

STANDARDS & ETHICS COMMITTEE

22 MAY 2007

Present: Independent Members: Akmal Hanuk (Chairperson),
Anne Morgan and Paul Stockton

Community Councillor David Suthers

County Councillors Griffiths, James and Owens

S88 : MINUTES

The Minutes of the meeting of the Standards and Ethics Committee held on 20 March 2007 were approved as a correct record and signed by the Chairperson.

S89 : APPLICATION FOR DISPENSATIONS

Councillor Griffiths declared an interest in this item as he had made application for dispensation to speak and vote at meetings of the Tongwynlais Community Council on matters relating to the Village Hall, St Michael and All Saints Angels Parish Council; Tongwynlais Primary School and GE Health Care Liaison Committee.

Councillor Griffiths left the room during consideration of this item.

The Committee had a statutory authority to grant dispensations to members of the relevant Authority with a personal interest in a matter, allowing them either to speak and vote or to vote (depending on the nature of the interest).

The Committee was referred to the policy attached to the report as Appendix A which recites the grounds on which dispensations may be granted by the Committee.

Details of the applications received were submitted for the Committee's consideration and were attached to the report as Appendix B.

RESOLVED – That having considered the recommendations in respect of the dispensations, the Committee's decisions in respect of each individual application are set out in the attached table. The dispensations shall not

apply where the Member concerned has an interest, other than the one referred to in the table:-

(See separate table attached).

Member	Personal Interest	Dispensation Sought	Relevant Ground/s	Decision – That the following Dispensations be granted/not granted provided that the Dispensations shall not apply where the Member concerned has an interest other than the one referred to in this table.
Community Councillor Mike Jones-Pritchard	Member of The Village Hall Committee	Community Councillor Jones-Pritchard seeks the ability to speak and vote on matters relating to The Village Hall	d	A dispensation be granted to Community Councillor Mike Jones-Pritchard to speak and vote on matters relating to The Village Hall
Community (and County) Councillor Linda Morgan	Member of The Village Hall Committee	Councillor Morgan seeks the ability to speak and vote at meetings of the Community Council on matters relating to The Village Hall	d	A dispensation be granted to Councillor Linda Morgan to speak and vote at meetings of the Community Council on matters relating to The Village Hall

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Community (and County) Councillor Brian Griffiths	Member of The Village Hall Committee	Councillor Griffiths seeks the ability to speak and vote at meetings of the Community Council on matters relating to The Village Hall	d	A dispensation be granted to Councillor Brian Griffiths to speak and vote at meetings of the Community Council on matters relating to The Village Hall
Community (and County) Councillor Alex Evans	Member of The Village Hall Committee	Councillor Evans seeks the ability to speak and vote at meetings of the Community Council on matters relating to The Village Hall	d	A dispensation be granted to Councillor Alex Evans to speak and vote at meetings of the Community Council on matters relating to The Village Hall

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Community Councillor Michael Griffiths	Member of The Village Hall Committee	Community Councillor Griffiths seeks the ability to speak and vote on matters relating to The Village Hall	d	A dispensation be granted to Community Councillor Michael Griffiths to speak and vote on matters relating to The Village Hall
Community Councillor Michael Jakeman	Member of The Village Hall Committee	Community Councillor Jakeman seeks the ability to speak and vote on matters relating to The Village Hall	d	A dispensation be granted to Community Councillor Michael Jakeman to speak and vote on matters relating to The Village Hall

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Community Councillor Anne Jakeman	Member of The Village Hall Committee	Community Councillor Jakeman seeks the ability to speak and vote on matters relating to The Village Hall	d	A dispensation be granted to Community Councillor Anne Jakeman to speak and vote on matters relating to The Village Hall
Community Councillor Graham Walters	Member of The Village Hall Committee	Community Councillor Walters seeks the ability to speak and vote on matters relating to The Village Hall	d	A dispensation be granted to Community Councillor Graham Walters to speak and vote on matters relating to The Village Hall

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Community Councillor Christopher Morgan	Member of The Village Hall Committee	Community Councillor Morgan seeks the ability to speak and vote on matters relating to The Village Hall	d	A dispensation be granted to Community Councillor Christopher Morgan to speak and vote on matters relating to The Village Hall
Community Councillor Anne Jakeman	Member of St. Michael and All Angels Parish Church	Community Councillor Jakeman seeks the ability to speak and vote on matters relating to St. Michael and All Angels Parish Church	d	No dispensation be granted.

Member	Personal Interest	Dispensation Sought	Relevant Ground/s	Decision – That the following Dispensations be granted/not granted provided that the Dispensations shall not apply where the Member concerned has an interest other than the one referred to in this table.
Community Councillor Mike Jones-Pritchard	Member of St. Michael and All Angels Parish Church	Community Councillor Jones-Pritchard seeks the ability to speak and vote on matters relating to St. Michael and All Angels Parish Church	d	No dispensation be granted.

