am

A handwritten signature in black ink that reads 'Huw Evans'.

Huw Evans
Head of Democratic Services
Thursday, 11 February 2021

Contact: Democratic Services: - 01792 636923

Councillors

Councillors Labour: 2

Joe A Hale	Mike B Lewis
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Councillors Liberal Democrat & Independent Group 1

L Graham Thomas	
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Independent Members

Name	Term of Office	Name	Term of Office
Jill Burgess *	19.10.2012 to 18.10.2018 Re-appointed to 18.10.2022	Michaela Jones	01.10.2017 to 30.09.2023
Philip Crayford *	05.10.2012 to 04.05.2017 Re-appointed until next Local Government Elections	Mike Lewis	01.10.2017 to 30.09.2023
Gareth Evans	01.04.2015 to 31.03.2021	Margaret Williams	01.04.2015 to 31.03.2021

NOTE:

1. * Denotes that the **period of office cannot be extended further**.
2. The **term of office for Independent Members** can be for not less than 4 nor more than 6 years. They can be reappointed for one further consecutive term but that term cannot be for more than 4 years.
3. **Members of the Local Authority/Community Town Councillors** who are members of the Standards Committee will have a term of office of no more than 4 years or ending at the next ordinary local government election following their election, whichever is the shorter.
4. The Standards Committee **shall not sit if the Independent Members are outnumbered by Councillors**. A Councillor shall remove him/herself from the meeting in order for the business to be transacted.
5. Only one Executive Member (except Leader) can sit on Standards Committee.

Agenda Item 3



Report of the Monitoring Officer

Standards Committee – 18 February 2021

Standards Committee – Hearings Procedure

Purpose:	To approve arrangements to hear and determine any referrals from the Public Service Ombudsman for Wales (PSOW) in relation to a complaint about breach of the Code of Conduct by a Member.
Policy Framework:	Local Government Act 2000 Local Government Investigations (Functions of Monitoring Officer and Standards Committee) (Wales) Regs 2001
Recommendation:	It is recommended that: 1) Standards Committee approves the Hearing Procedure attached at Appendix 1.
Report Author:	Tracey Meredith
Finance Officer:	Ben Smith
Legal Officer:	Tracey Meredith
Access to Services Officer:	Rhian Millar

1. Background

- 1.1 The Public Service Ombudsman for Wales (PSOW) may investigate any alleged breach of the Code of Conduct by a member or co-opted member under s 69 Local Government Act 2000 (the Act).
- 1.2 The PSOW has wide discretion as to whether to begin or continue an investigation based on a 2 stage test. The authority to make a determination of a breach rests solely with the Standards Committee or Adjudication Panel of Wales (for more serious complaints).
- 1.3 The Terms of Reference of the Standards Committee are set out in the Constitution and includes “consideration of allegations of breaches of the Code of Conduct against members.”

- 1.4 Section 70(4) of the Act provides that where the PSOW ceases an investigation before it is completed, he/she may refer the matter, the subject of the investigation, to the Monitoring Officer.
- 1.5 Section 71(2) of the Act provides that where the PSOW decides after investigating that it is appropriate, he/she will produce a report on the outcome of the investigation and send it to the Monitoring Officer. The Monitoring Officer will then consider the report and make recommendation to the Standards Committee.

