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Standards Committee
15th March 2017

MINUTES OF A MEETING OF THE STANDARDS COMMITTEE HELD AT COMMITTEE ROOM A - COUNTY HALL, LLANDRINDOD WELLS, POWYS ON WEDNESDAY, 15 MARCH 2017

PRESENT

Independent Member Mrs H Rhydderch-Roberts (Chair)

Independent Members: Mrs C Jackson, Mrs J Evans, Mr S Hays and Mrs S Jarman,
County Councillors K M Roberts-Jones and K S Silk

1.	MINUTES	S13-2017
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The Chair was authorised to sign the minutes of the meeting held on the 16th December 2016 subject to the following amendments:

PRESENT:

Independent (Lay) Member Mrs H Rhydderch-Roberts (Chair)

Independent (Lay) Members: Mrs C Jackson, Mrs S Evans, Mr S Hays and Mrs S Jarman

County Councillors: Mrs K Roberts-Jones, Mrs K Silk.

2.	APOLOGIES	S14-2017
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No apologies for absence were received.

3.	DECLARATIONS OF INTEREST	S15-2017
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A declaration of interest had been received from County Councillor P Medicott ahead of the meeting. Councillor Medicott is currently an Independent Member of the Council but has applied to be a candidate for the Welsh Conservative Party at the next local elections in May 2017. This is the same political group as the Member to which this meeting relates.

County Councillor G Williams who had attended the meeting on 16th December 2016 regarding this matter had, in the meantime, resigned as a Member of the Standards Committee.

4.	EXEMPT ITEMS	S16-2017
6.	EXEMPT ITEMS	S18-2017

The Committee considered the matter of whether the public should be excluded from the Hearing. The Public Services Ombudsman for Wales (PSOW) advised that whilst there is a presumption that such cases would be heard in public it was acknowledged that there was information within the transcripts that was of a personal nature and the transcripts also referred to a third party Councillor. The PSOW would not oppose any decision of the Committee to hold the Hearing in confidence.

RESOLVED that the press and public be excluded from the meeting under Section 100A(4) of the Local Government Act 1972 (as amended) for the next item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 13 of Part 4 of Schedule 12A of the Act.

RESOLVED that the press and public be excluded from the meeting under Section 100 (A) 4 of the Local Government Act 1972 (as amended) on the grounds that it involves information which is subject to any obligations of confidentiality and that it applies to the deliberations of a Standards Committee established under the provisions of Part 3 of the Local Government 2000 in reaching any finding on a matter referred to it as defined in paragraphs 18 (a) and 18 (c).

5.	CONSIDERATION OF REPRESENTATIONS AND FINAL DETERMINATION OF A REPORT PREPARED BY THE PUBLIC SERVICES OMBUDSMAN FOR WALES UNDER SECTION 71 (2) OF THE LOCAL GOVERNMENT ACT 2000 (REF 201504433)	S17-2017
7.	DELIBERATIONS	S19-2017

The Committee received a report by the Public Services Ombudsman for Wales (the Ombudsman) regarding a self-referral of a potential breach of the Code of Conduct for Members of Powys County Council made by County Councillor Gwynfor Thomas which had been referred to the Standards Committee by the Ombudsman under Section 71 (2) of the Local Government Act 2000 for determination.

County Councillor Thomas did not attend the Hearing and was not represented. The Standards Committee decided under regulation 8 (4) (a) of the Local Government Investigations (Functions of Monitoring Officer and Standards Committee) (Wales) Regulations 2001 to proceed in the absence of Councillor Thomas.

The Investigating Officer from the Ombudsman's office presented the report and was invited to make representations regarding the matter.

The Committee found that County Councillor Thomas' conduct amounted to a breach of paragraph 6 (1) (a) of the Code of Conduct (bringing your office or the authority into disrepute) by virtue of criminal proceedings against him in October 2015 under the Cattle Identification Wales (Regulations) 2007 (failing to maintain accurate cattle records), to which he pleaded guilty and received a criminal conviction.

The Committee were concerned that the serious nature of his conviction warranted a community service and that he had continued to be Chair of a Scrutiny Committee despite the investigation of him by the Department to which he was responsible for scrutinising. The Committee were also concerned that he had continued to deny the facts, despite this being a self-referral.

The Committee accepted the following mitigation in his favour (made on his behalf by both the Ombudsman and the Deputy Monitoring Officer in his absence) that there was no dishonesty or deception in his conviction (it was accepted that the charges did not relate to fraud), it was the first occasion that he had been referred to the Committee and he had co-operated with the Ombudsman and he had resigned from Chair of Place Committee (albeit in

response to the emergency notice of motion). Finally, the Committee were sympathetic to the information contained within the Ombudsman report in relation to previous health issues.

The Committee also recommended that Councillor Thomas undertake further training on Code of Conduct matters.

8.	DECISION	S20-2017
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The Committee accordingly decided to exercise its power under Paragraph 9 Local Government Investigations (Functions of Monitoring Officers and Standards Committees) (Wales) Regulations 2001, as amended, to suspend Councillor Gwynfor Thomas fully from being a County Councillor for a period of 4 weeks. The period of his suspension will commence on the day after the expiry of the time permitted to lodge a notice of appeal.

Mrs H Rhydderch-Roberts (Chair)

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