

MINUTES OF A MEETING OF THE STANDARDS COMMITTEE HELD AT COMMITTEE ROOM A - COUNTY HALL, LLANDRINDOD WELLS, POWYS ON FRIDAY, 26 MAY 2017

PRESENT:

Independent Member Mrs C Jackson (Chair)
Independent Members Mrs J Evans, Mr S Hays, Mrs S Jarman
County Councillor K Silk

1.	MINUTES
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The Chair was authorised to sign the minutes of the meetings held on the 16th August 2016 and 2nd November 2016 as a correct record.

2.	APOLOGIES
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No apologies for absence were received. It was noted that two newly appointed Members of the Standards Committee were unable to take part in this meeting as they had not been Members of the Standards Committee when the matter was originally heard on 2nd November 2016.

3.	DECLARATIONS OF INTEREST
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No declarations of interest were received. It was noted that Councillor K Roberts-Jones had not been invited to take part in this meeting as she had previously declared an interest in the matter before the meeting.

4.	LOCAL GOVERNMENT ACT 2000 - APPEAL AGAINST THE DECISION OF THE STANDARDS COMMITTEE
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The Report of the Deputy Monitoring Officer and enclosures were submitted.

The Chair noted that Councillor Price had been invited to attend the meeting on 26th May 2017 but had indicated that unfortunately he was unable to make that date. Members requested details of the correspondence between the Deputy Monitoring Officer and Councillor Price regarding the date of this meeting. The following correspondence was considered:

- Email dated 16.03.17, Email dated 30.03.17, Letter dated 27.03.17, Email dated 31.03.17, Email dated 11.05.17, Email dated 15.05.17, Email dated 16.05.17.

Further, as requested email dated 22.05.17 asking if he wished to make any written representations to place before the Committee on the 26th May 2017. No response was received.

The Committee referred to Section 18.4.14.3 of the Constitution which stated that on receipt of a referral back to the Standards Committee from the Adjudication Panel for Wales '*the Standards Committee shall meet as soon as reasonably practicable to consider the recommendation of the appeals tribunal and will determine whether or not it should uphold its original determination or accept the recommendation*'.

The Committee unanimously agreed to continue with the Hearing in the absence of Councillor Price on the grounds that Councillor Price had not indicated a reason for his being unable to attend or requested the meeting be held on a different date.

The Deputy Monitoring Officer presented her report. She explained that the purpose of this meeting was to consider the recommendation of the Adjudication Panel for Wales that the sanction for Councillor Price for breaching the Code of Conduct be reduced from the 5 months that had been determined by the Standards Committee on 2nd November 2016 to 3 months.

She advised that the findings of fact as set out in the APW report were now settled and could not be revisited and drew attention to the aggravating and mitigating factors outlined in pages 9 and 10 of the report.

Members asked if the Councillors Kath Roberts-Jones and Michael Williams had received a written apology as indicated by Councillor Gary Price during the APW Appeal Hearing. The Deputy Monitoring Officer advised that both Councillor Roberts-Jones and Williams had confirmed that they had received no written apology from Councillor Price as outlined in the APW report.

Members asked if there was a right of appeal after the determination to be made at this meeting. It was confirmed that there was a right of appeal to the High Court to seek judicial review which related solely to matters regarding process. Neither courses of action would stop the suspension from commencing on the 27th May 2017.

The Committee retired to consider the matter at 10.20.

The Deputy Monitoring Officer was asked to provide advice on the mitigating factors outlined in the APW report including, in relation to the letters of apology, what was meant by 'when the proceedings are concluded' (section 6.1 of the APW report).

The Committee returned at 11.40.

The Committee determined as follows:

- 1. To follow the recommendations of the APW decision report dated 17th March at paragraph 6.3.2 and suspend Councillor Price for a period of 3 months.**
- 2. The suspension to commence on 27th May 2017 and cease after 26th August 2017.**
- 3. At this stage in the proceedings there is no right of appeal against the decision of the Standards Committee except to the High Court by way of judicial review.**

- 4. The Standards Committee's reasons for endorsing the recommendation of the Tribunal includes those given in paragraph 6.3 of the APW decision report.**
- 5. Due to Councillor Prices' failure to attend or communicate with the Standards Committee during their proceedings on the 2nd November 2016 the Standards Committee had been unable to take into account the mitigation proffered to the APW in particular:**
 - a. That Councillor Price very much regretted the steps he had taken**
 - b. That there was some recognition by Councillor Price that his actions had caused upset and that the APW panel had noted his laudable intention to send a written apology to Councillor Williams and Councillor Roberts-Jones**
 - c. That Councillor Price had co-operated with the investigation and the APW proceedings**

The Standards Committee are of the opinion that the letters of apology are a key piece of mitigation and note Councillor Price's intention to send the letters of apology on the conclusion of these proceedings that being the meeting today.

The meeting closed at 11.55.

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