2. Standards Committee

- 2.1 The powers and duties of the Monitoring Officer and the Standards Committee and the procedure to be followed in dealing with a referral from the PSOW are set out in the Local Government Investigations (Functions of Monitoring Officers and Standards Committee)(Wales) Regulations 2001.
- 2.2 Upon receipt of any investigation report under section 70(4) or s 71(2) of the Act the Standards Committee will make an initial determination either that:
 - (a) there is no evidence of a failure to comply with the Code of Conduct;
 - or
 - (b) the member should be given the opportunity to make representations either orally or in writing.
- 2.3 Where the member is given the opportunity to make representations the Standards Committee will convene a Hearing where it will determine either that:
 - (a) there is no evidence of any failure to comply with the Code of Conduct and that therefore no action needs to be taken;
 - (b) the member has failed to comply with the Code of Conduct but that no action needs to be taken in respect of the breach;
 - (c) the member has failed to comply with the Code of Conduct and should be censured;
 - (d) the member has failed to comply with the Code of Conduct and should be suspended or partially suspended from being a member or co-opted member of his/her authority for a period not exceeding six months.
- 2.4 After making its decision the Standards Committee is required to give notice of its determination to the member subject to the investigation, any person who made any allegation giving rise to the investigation and to the PSOW, giving reasons for the determination.
- 2.5 Where the Standards Committee determines that the member is in breach of the Code of Conduct the member may appeal the decision to the Adjudication Panel for Wales by giving 21 days notice in writing from

the date of receipt of the decision. The Adjudication Panel for Wales may either uphold the Committee's decision, recommend a different sanction to the Committee for reconsideration or overturn the Committee's decision.

3. Procedure at Hearing

- 3.1 In 2011 a Standards sub-committee was established to consider and determine a PSOW Investigation Report. That sub-committee comprised 2 lay members and 2 councillors.
- 3.2 The Monitoring Officer cannot locate a copy of the procedure that was adopted on that occasion. In any event it is the Monitoring Officer's view that consideration should be given to identifying a procedure which is up to date and fit for purpose and includes updated guidance from both the PSOW and the Adjudication Panel Wales.
- 3.3 Whilst the above Regulations make certain provisions for the procedure to be followed it is for the Standard Committee to determine how it exercises its functions under the Regulations. Of paramount importance is to ensure not only compliance with the Regulations but also the principle of natural justice to ensure that the hearing is fair and allows an adequate opportunity for each party to present their case.
- 3.4 Attached at appendix 1 is a draft Procedure for Hearing which the Committee is asked to consider and approve.

4. Legal Implications

- 4.1 The legal implications have already been set out in the body of the report.

5. Financial Implications

- 5.1 There are no financial implications associated with this report.

6. Equality and Engagement Implications

- 6.1 There are no equality and engagement implications associated with this report.

Background papers: EIA Screening Form

Appendices: Appendix 1 – Draft Procedure for Hearing

CITY AND COUNTY OF SWANSEA

DRAFT STANDARDS COMMITTEE HEARING PROCEDURE

FOR CODE OF CONDUCT REFERRALS

There is a requirement to set out the procedure for the Standards Committee to follow where it is required to make a decision as to the conduct of a councillor, town/community councillor or co-opted member following a referral by the Public Service Ombudsman for Wales.

1. Background

- 1.1 The Standards Committee (the Committee) may be required to determine a complaint referred to the Committee by the Public Service Ombudsman for Wales (PSOW) under Part 3 Local Government Act 2000 (the Act). This may arise as the result of either:
 - (a) The PSOW ceasing an investigation and referring the matter to the Monitoring Officer under section 70(4) of the Act. The Monitoring Officer must then investigate the matter and report the conclusion of his/her investigation to the Committee.
 - (b) The PSOW undertaking an investigation and then referring the matters which are the subject of the investigation to the Monitoring Officer under section 71(2) of the Act for reporting to the Standards Committee.
- 1.2 The following procedure has been agreed by the Standards Committee to comply with the legislative requirements and laws of natural justice.

2. Initial Determination

- 2.1 Upon receipt of a report from either the Monitoring Officer or the PSOW, together with any recommendations of the Monitoring Officer, the Standards Committee must meet and make an initial determination that either:
 - (a) There is no evidence of any failure to comply with the Code of Conduct; or
 - (b) Any person who is the subject of the investigation should be given the opportunity to make representations, either orally or in writing, in respect of the findings of the investigation to the Committee.
- 2.2 If the Committee makes a determination under paragraph 2.1(b) above, the Committee will request arrangements to be made for a Committee Hearing in accordance with the rules set out below.