Member	Personal Interest	Dispensation Sought	Relevant Ground/s	Decision – That the following Dispensations be granted/not granted provided that the Dispensations shall not apply where the Member concerned has an interest other than the one referred to in this table.
Community (and County) Councillor Brian Griffiths	Member of St. Michael and All Angels Parish Church	Councillor Griffiths seeks the ability to speak and vote at meetings of the Community Council on matters relating to St. Michael and All Angels Parish Church	d	No dispensation be granted.

Member	Personal Interest	Dispensation Sought	Relevant Ground/s	Decision – That the following Dispensations be granted/not granted provided that the Dispensations shall not apply where the Member concerned has an interest other than the one referred to in this table.
Community (and County) Councillor Alex Evans	Member of St. Michael and All Angels Parish Church	Councillor Evans seeks the ability to speak and vote at meetings of the Community Council on matters relating to St. Michael and All Angels Parish Church	d	No dispensation be granted.

Member	Personal Interest	Dispensation Sought	Relevant Ground/s	Decision – That the following Dispensations be granted/not granted provided that the Dispensations shall not apply where the Member concerned has an interest other than the one referred to in this table.
Community Councillor Michael Griffiths	Caretaker of St. Michael and All Angels Parish Church	Community Councillor Griffiths seeks the ability to speak and vote on matters relating to St. Michael and All Angels Parish Church	d	No dispensation be granted.

Member	Personal Interest	Dispensation Sought	Relevant Ground/s	Decision – That the following Dispensations be granted/not granted provided that the Dispensations shall not apply where the Member concerned has an interest other than the one referred to in this table.
Community (and County) Councillor Linda Morgan	Sunday School Teacher at St. Michael and All Angels Parish Church	Councillor Morgan seeks the ability to speak and vote at meetings of the Community Council on matters relating to St. Michael and All Angels Parish Church	d	No dispensation be granted.

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Community (and County) Councillor Brian Griffiths	LEA Governor of Tongwynlais Primary School	Councillor Griffiths seeks the ability to speak and vote at meetings of the Community Council on matters relating to Tongwynlais Primary School	d	A dispensation be granted to Councillor Brain Griffiths to speak and vote at meetings of the Community Council on matters relating to Tongwynlais Primary School.
Community Councillor Michael Griffiths	Co-Opted Governor of Tongwynlais Primary School	Community Councillor Griffiths seeks the ability to speak and vote on matters relating to Tongwynlais Primary School	d	A dispensation be granted to Community Councillor Michael Griffiths to speak and vote on matters relating to Tongwynlais Primary School

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Community (and County) Councillor Linda Morgan	Privately contracted teacher at Tongwynlais Primary School	Councillor Morgan seeks the ability to speak and vote at meetings of the Community Council on matters relating to Tongwynlais Primary School	d	No dispensation be granted.
Community Councillor Mike Jones-Pritchard	Community Council representative Governor of Tongwynlais Primary School	Community Councillor Jones-Pritchard seeks the ability to speak and vote on matters relating to Tongwynlais Primary School	d	A dispensation be granted to Community Councillor Mike Jones-Pritchard to speak and vote on matters relating to Tongwynlais Primary School

Member	Personal Interest	Dispensation Sought	Relevant Ground/s	Decision – That the following Dispensations be granted/not granted provided that the Dispensations shall not apply where the Member concerned has an interest other than the one referred to in this table.
Community (and County) Councillor Linda Morgan	Musical Director of Castell Coch Choral Society	Councillor Morgan seeks the ability to speak and vote at meetings of the Community Council on matters relating to Castell Coch Choral Society	d	No dispensation be granted.
Community Councillor Mike Jones-Pritchard	Project Officer of Castell Coch Choral Society	Community Councillor Jones-Pritchard seeks the ability to speak and vote on matters relating to Castell Coch Choral Society	d	No dispensation be granted.

Member	Personal Interest	Dispensation Sought	Relevant Ground/s	Decision – That the following Dispensations be granted/not granted provided that the Dispensations shall not apply where the Member concerned has an interest other than the one referred to in this table.
Community Councillor Graham Walters	Member of Tongwynlais Rugby Club	Community Councillor Walters seeks the ability to speak and vote on matters relating to Tongwynlais Rugby Club	d	No dispensation be granted.
Community Councillor Christopher Morgan	Member of Tongwynlais Rugby Club	Community Councillor Morgan seeks the ability to speak and vote on matters relating to Tongwynlais Rugby Club	d	No dispensation be granted.

