

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Standards Committee held at County Hall, Rhadyr, Usk - Remote Attendance on Monday, 21st March, 2022 at 10.00 am

PRESENT: R. Stow (Independent Member) (Chair)

R. Williams-Flew (Independent Member)
P. Easy (Independent Member)
M. Gibson (Independent Member)
I. Cameron (Community Committee Member)

OFFICERS IN ATTENDANCE:

Matt Phillips	Chief Officer People and Governance and Monitoring Officer
Joanne Chase	Solicitor and Deputy Monitoring Officer
Ben Davies	Solicitor and Deputy Monitoring Officer
Richard Williams	Democratic Services Officer

APOLOGIES:

County Councillors: D. Evans and S. Woodhouse

1. Opening comments from the Chair

The Chair welcomed Marion Gibson to her first meeting as an Independent Member of the Standards Committee and thanked the Committee members who participated in the interview panel and the Deputy Monitoring Officers for managing the recruitment process.

2. Declarations of Interest

None received.

3. Confirmation of Minutes

The minutes of the Standards Committee meeting dated 18th October 2021 were approved as an accurate record.

4. Review of the ethical standards framework

We received a verbal update by the Chief Officer People and Governance and Monitoring Officer regarding the review of the Ethical Standards Framework. In doing so, the following points were noted:

- Feedback regarding the online Standards Conference held on 9th February 2022 was received.
- The Richard Penn report into the Ethical Standards Framework was the predominant item discussed at the conference.

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Standards Committee held at County Hall, Rhadyr, Usk - Remote Attendance on Monday, 21st March, 2022 at 10.00 am

- There was a focus on training in the Code of Conduct and it had been raised that this had not been mandated as a piece of training, in particular for community councils.
- The Penn report did not address the issue of mandating training with an outright recommendation.
- The Penn report concluded that there is a good Ethical Standards Framework with a recommendation that there should be a form of local resolution established to facilitate prior to complaints being submitted to the Public Services Ombudsman for Wales.
- The Standards Conference was well attended and supported. At the conclusion of the conference there was a call to support the Penn Report with a caveat that there would be a further request for standards committees to feedback their views on the Penn Report.
- The Welsh Government representative had confirmed at the conference that there would be no legislative changes before May 2022.
- It was noted at the conference by the Ombudsman that the proposals if implemented would mean that conduct complaints would be dealt with in the same way as services complaints. Concern was expressed that this would reduce independence in standards regulation and was a step towards the system being operated in England.
- Welsh Government had confirmed that Feedback from standards Committees would be welcomed. The Chair had therefore drafted the one-page response to be submitted to Welsh Government, as agreed at the October 2021 Standards Committee meeting (attached to the agenda).

The Standards Committee supported the Chair's one-page response (outlined in the agenda) which identifies three major issues to be submitted to Welsh Government as an initial submission. A formal detailed response can also be submitted in due course in which mandatory training can be further discussed for all community councillors as well as enhanced training for community council chairs.

The initial submission will also be submitted to the Public Services Ombudsman Wales (PSOW) with a request for data relating to the number of complaints received regarding community council conduct.

5. Code of conduct training

We received a verbal update by the Chief Officer People and Governance and Monitoring Officer regarding the Code of Conduct training undertaken during the Covid-19 pandemic and details of induction training for councillors from May 2022. In doing so the following points were noted:

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Standards Committee held at County Hall, Rhadyr, Usk - Remote Attendance on Monday, 21st March, 2022 at 10.00 am

- Community Council training had been provided by the Monitoring Officer for Goetre Fawr, Mathern and Shirenewton Communities Councils in January and February 2021.
- By 6th April 2022 the list of nominations for the County and Community Council elections will be known.
- The elections will be held on 5th May 2022.
- The initial welcome by the Chief Executive and the Strategic Leadership Team will be held on 10th May 2022.
- On 12th May 2022 the Code of Conduct training will be delivered. This will be a hybrid offer. However, it is anticipated that the majority of Members will be attending County Hall, Usk, for the training. Standards Committee members will also be invited to attend the Code of Conduct Training.
- In May / June 2022 induction training will be implemented.
- In autumn 2022 more in depth training will be provided.
- The Annual General Meeting of the County Council will be held on 17th May 2022 in which ceremonial duties will be undertaken. This meeting will then be adjourned to the 19th May 2022 whereby the main duties of the Council will be undertaken.

We noted the verbal update on the Code of Conduct training.

6. Local Government and Elections (Wales) Act 2021

We received a verbal update by the Chief Officer People and Governance and Monitoring Officer regarding the Local Government and Elections (Wales) Act 2021. In particular, s62 (duties of political group leaders) and s63 (standards committee annual report). In doing so the following points were noted:

- S62 and S63 will come into force on 5th May 2022.
- The first Standards Committee annual report to County Council will be presented in May 2023.
- Group leaders have been requested to provide comment on the Act.
- The Monitoring Officer stated that he would give further consideration to the consultation.
- Standards Committee has a further eight weeks to submit a response by 16th May 2022.

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Standards Committee held at County Hall, Rhadyr, Usk - Remote Attendance on Monday, 21st March, 2022 at 10.00 am

- Members of the Standards Committee could respond to the consultation on an individual basis. However, the Committee would wait for the final version before responding.

7. Discussion on the Planning code of practice / conduct

We received a verbal update by the Chief Officer People and Governance and Monitoring Officer regarding the Planning Code of Practice / Conduct. In doing so the following points were noted:

- Paragraph 2.1, second bullet point should be removed in its entirety and the paragraph below it.
- The Monitoring officer will liaise with the Head of Planning regarding the same wording which is also identified in paragraphs 3.3 and 3.4 with a view to deciding whether this wording should be removed in these paragraphs.
- Section 25 of the Localism Act 2011 – closed mind. It was noted that County Councillors who sit on Monmouthshire County Council's Planning Committee and are also town or community councillors tend to withdraw from discussion on a planning application at their town / community council meeting, though legally they are not required to. This allows them to attend and take part in the debate and voting at the County Council Planning Committee meeting without having developed a closed mind on the application in question.
- The issue of public perception will be further addressed via Members' training, going forward.

We noted the verbal update and the points raised.

8. Discussion on APW annual report 2020-21

We received a verbal update by the Chief Officer People and Governance and Monitoring Officer regarding the Adjudication Panel for Wales (APW) annual report 2020-21.

We noted the verbal update.

In response to a question raised regarding complaints received, the following information was noted:

167 complaints received for town / community councils in the year 2020/21.
135 complaints received for town / community councils in the year 2019/20.

138 complaints received for principal councils in the year 2020/21.
96 complaints received for principal councils in the year 2019/20.

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Standards Committee held at County Hall, Rhadyr, Usk - Remote Attendance on Monday, 21st March, 2022 at 10.00 am

9. Next Meeting

Monday 10th October 2022 at 10.00am.

The Chair informed the Committee that Irene Cameron (Community Committee Member) and County Councillor David Evans are not standing for re-election on 5th May 2022. This was therefore their last meeting as members of the Standards Committee.

On behalf of the Standards Committee, the Chair thanked both members for their valuable contributions during their time on the Committee.

The meeting ended at 11.45 am.