3. Arrangements prior to Hearing

- 3.1 The Investigating Officer shall provide a written report as to the results of their investigation and include copies of all relevant evidence relied upon. A copy of the Investigation Report will be sent to the Committee and to the Councillor concerned.
- 3.2 Having made an initial determination the Committee will write to the Councillor to notify him/her of the Committee's decision. If the Committee determine that there is no evidence of a failure to comply with the Code that will be referred back to the Councillor and the Investigating Officer.
- 3.3 In the event that the Committee determine that a Hearing is required the Committee will proceed to the second stage which will either involve a hearing of the case at a further

meeting or, by agreement with all parties, proceed by way of written representations to be considered by the Committee.

3.4 The Committee will write to the Councillor setting out further steps. This will include a summary of the possible sanctions open to the Committee and inviting a written response to the following:

(a) clarification as to whether the Councillor wishes to make written representations or proceed by way of an oral Hearing;

(b) clarification as to whether the Councillor will be represented and if so, by whom;

(c) details as to which areas of the Investigation Report are disputed and not disputed and if possible with brief reasons;

(d) details of any witnesses which the Councillor proposes to call at the Committee Hearing;

(e) details of any written evidence upon which the Councillor proposes to rely including any documentation listed within the unused material schedule served by the PSOW;

(f) an indication as to whether the Councillor intends to make representations to the Committee as to whether members of the public should be excluded from the Committee Hearing and grounds for doing so;

(g) any dates of unavailability to attend a Committee Hearing to include unavailability dates of witnesses and legal representation;

(h) any other information that the Committee feels appropriate at this stage.

3.5 The Committee will also write to the Investigating Officer requesting:

(a) that the Investigating Officer attend the Committee Hearing to present the Investigation Report or to ask if the Investigating Officer wishes to attend the Committee Hearing for this purpose;

(b) clarification as to whether the Investigating Officer will be represented and if so, by who;

(c) any dates of unavailability to attend a Hearing to include unavailability dates of any witnesses and legal representation;

(d) any other information that the Committee feels appropriate at this stage.

3.6 Following the receipt of both the Councillor's and the Investigating Officer's response a date, time and location for the Hearing will be confirmed and all parties notified at least 21 days prior to the hearing.

4. The Monitoring Officer

4.1 The Committee Hearing will have the support of legal and democratic service assistance and advice. Legal advice will be provided by either the Monitoring Officer, the Deputy Monitoring Officer or another Legal officer.

4.2 In the event that the Monitoring Officer has investigated a complaint then he/she will attend the Committee Hearing in that capacity and will not be the legal advisor to the Committee hearing. In such cases, the Deputy Monitoring Officer or another legal officer will be present to advise the Committee Hearing.

5. Pre-Hearing review

- 5.1 Where the Committee considers that a pre-hearing review is necessary notice of at least 14 days will be given to the Councillor, who may attend with or without any representation. The pre-hearing review will be held in private session, unless the Committee directs otherwise.
- 5.2 The purpose of the pre-hearing review would be to consider any directions which may be required to facilitate a Hearing including evidence, location of Hearing, timings and narrowing of any issues.

6. Public Notice of Hearings

- 6.1 Notice of any Committee Hearing will be given in accordance with statutory requirements.

7. Public Access to Hearings

- 7.1 The Committee will consider whether the case should be considered in public or private in accordance with the relevant statutory rules and with legal advice from the legal officer.
- 7.2 The PSOW or the representative officer/s of the PSOW and the Monitoring Officer are entitled to attend the Hearing whether or not the Hearing is held in private.
- 7.3 The Committee may permit any other person to attend the Hearing which is held in private upon legal advice.
- 7.4 The Committee may exclude from a Hearing, or any part of it, any person whose conduct is disruptive or is likely to disrupt the Hearing in accordance with the Council Procedure Rules as set out in the Constitution of the City and County of Swansea.