Member	Personal Interest	Dispensation Sought	Relevant Ground/s	Decision – That the following Dispensations be granted/not granted provided that the Dispensations shall not apply where the Member concerned has an interest other than the one referred to in this table.
Community Councillor Graham Walters	Member of Tongwynlais Football Club	Community Councillor Walters seeks the ability to speak and vote on matters relating to Tongwynlais Football Club	d	No dispensation be granted.
Community Councillor Christopher Morgan	Member of Tongwynlais Football Club	Community Councillor Morgan seeks the ability to speak and vote on matters relating to Tongwynlais Football Club	d	No dispensation be granted.

Member	Personal Interest	Dispensation Sought	Relevant Ground/s	Decision – That the following Dispensations be granted/not granted provided that the Dispensations shall not apply where the Member concerned has an interest other than the one referred to in this table.
Community Councillor Michael Jakeman	Community Council representative on GE Healthcare Liaison Committee	Community Councillor Jakeman seeks the ability to speak and vote on matters relating to GE Healthcare	d	A dispensation be granted to Community Councillor Michael Jakeman to speak and vote on matters relating to GE Healthcare provided the dispensation shall not extend to participation in any vote with respect to business relating to the finances or property of GE Healthcare.

Member	Personal Interest	Dispensation Sought	Relevant Ground/s	Decision – That the following Dispensations be granted/not granted provided that the Dispensations shall not apply where the Member concerned has an interest other than the one referred to in this table.
Community (and County) Councillor Alex Evans	County Council representative on GE Healthcare Liaison Committee	Councillor Evans seeks the ability to speak and vote at meetings of the Community Council on matters relating to GE Healthcare	d	A dispensation be granted to Councillor Alex Evans to speak and vote at meetings of Tongwynlais Community Council on matters relating to GE Healthcare provided the dispensation shall not extend to participation in any vote with respect to business relating to the finances or property of GE Healthcare

Member	Personal Interest	Dispensation Sought	Relevant Ground/s	Decision – That the following Dispensations be granted/not granted provided that the Dispensations shall not apply where the Member concerned has an interest other than the one referred to in this table.
Community (and County) Councillor Brian Griffiths	County Council representative on GE Healthcare Liaison Committee	Councillor Griffiths seeks the ability to speak and vote at meetings of the Community Council on matters relating to GE Healthcare	d	A dispensation be granted to Councillor Brian Griffiths to speak and vote at meetings of Tongwynlais Community Council on matters relating to GE Healthcare provided the dispensation shall not extend to participation in any vote with respect to business relating to the finances or property of GE Healthcare

Member	Personal Interest	Dispensation Sought	Relevant Ground/s	Decision – That the following Dispensations be granted/not granted provided that the Dispensations shall not apply where the Member concerned has an interest other than the one referred to in this table.
Community (and County) Councillor Linda Morgan	County Council representative on GE Healthcare Liaison Committee	Councillor Morgan seeks the ability to speak and vote at meetings of the Community Council on matters relating to GE Healthcare	d	A dispensation be granted to Councillor Linda Morgan to speak and vote at meetings of Tongwynlais Community Council on matters relating to GE Healthcare provided the dispensation shall not extend to participation in any vote with respect to business relating to the finances or property of GE Healthcare.

Following consideration of the item on dispensations the meeting became inquorate and continued in the form of a Forum.

S90 : PLANNING CODE OF GOOD PRACTICE

At its meeting on 10 January 2007 the Committee received a report concerning the Wales Audit Office Baseline Assessment of the Planning Service the report dealt with a number of issues and made specific recommendations which included a recommendation that the Council prepare a Code of Practice for Councillors and Officers involved in the planning process, having regard to better practice across Wales.

The Committee was advised that in order to address the issues relating to lack of proper accommodation for the Planning Committee, a number of options had been put forward for consideration by the Planning Committee.

It was suggested that a timescale be put in place for resolution of the accommodation issues and that representatives from the Planning Committee and the Service Area be invited to attend the meeting of the Standards and Ethics Committee in September 2007 to update on the situation relating to proper accommodation for the Planning Committee.

Draft Model Code of Conduct – the Monitoring Officer updated the Committee on the draft Code which was circulated at the meeting together with a summary of the consultation responses. It was noted that the document had been clearly written and was in a format that was easily understandable.

The Committee discussed the format for site visits which was outlined in the document and noted that there was no opportunity for representation by members of the public or community Councillors.

The Committee was invited to make observations on the Draft Planning Code of Good Practice.

The Members put forward a number of observations in respect of the current arrangements for site visits:

- (i) The reason for site visits was to give Members of the Planning Committee an opportunity to view the site and gain further information to assist them when determining applications; no

decisions were made at site visits which are informal meetings solely for the purpose of fact finding – the application would then be determined at a formal meeting of the Planning Committee.

