



## STANDARDS COMMITTEE

### MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, TREDOMEN ON TUESDAY, 8TH SEPTEMBER 2009 AT 2.00 PM

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#### PRESENT:

M.G. Warrender - Chairman  
K.C. Mock - Vice-Chairman

#### Councillors:

J.B. Criddle, Mrs A. Collins (substitute/observer)  
P.J. Bevan (for item 3), M.J. Prew (for item 3)

Messrs L.C. Davies, Mrs E.J. Rowlands (Independent Members)

#### Together with:

Head of Legal Services/Monitoring Officer (D. Perkins), Deputy Monitoring Officer (Mrs G. Williams), Scrutiny and Members Services Manager (J. Jones), Corporate Support Officer (Mrs S. Richards), Committee Services Officer (Mrs R. Thomas)

#### **APOLOGIES**

Apologies for absence were received from Councillor L.R. Rees and his substitute Councillor H.W. David, Messr. D.R.G. Parry and Community Councillor I.L. Racz

#### **1. DECLARATIONS OF INTEREST**

A declaration of interest was received at the start of the meeting by Mr K.C. Mock regarding St. Ilan School, Caerphilly. Details are minuted with the respective item.

#### **2. MINUTES**

The minutes of the meeting held on 21st January 2009 (minute nos. 1-10, on page nos. 1-3) be approved and signed as a correct record.

#### **3. GRANTS OF DISPENSATION**

##### **3.1 Former St. Ilan School, Caerphilly**

The Vice-Chairman, K.C. Mock, declared an interest in this item (as he lives near the site) and left the room when the report was being discussed.

Consideration was given to the report of the Monitoring Officer on applications for dispensation from Councillors P.J. Bevan, M. Newman and M.J. Prew, to enable them to speak and vote at any meetings of the authority on the future use of the site of the former St. Ilan School, Caerphilly.

A location plan was circulated at the meeting that identified the site and homes of the three Councillors in relation to each other. It was noted that Councillor P.J. Bevan was also the Cabinet Member for Education and Leisure, Councillors M. Newman and M.J. Prew were members of the Planning Committee and that Councillor M.J. Prew was also the Chairman of the Living Environment Scrutiny Committee.

The applications for dispensation had been made on various statutory grounds. A detailed discussion ensued particularly in relation to this.

After a full and frank exchange of views it was considered that despite the proximity of their properties to the site, to permit the three Councillors to participate and vote at any future meetings of the Council, would not undermine confidence in the decision making process of the authority and it was: -

RESOLVED that a dispensation for Councillors P.J. Bevan, M. Newman and M.J. Prew to speak and vote at any meetings of Caerphilly County Borough Council on the future use of the site of the former St. Ilan School be granted.

### **3.2 Councillor P.C.W. Bailie**

An additional request for special dispensation by Councillor P.C.W. Bailie was circulated at the meeting. Members were given sufficient time to digest the information.

Consideration was given to the verbal report of the Monitoring Officer regarding the request for dispensation that had been received from Councillor P.C.W. Bailie to write a letter in support of an appeal by a family member, against a decision not to allow him to go onto the housing list.

RESOLVED that dispensation to write a letter in support of a family member be granted, subject to the condition that the letter states that it is written as a member of the family rather than in the capacity as an elected Member of the Authority.

## **4. CONSIDERATION OF CHAIRMAN'S LETTER**

Consideration was given as to how the committee could best operate and contribute to monitoring the Authority's Member Code of Conduct. A full discussion followed based on the contents of Mr Warrender's letter dated 19th June 2009, resulting in the following:

- It was noted that although the authority published members' expenses, declarations of interest and gift/hospitality offered and/or refused on an annual basis, this information would be brought before the committee for review;
- The committee requested to see an anonymous list detailing existing disclosures under the Whistleblowing Policy. The Monitoring Officer confirmed there was only one ongoing at the current time. In addition, officers highlighted the significant levels of regulation that the authority was subject to, and that this resulted in the majority of issues being resolved at an early stage by alternative means;
- It was noted that the Ombudsman has discretion as to whether or not to investigate a complaint in relation to Members conduct, and whether or not the complaint should be referred back to the Committee for final determination. It was also noted that complaint

levels were low however the Authority had seen a recent increase. Officers made Committee Members aware of the suggestion from the Ombudsman that he may review the procedures in terms of complaints regarding Members conduct, due to their current workloads;

- It was agreed that the committee should produce an annual report to highlight the committee's activity; and
- The Chairman would meet with the Monitoring Officer to discuss how the committee could become more proactive.

## **5. COMPLAINTS TO THE OMBUDSMAN**

The report of the Monitoring Officer on complaints made to the Ombudsman that had been rejected by him as not accepted for formal investigation or that he was satisfied with the action taken; those complaints that remained at the enquiry stage or were awaiting determination; and those which had been withdrawn were noted.

## **6. OTHER BUSINESS**

Discussion took place on a number of issues as follows:

- Training needs;
- Correspondence from ACSeS;
- Local Government changes to legislation;
- Correspondence from GAP;
- Renewal of Councillors' declarations of interest;
- Cardiff Conference to be held on 15th October 2009; and
- Correspondence relating to an ombudsman complaint and the Health Authority.

## **7. NEXT MEETING**

RESOLVED that, unless any urgent matters arise in the meantime, the next meeting be held in November/December 2009 on a date to be agreed by the Chairman.

The meeting closed at 4.00 pm.

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CHAIRMAN