8. Failure of a Party to attend a hearing

- 8.1 If a Councillor fails to attend or be represented at a Hearing of which he/she has been notified, the Committee may:
 - (a) determine the matter in the Councillor's absence unless it is satisfied that there is good reason for the absence; or
 - (b) adjourn the hearing.
- 8.2 Before deciding to determine a matter in the absence of the Councillor, the Committee will take legal advice and consider any written representations submitted by the Councillor or his/her representative in response to the notice of Hearing.

9. Procedure at the Hearing

- 9.1 Where requested the Hearing will be conducted in Welsh in order to comply with statutory requirements and Welsh Language Standards. A translation service will be provided for any person attending the Hearing that requires it.
- 9.2 Witnesses will not be allowed to sit in the public gallery prior to being called to give evidence by the Committee. A designated waiting area will be available to witnesses until they are called.

- 9.3 The Committee may limit the number of witnesses to be called by the Councillor, where considered this would not detract from a fair hearing. Examples may be where the Committee considers that there are too many character witnesses being called or where witnesses are simply repeating previous evidence given to the Hearing.
- 9.4 Where evidence is being given by way of written statement and the witness is not being called to give oral evidence, the Committee may at any stage during the proceedings require the attendance of any person making a written statement.

10. Stage 1 – Finding of Fact

- 10.1 The usual procedure to be followed is as set out below but the Committee is free to depart from the procedure where it considers it appropriate to do so.
- 10.2 At the commencement of the Hearing the Chair will introduce each of the Members of the Committee present and everyone else involved in the Hearing. The Chair will also explain the order of proceedings that the Committee proposes to adopt and obtain confirmation from everybody taking part in the Hearing that they understand the procedure. The procedure to be followed is at the discretion of the Committee which will aim to conduct the Hearing in such manner as it considers most appropriate and suitable to be able to clarify all issues before it and to ensure a fair and just Hearing to take place. The Committee will, as far as possible, try to avoid formality in its proceedings.
- 10.3 After the Chair has explained the order of proceedings, the Committee will first seek to resolve any procedural issues or disputes arising from any direction which has been given.
- 10.4 The Committee should then move on to consider whether or not there are any significant disagreements as to the facts contained in the Investigating Officer's report.
- 10.5 If there are no disagreement as to the facts the Committee can move to the next stage of the Hearing.
- 10.6 If however there is disagreement as to the facts, the Investigating Officer, if present, will be invited to make any necessary representations to support the relevant findings of fact in the Report. Alternatively the Investigating Officer may simply chose to invite the Committee to consider all the evidence contained within the Investigation Report and not make any further comment. With the Committee's permission the Investigating Officer may call witness evidence in support. The Committee will allow the Councillor an opportunity to challenge or comment upon any evidence put forward by any witness called by the Investigating Officer.
- 10.7 The Councillor will then have the opportunity to make representations to support his/her version of the facts and with the Committee's permission may call witness evidence in support. At the conclusion of the Councillor's evidence the Councillor will be afforded an opportunity to sum up his or her case.
- 10.8 At any time, the Committee may questions any of the people who are involved or who are giving evidence. The Committee will also allow the Investigating Officer an opportunity to challenge or comment upon any evidence put forward by witnesses or the Councillor.
- 10.9 The Committee will then retire to consider their decision. Depending on the number of persons attending the hearing, the Committee will either retire to a separate room or ask the public to leave the room during deliberations.

10.10 Once a decision is reached the meeting will be re-convened and the Chair will announce the Committee's findings.

11. Stage 2 – Did the Councillor fail to follow the Code

11.1 Based on the facts as found the Committee will then consider whether the Councillor has breached the Code of Conduct. This stage does not provide the Councillor or the Investigating Officer an opportunity to re-examine the facts of the case.

11.2 The Councillor will be invited to make representations as to whether there has been a breach of the Code.

11.3 The Committee will then consider any verbal or written representations from the Investigating Officer.

11.4 The Councillor will be invited to make any final relevant representations.

11.5 The Committee will then retire to consider their decision as to whether the Councillor is in breach of the Code of Conduct.

