

CYNGOR SIR POWYS COUNTY COUNCIL.**Standards Community Sub- Committee
28th September, 2009****REPORT BY: Head of Legal, Scrutiny and Democratic Services****SUBJECT: Matters appertaining to Standards Issues**

REPORT FOR: Decision, Information and Discussion

A. Members' Code of Conduct**A1 Adoption of the new Model Members' Code of Conduct by Town and Community Councils**

A1.1 With regard to the monitoring of the adoption of the Code by Town and Community Councils the Chairman has spoken to the local Member of the 1 remaining Community Council still to finalise matters (Bettws Community Council) who in turn has taken it up with the Community Council in question. Despite promises the documentation is still outstanding and the local Member is raising the matter with this Community Council once again.

B. Referral of Councillors to Public Services Ombudsman**B1. Town and Community Councillor Referrals**

B1.1 The Ombudsman's investigation into allegations against three Members of one Community Council previously reported to the Sub-Committee has now been concluded and his report received. In relation to 2 of the Community Councillors the Ombudsman found under Section 69(4)(a) the Local Government Act 2000 that there was no evidence of failure to comply with the Code of Conduct for Members. In respect of the third Community Councillor the Ombudsman made a finding under Section 69(4)(b) of the Local Government Act 2000 that no further action needed to be taken in relation to the matter.

B1.2 At the last meeting it was reported that one new referral had been made to the Ombudsman who, at that stage, had yet to decide whether or not to investigate the complaint. Notification has now been received from the Ombudsman that the complaint had been withdrawn and that the Ombudsman would not be taking any further action.

B1.3 Since the last meeting one new referral has been made to the Ombudsman in respect of one Community Councillor concerning an allegation that the Councillor had threatened the complainant during a

discussion at the complainant's home concerning parking in the local area. The Ombudsman has decided not to investigate this complaint as the complainant had not provided any independent evidence to substantiate his complaint.

C. Other Standards Issues

C.1 Breaches of Confidentiality

C1.1 As agreed at the last Standards Committee the Chair has written to the Chairman of all Town and Community Councils regarding this matter and a copy is attached as **Appendix 1**.

C2. The National Assembly for Wales (Legislative Competence) (Local Government) Order 2009

C.2.1 This Order amends the Government of Wales Act 2006 and extends the legislative competence of the National Assembly for Wales to make laws known as "Measures". A range of topics is included in this Order. Quite a few relate to Community Councils. Of particular relevance is Matter 12.13 which is detailed as "schemes for the accreditation of quality in local government for communities".

C.2.2 The accompanying memorandum to the Order states that:-

"Matter 12.13 would provide a competence for the Assembly to put in place measures to raise the competence of Community Councils. There is currently no national programme to assess the competence of Community Councils in Wales, unlike in England which has the Quality Parish and Town Council Scheme, a national programme with standards set by stakeholders to the scheme".

D. Dispensations

D1. Applications - Town and Community Councillors

D1.1 Applications for dispensations have been received from:-

- (a) 7 Members of Llanbrynmair Community Council;
- (b) 6 Members of Guilsfield Community Council;
- (c) 1 Member of Llanidloes Community Council

and copies of their applications are attached as **Appendix 2** to this report.

E. Meeting Dates.

E1. To note dates of future meetings as follows:

30th November 2009.

2010 meeting dates.

3rd February, 2010.
28th April, 2010.
23rd June, 2010.
29th September, 2010.
1st December, 2010.

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

Recommendation:		Reason for Recommendation:	
Relevant Policy (ies):			
Within Policy:	Yes	Within Budget:	Yes

Contact Officer Name:	Tel:	Fax:	Email:
<i>Clarence Meredith, Head of Legal, Scrutiny & Democratic Services</i>	<i>01597 826395</i>	<i>01597 826220</i>	<u>Clarence@powys.gov.uk</u>

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