- (ii) Site visits would be difficult to manage and control if members of the public were allowed to speak; it would be better if they could speak through the ward Member.
- (iii) It was suggested that ward Members should be allowed to speak at the discretion of the Chair.
- (iv) The Members were of the view that the current practice of site visits was the most appropriate way of managing the situation.

The Committee suggested the following amendment to the Draft Code:-

“That ward Members be allowed to speak at site visits at the discretion of the Chairperson”.

- (v) The current mechanism allows members of the public to attend but not speak at site visits however they have the opportunity to speak to the Committee through petitions, through ward Members or by correspondence. All information received would then be included in the Planning Report.
- (vi) There should be a consistent approach for site visits.

Recommended – That

- (1) The Monitoring Officer be requested to make the following amendment to the draft Code:-

“That ward Members be allowed to speak at site visits at the discretion of the Chairperson”

- (2) The item be placed on the agenda of the meeting of the Committee in July 2007 for further consideration.

- (3) That Representatives of the Planning Committee be invited to the meeting of the Standards and Ethics Committee in September 2007.

S90 : GOVERNANCE PROGRAMME

Discussion of this item was deferred to the next meeting of the Committee.

S91 : REGISTRATION OF GIFTS AND HOSPITALITY

The Committee at its meeting on 5 October 2006 resolved to instruct the Monitoring Officer to obtain information from other Local Authorities on their threshold values for the registration of gifts, hospitality and other benefits and to report the information to the Committee to enable the Committee to review Cardiff Council's threshold and to make any consequent recommendations to Council.

The Committee noted that from the information gathered from other Authorities consulted, their thresholds were set significantly lower than the threshold set in Cardiff Council.

The Committee discussed the information presented and were of the view that the threshold in Cardiff was too high and should be reduced to be in line with other Authorities in Wales and in English Authorities. Particular attention was drawn to the fact that London had the lower threshold of £25.

Recommended - That

Council be requested to reduce the threshold for registration of gifts and hospitality to £25 in line with other Authorities in Wales and England.

S92 : MEETING WITH PARTY WHIPS

The Chairperson welcomed Councillors Islam, Dianne Rees and Robson to the meeting. The Chairperson advised the Party Whips that the Committee welcomed the opportunity to engage in dialogue in order to improve the standards and practice within the Council and extended an invitation to meet bi-annually.

The Party Whips were invited to address the Committee individually followed by questions.

Councillor Dianne Rees advised that she was pleased to hear of the Committee's intention to take a more proactive approach in their work to improve standards and practice within the Council as it was her impression that the general perception of the Council within Cardiff was not as good as it should be.

Councillor Rees was interested in the debate on gifts and hospitality; she was keen that Members should not feel unable to attend various functions in their role as Councillors and added that Councillors carried out their role to serve the communities they represented and not to make any gain, however she did not think this was always the image the public had. Councillor Rees was also concerned that bad publicity might deter prospective candidates from standing for public office in the future.

The Chair responded saying he was disappointed to hear about the poor perception of the Council and advised that the media would be invited to attend a future meeting of the Committee when issues relating to bad publicity would be discussed.

Councillor Islam thanked the Committee for inviting him to attend the meeting. Councillor Islam endorsed the comments made by Councillor Rees in respect of hospitality. He advised the Committee there had been instances of negative reporting by the media.

Councillor Islam made reference to the discussion on hospitality and stated it was important that Members should attend appropriate functions in their capacity as elected Members.

Councillor Robson endorsed the comments made by Councillors Rees and Islam.

Councillor Robson outlined his concerns regarding the restrictions on the number of notices of motion allowed at Council and the impact that this had on smaller groups such as Independent Group.

The Monitoring Officer advised that this was a decision taken by the

Constitution Committee and it was intended to review this in the future.

The issue of proportionality was discussed, in particular, the issue that smaller groups are under represented on some of the more important Committees. It was acknowledged that there should be a working balance on Committees, however it should also be recognised that smaller groups would find it difficult to provide Members to attend all meetings.

Councillor Rees expressed concern about the type of information that could be disclosed under the Freedom of Information Act, in particular when Members were dealing with ward issues personal information should not be disclosed.

Phil Bradshaw advised that work was ongoing to develop a clearer protocol for disclosure of information and emphasised that this must also ensure the confidentiality of constituents.

Member Development – concern was expressed about the issue of poor attendance at Member Training and Development. All agreed that this was an issue that needed to be addressed. Phil Bradshaw advised that consideration was being given to addressing the issue, in particular, by co-ordinating training with the calendar of meetings.

The Chairperson thanked the Whips for their attendance at the Committee and for their input.

S93 : DEFERRMENT OF MEETING

The Chairperson requested that in view of the timescale, the remaining items on the agenda be deferred to a future meeting in order that they could be fully discussed.

AGREED – That the meeting be deferred and a further meeting be arranged at the beginning of June to discuss the items remaining on the agenda.