11.6 Once a decision is reached the meeting will be re-convened and the Chair will announce the Committee's findings.

12. Stage 3 – Breach of the Code/Consideration of Sanctions

12.1 In the event that the Committee determines that there has been a breach of the Code by the Councillor, the Committee will then consider any written or verbal representations from the Investigating Officer and the Councillor as to whether or not the Committee should impose a sanction and if so, what form any sanction should take. The Councillor will be afforded an opportunity at this stage to rely on either written or oral evidence as to character/mitigating factors that the Committee should take into account before making a decision on sanction.

12.2 The Committee may question the Investigating Officer and/or the Councillor and, if appropriate, take legal advice in order to make an informed decision as to any sanction.

12.3 The Committee will then retire to consider their decision as to whether to impose a sanction and if so, the nature of the sanction.

12.4 Once a decision is reached the meeting will be re-convened and the Chair will announce the Committee's decision.

13. Written Decision

13.1 The Committee will announce its decision on the day and provide a short written decision on the day. A full written decision, with reasons supporting the decision, will be issued within 10 working days of the end of the hearing and notified to the PSOW, the Councillor and the person who made the original allegation (if known).

14. Appeals

14.1 Where the Committee decides that a person has failed to comply with the Code of Conduct that person may appeal to the Adjudication Panel for Wales as per the Local Government Investigations (Functions of Monitoring Officers and Standards Committees)(Wales) Regulations 2001 (as amended).

Agenda Item 4



Report of the Chief Legal Officer

Special Standards Committee –18 February 2021

Exclusion of the Public

Purpose:	To consider whether the Public should be excluded from the following items of business.				
Policy Framework:	None.				
Consultation:	Legal.				
Recommendation(s):	It is recommended that:				
1)	The public be excluded from the meeting during consideration of the following item(s) of business on the grounds that it / they involve(s) the likely disclosure of exempt information as set out in the Paragraphs listed below of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007 subject to the Public Interest Test (where appropriate) being applied.				
	<table border="1"><thead><tr><th>Item No.</th><th>Relevant Paragraphs in Schedule 12A</th></tr></thead><tbody><tr><td>5 & 6</td><td>12, 13</td></tr></tbody></table>	Item No.	Relevant Paragraphs in Schedule 12A	5 & 6	12, 13
Item No.	Relevant Paragraphs in Schedule 12A				
5 & 6	12, 13				
Report Author:	Democratic Services				
Finance Officer:	Not Applicable				
Legal Officer:	Tracey Meredith – Chief Legal Officer (Monitoring Officer)				

1. Introduction

- 1.1 Section 100A (4) of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007, allows a Principal Council to pass a resolution excluding the public from a meeting during an item of business.
- 1.2 Such a resolution is dependent on whether it is likely, in view of the nature of the business to be transacted or the nature of the proceedings that if members of the public were present during that item there would be disclosure to them of exempt information, as defined in section 100I of the Local Government Act 1972.

2. Exclusion of the Public / Public Interest Test

- 2.1 In order to comply with the above mentioned legislation, Cabinet will be requested to exclude the public from the meeting during consideration of the item(s) of business identified in the recommendation(s) to the report on the grounds that it / they involve(s) the likely disclosure of exempt information as set out in the Exclusion Paragraphs of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007.
- 2.2 Information which falls within paragraphs 12 to 15, 17 and 18 of Schedule 12A of the Local Government Act 1972 as amended is exempt information if and so long as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
- 2.3 The specific Exclusion Paragraphs and the Public Interest Tests to be applied are listed in **Appendix A**.
- 2.4 Where paragraph 16 of the Schedule 12A applies there is no public interest test. Councillors are able to consider whether they wish to waive their legal privilege in the information, however, given that this may place the Council in a position of risk, it is not something that should be done as a matter of routine.

