



City and County of Swansea

Minutes of the **Standards Committee**

Committee Room 3A, Guildhall, Swansea

Friday, 13 October 2017 at 9.35 am

Present: Jill Burgess (Chair) Presided

Councillor(s)

J A Hale

Councillor(s)

Councillor(s)

Independent Member(s)

Philip Crayford
Gareth Evans

Independent Member(s)

Michaela Jones
Mike Lewis

Independent Member(s)

Margaret Williams

Officer(s)

Huw Evans
Allison Lowe
Tracey Meredith

Head of Democratic Services
Democratic Services Officer
Head of Legal, Democratic Services and Business
Intelligence and Monitoring Officer

Apologies for Absence

Councillor(s): M B Lewis and L G Thomas

11 Welcome and Introductions.

The Chair commenced the meeting by welcoming Michaela Jones and Mike Lewis, the 2 new Independent Members to the Committee and introductions were made by all present.

12 Disclosures of Personal and Prejudicial Interests.

In accordance with the Code of Conduct adopted by the City & County of Swansea, the following interest was declared:

- 1) Councillor J A Hale declared a personal interest in Minute 13 "Minutes" as his application for dispensation had been considered at the last meeting held on 7 July 2017.

13 Minutes.

Resolved that the Minutes of the Standards Committee held on 7 July 2017 be signed and approved as a correct record.

14 Standards Committee Annual Report 2016-2017.

The Head of Democratic Services presented a report which outlined the work of the Standards Committee during the 2016-2017 Municipal Year.

The Chair would present the report to Council at its meeting scheduled for 26 October 2017.

Resolved that the Standards Committee Annual Report 2016-2017 be approved and forwarded to Council for information subject to paragraph 10.1 being amended.

15 Public Services Ombudsman for Wales Annual Report for 2016/2017.

The Monitoring Officer provided a 'for information' report to the Standards Committee on the Annual Report of the Public Services Ombudsman (PSOW) for Wales 2016/17.

The Committee noted that the PSOW had found the number of code of conduct complaints decreasing by 14% encouraging, however the Committee would monitor the figures for Swansea over the next few years to ensure that an upward trend did not arise.

The Committee also queried the number of withdrawn cases in relation to Mumbles Community Council as the number seemed unusually high. They also felt that in order to improve the standards of Councillors it would be useful to have more information in relation to the nature of the complaints made.

Resolved that:

- 1) The report be noted;
- 2) The Monitoring Officer liaise with the PSOW to confirm how much detail in relation to complaints can be provided to the Standards Committee.

16 Code of Conduct Casebook.

The Monitoring Officer provided a 'for information' report to update the Standards Committee on the Ombudsman's Code of Conduct Casebook.

The Casebook referred to covered the period March to July 2017 - Issue 13 July 2017.

She outlined the case summaries on pages 134 & 135 of the agenda pack where there had been no evidence of a breach and the cases on pages 136-137 where no action was deemed necessary.

The Committee felt that in relation to cases 2 and 3 Powys County Council and Saltney Town Council that these cases should have been referred back to the Standards Committee as they had originally considered applications for

dispensations in relation to the Councillors concerned. The Committee asked the Monitoring Officer if she would write to the PSOW to express its concerns.

Resolved that:

- 1) The report be noted;
- 2) The Monitoring Officer write to the PSOW to outline the concerns raised by the Standards Committee.

17 Breach of Code of Conduct - Complaints made to the Public Services Ombudsman for Wales (PSOW).

The Monitoring Officer provided a list of complaints made to the Public Services Ombudsman for Wales (PSOW) in relation to alleged breaches of the Code of Conduct.

The Committee felt that they would welcome further Information as to the nature of the complaints being received.

Resolved that the report be noted.

18 Workplan 2017-2018

The Monitoring Officer and Head of Democratic Services outlined the following additional items to the Work Plan:

- Meetings with Political Group Leaders, Chairs of Committees, Backbench Councillors & Clerks / Chairs of Community / Town Councils;
- Update on Community / Town Councils who have adopted the Local Dispute Protocol;
- Any Consultation documents relating to the powers of the PSOW in connection with code of conduct matters.

19 Exclusion of the Public.

The Committee was requested to exclude the public from the meeting during the consideration of the item(s) of business identified in the recommendation to the report on the grounds that it involved the likely disclosure of exempt information as set out in the exemption paragraph of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007, relevant to the item(s) of business set out in the report.

The Committee considered the Public Interest Test in deciding whether to exclude the public from the meeting for the item(s) of business where the Public Interest Test was relevant as set out in the report.

Resolved that the public be excluded for the following items of business.

(Closed Session)

20 Requests for Dispensation.

The Monitoring Officer provided a report to consider an application for dispensation in relation to the following Councillor:

- i) S J Gallagher

In considering the granting of dispensations, the Committee need to balance the public interest in preventing members with prejudicial interests from taking part in decisions, against the public interest in decisions being taken by a representative group of members of the Authority.

A failure to grant a dispensation which results in an authority or committee not achieving a quorum, can constitute grounds for granting a dispensation.

- i) **Resolved** that that the Standards Committee grant Councillor S J Gallagher dispensation under paragraphs 2 (d) and (Grant of Dispensations) (Wales) Regulations 2001 (as amended), as follows:

To stay, speak and vote and make oral and written representations in respect of issues involving Education matters.

The dispensation shall **not** apply if the Councillor is or becomes aware of any impact on a closely associated person (within the meaning of paragraph 10 (2) (c) of the Code of Conduct) that relates to and is specific to his son.

The meeting ended at 10.43 am

Chair