

STANDARDS COMMITTEE

12 October 2016

Present: Mrs J Wainwright (Deputy Chair in the Chair)
Councillor R Kilmister, Councillor R Owens and Mrs V Tomlinson

(NPA Offices, Llanion Park, Pembroke Dock: 10.00am – 10.55am)

1. Apologies for Absence

Apologies for absence were received from Mr A Archer and Mr R Barrett-Evans.

2. Disclosures

There were no disclosures of interest.

3. Minutes

The minutes of the meeting held on 21st October 2015 were presented for confirmation and signature.

It was **RESOLVED** that the minutes of the meeting held 21st October 2015 be confirmed and signed.

4. Changes to the Members' Code of Conduct and the Local Government (Standards Committees, Investigations, Dispensations and Referral) (Wales) (Amendment) Regulations 2016

The Monitoring Officer explained that details of these changes had been provided to Members as part of his annual training talk and their inclusion on the agenda that day allowed members of the Standards Committee to discuss them further. With regard to the Members' Code of Conduct, the main change related to removal of the personal interests provision regarding perceived conflict between a Member's ward role and decisions taken on behalf of the Authority (paragraph 10(2)(b) of the Code), however this didn't really concern Members of the Authority as they did not have constituencies when sitting as Members of the National Park. This had been a significant issue for some of the larger Authorities and the Ombudsman had therefore taken steps to simplify matters.

With regard to changes to the Standards Committee Regulations regarding dispensations, there were two points to note. Firstly that if the Committee could not deal with an application due to shortness of time, the Authority could ask another local authority to consider it on its behalf. In the same way another authority could ask the National Park Authority to consider an application for dispensation. Secondly, a new category had been introduced to enable a dispensation to be granted to a Member with an otherwise prejudicial interest to participate in a matter if the Committee considered it 'appropriate in all the circumstances'. The



Monitoring Officer clarified that applicants would still need to provide reasons as to why the Committee should accede to their request. There followed some discussion as to whether those making a request for dispensation had the right to appear before the Standards Committee. Officers advised that there was no reason why a Member should not appear before the Committee and that if Members so wished they could, for the sake of clarity, resolve to allow that to happen.

It was **RESOLVED** that any Member applying for a dispensation be given the opportunity to speak at the Standards Committee in order to clarify any issues that might arise from their application for dispensation, subject to a limit of 5 minutes for their presentation.

5. Annual Report of the Monitoring Officer

The report summarised the investigations undertaken and the reports produced by the Monitoring Officer during the preceding year. The report outlined two complaints which he had investigated under the Authority's complaints procedures. Whilst in one of these the report highlighted the need for better communication with and consideration for members of the public who submit correspondence during consultation processes on planning applications, he considered that the case related to historical events, which occurred as long ago as 1993 and that the Authority's standards were now higher and it was therefore unlikely that such a case would occur again. He also noted that the Authority had a general policy, similar to one adopted by the Ombudsman, that only matters which occurred in the last 12 months would be the subject of an investigation, although there was discretion to go back further if the case merited it.

NOTED.

6. Public Service Ombudsman's Annual Report

The Monitoring Officer explained that the Ombudsman considered complaints of maladministration and service failure against public bodies and allegations against Members of local authorities that they had broken the Code of Conduct. There had been 8 complaints against the three National Park Authorities in Wales, but these were not broken down further. Although there had been no formal finding against the Authority, the Monitoring Officer was aware of one 'quick fix' case which had been resolved by a voluntary agreement with the complainant. This had raised no significant issues and remedial steps had been taken to ensure that such a problem was not repeated in future.

NOTED.