3. Financial Implications

- 3.1 There are no financial implications associated with this report.

4. Legal Implications

- 4.1 The legislative provisions are set out in the report.
- 4.2 Councillors must consider with regard to each item of business set out in paragraph 2 of this report the following matters:
 - 4.2.1 Whether in relation to that item of business the information is capable of being exempt information, because it falls into one of the paragraphs set out in Schedule 12A of the Local Government Act 1972 as amended and reproduced in Appendix A to this report.
 - 4.2.2 If the information does fall within one or more of paragraphs 12 to 15, 17 and 18 of Schedule 12A of the Local Government Act 1972 as amended, the public interest test as set out in paragraph 2.2 of this report.
 - 4.2.3 If the information falls within paragraph 16 of Schedule 12A of the Local Government Act 1972 in considering whether to exclude the public members are not required to apply the public interest test but must consider whether they wish to waive their privilege in relation to that item for any reason.

Background Papers: None.

Appendices: Appendix A – Public Interest Test.

Public Interest Test

No.	Relevant Paragraphs in Schedule 12A
12	Information relating to a particular individual.
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 12 should apply. Their view on the public interest test was that to make this information public would disclose personal data relating to an individual in contravention of the principles of the Data Protection Act. Because of this and since there did not appear to be an overwhelming public interest in requiring the disclosure of personal data they felt that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider this factor when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.</p>
13	Information which is likely to reveal the identity of an individual.
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 13 should apply. Their view on the public interest test was that the individual involved was entitled to privacy and that there was no overriding public interest which required the disclosure of the individual's identity. On that basis they felt that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider this factor when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.</p>
14	Information relating to the financial or business affairs of any particular person (including the authority holding that information).
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 14 should apply. Their view on the public interest test was that:</p> <ul style="list-style-type: none"> a) Whilst they were mindful of the need to ensure the transparency and accountability of public authority for decisions taken by them in relation to the spending of public money, the right of a third party to the privacy of their financial / business affairs outweighed the need for that information to be made public; or b) Disclosure of the information would give an unfair advantage to tenderers for commercial contracts. <p>This information is not affected by any other statutory provision which requires the information to be publicly registered.</p> <p>On that basis they felt that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider this factor when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.</p>

No.	Relevant Paragraphs in Schedule 12A
15	<p>Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.</p>
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 15 should apply. Their view on the public interest test was that whilst they are mindful of the need to ensure that transparency and accountability of public authority for decisions taken by them they were satisfied that in this case disclosure of the information would prejudice the discussion in relation to labour relations to the disadvantage of the authority and inhabitants of its area. On that basis they felt that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider this factor when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.</p>
16	<p>Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.</p>
	<p>No public interest test.</p>
17	<p>Information which reveals that the authority proposes: (a) To give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) To make an order or direction under any enactment.</p>
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 17 should apply. Their view on the public interest test was that the authority's statutory powers could be rendered ineffective or less effective were there to be advanced knowledge of its intention/the proper exercise of the Council's statutory power could be prejudiced by the public discussion or speculation on the matter to the detriment of the authority and the inhabitants of its area. On that basis they felt that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider this factor when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.</p>
18	<p>Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime</p>
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 18 should apply. Their view on the public interest test was that the authority's statutory powers could be rendered ineffective or less effective were there to be advanced knowledge of its intention/the proper exercise of the Council's statutory power could be prejudiced by public discussion or speculation on the matter to the detriment of the authority and the inhabitants of its area. On that basis they felt that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider this factor when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.</p>

Agenda Item 5

By virtue of paragraph(s) 12, 13 of Schedule 12A
of the Local Government Act 1972
as amended by the Local Government (Access to
Information) (Variation) (Wales) Order 2007.

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Agenda Item 6

By virtue of paragraph(s) 12, 13 of Schedule 12A
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as amended by the Local Government (Access to
Information) (Variation) (Wales) Order 2007.

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