

CYNGOR SIR POWYS COUNTY COUNCIL.

Standards Committee
3rd July 2013**REPORT BY:** Solicitor to the Council**SUBJECT:** Matters appertaining to Standards Issues

REPORT FOR: Decision, Information and Discussion

A. General Standards Issues for County Councillors and Co-opted Members**A1 Code of Conduct Training**

All County Councillors and Co-opted Members have received Code of Conduct training.

A2 Member Development

To receive an oral update on Member Development from the Interim Head of Democratic Services.

B. Referral of Councillors to Public Services Ombudsman**B1. County Councillor Referrals****B1.1** Since the last meeting the Ombudsman has advised that:

5/12/CC – decided that there was no evidence that the Member had failed to comply with the Code of Conduct.

1/13/CC – deciding whether or not to investigate

4/13/CC – a new complaint where the Ombudsman decided that the matter did not amount to a breach of the Code of Conduct and therefore he would not investigate the matter further.

B1.2 The Standards Committee held a hearing to determine Ref 2/12/CC on 9th May 2013. The outcome of the Hearing was that the Councillor Gary Price was found to have breached the Members' Code of Conduct and was suspended as a Member for a period of one calendar month. The period of suspension is from 8th June to 7th July 2013.

C. Other Standards Issues**C1.1 Social Networking**

The WLGA provided training for Members on blogging and social networking on 19th April 2013. Unfortunately this clashed with the Standards Conference

which meant that Members of the Standards Committee would not have been able to attend.

C1.2 Local Government (Democracy) (Wales) Bill

To note that within the provisions of the Bill (Part 5), including

- i) Amendments regarding the publishing of Registers of Members' interests,
- ii) Enabling the Council to establish Joint Standards Committees with other authorities
- iii) Enabling a Standards Committee to refer a report or recommendation by its Monitoring Officer to another Standards Committee.

C1.3 Standards and Standards Community Sub-Committee

Prior to 2008 the Council had a Standards Committee with three Sub-Committees covering the three Shire areas which met on an ad-hoc basis to determine applications for dispensation. For the purposes of standardisation of decision-making it was agreed to change the makeup of the Sub-Committees to a single sub-committee for Town and Community Council matters which would consider applications for dispensation from across the county.

The issues which affect Town and Community Councillors are often similar to those which affect County Councillors. It is necessary to ensure that decisions are made which are not contradictory.

It has been custom and practice since 2008 for all Members of the Standards Committee and the Standards Community Sub-Committee to attend both meetings and indeed the Chair has welcomed comment from all Members at those meetings ensuring however when it comes to matters for decision that only those Members who are entitled to vote by virtue of being Members of the Committee/Sub-Committee to which the decision relates take part in the decision. In addition, only Members of the committee to which the matters relate will consider confidential items.

C1.4 Public Services Ombudsman for Wales – Annual Report 2012-13

The Annual Report of the Public Services Ombudsman for Wales 2012-13 has been published and is available from the web-site www.ombudsman-wales.org.uk. A number of hard copies of the report are available on request.

D Dispensations

D1. Applications - County Councillors

D1.1 No applications for dispensation have been received.

E Standards Conference

The Standards Conference was held in Llandudno on 19th April 2013, hosted by the North Wales Scrutiny Network.

Five Members of the Committee and two Officers attended the Conference and a verbal report on the Conference will be given by attendees.

F. Late payment of expenses

Claims for payment of expenses have been submitted by the following Member:

Councillor David Evans – a claim for mileage submitted on 16th May 2013 for February 2013.

Details will be provided at the meeting and the Member has been invited to attend.

G. Member Attendance

All Members had attendance of above 60% for the period 1st December 2012 to 15th May 2013 except for the following:

Councillor W Powell	56%
Councillor D Mayor	54%
Church Rep C Burgess	50% (attended 1 out of 2 meetings)
Councillor P Lewis	50%
Ian Rofe (Crime Rep)	50% (attended 1 out of 2 meetings)
Councillor Mrs E Jones	45%
G Jones (Officer Rep)	0% (attended 0 out of 1 meeting)
PGR Mrs A Roberts	0% (attended 0 out of 2 meetings)

The County Councillors listed above have been written to requesting reasons for their attendance levels except form Cllr Mrs Jones who it is known has had a period of illhealth.

H. Independent Remuneration Panel

On 24th April 2013 Powys County Council the following decision was made with regard to the number of meetings that Co-opted Members can be paid an attendance allowance to attend:

Payment to Co-opted Members

RESOLVED	Reason for Decision:
<i>(i) That the maximum number of days for which the Standards Committee Lay Members and Standards Sub-Committee Town and Community Council Representatives may be paid from the Council AGM 2013 be 10 days.</i>	<i>To set the maximum number of days for which co-opted members may be paid in any one year as required by the Independent Remuneration Panel for Wales' Report – December 2012.</i>

(ii) That the maximum number of days for which the Parent Governor and Church Representatives and the Audit Committee Lay Member may be paid from the Council AGM 2013 be 15 days.

(iii) That a further report be presented to the Democratic Services Committee to review the position following 6 months of operation of the new maximum days.

(iv) That the Council seeks clarification from the Independent Remuneration Panel for Wales regarding whether travelling times are included in the definition for a half day / full day meeting.

The Independent Remuneration Panel visited Powys on 1st May 2013 and met with the Chair of Standards, the Town and Community Council representative from Montgomeryshire and the Audit Committee Lay Member.

The outcome of the series of meetings held by the IRP and local authorities will inform the next report from the IRP.

I. Meeting Dates

I.1 To note dates of future meetings as follows:

4th September 2013

4th December 2013

All meetings to commence at 10.00am with the option of training available afterwards.

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