

STANDARDS & ETHICS COMMITTEE

30 NOVEMBER 2016

Present: Independent Members: Richard Tebboth (Chair),
Hollie Edwards-Davies, Dr James Downe and Hugh Thomas

Councillors Cowan, Margaret Jones, Phillips

Community Councillor John Hughes

14 : APOLOGIES FOR ABSENCE

Apologies had been received from Lizz Roe.

15 : DECLARATIONS OF INTEREST

Declarations of interest were received in respect of item 4 from Councillor G Phillips, Community Councillor J Hughes and Dr J Downe.

16 : MINUTES

The minutes of the previous meeting were agreed as a correct record and signed by the Chairperson.

17 : COMMUNITY COUNCIL CHARTER

Members were reminded that the Executive adopted a Community Councils Charter (“the Charter”) in March 2012, following consultation with relevant stakeholders, including the six Community Councils within the Council’s area and the Standards and Ethics Committee. The Charter reflects the model Charter issued by the Welsh Government under section 130-133 of the Local Government (Wales) Measure 2011.

In response to concerns about the implementation of the Charter, the Standards and Ethics Committee reviewed the Charter. The views of the Community Councils were conveyed by the Community Council representative on the Committee. The Committee noted that most of the Charter is still relevant and an important recognition of the role of Community Councils in representing their local areas. However, a few sections of the Charter were not being implemented and needed to be updated in the light of the reduced resources available to the Council. Accordingly, in January 2015 the Committee recommended to Cabinet a number of amendments to the Charter.

The Cabinet considered the Standards and Ethics Committee’s recommendations in June 2015. It reaffirmed a commitment to the aims of the Charter; delegated authority to the Monitoring Officer (in consultation with the relevant Cabinet Member, the Standards and Ethics Committee and the six Community Councils), to update the Charter; and authorised the relevant Cabinet Member to sign off the updated Charter on behalf of the City of Cardiff Council.

Following discussions and correspondence with the Community Council Clerks, the Standards and Ethics Committee received a progress report in December 2015 and a verbal update at its last Committee meeting, in July 2016.

The Monitoring Officer explained that a lot of work had been done on this and that changes had been incorporated into it, particularly in relation to Planning issues. Discussion had taken place and productive session had been held but there had been no absolute agreement in updating the Charter.

In brief, the Community Councils would like more involvement in S106 agreement discussions, however this was a part of the planning process that was conducted by officers, no Councillors were involved; officers then took this to Planning Committee. The Monitoring Officers explained and she and the Head of Planning agree that it would not be appropriate for Community Councils to be involved.

The Monitoring Officer considered that all efforts had been made and that the Community Councils now either had to agree the Charter as it is, i.e. without the planning issue in it, or leave it until after the elections in May.

Community Councillor Hughes stated that the Community Councils would not want to agree the Charter as it is. He added that the Community Councils had been invited to training on Community Infrastructure Levy and S106 agreements in August, a document was produced saying what was going to be done. Community Councillor Hughes undertook to discuss the matter further with fellow Community Councillors in an attempt to find a solution.

It was noted that there was no reference to Community Councils in the CIL register and that it could include a reference to discussions with Community Councils. It was further noted that this problem did not exist elsewhere across Wales.

It was considered that it was time to attempt to break the deadlock, 13 out of the 22 Local Authorities in Wales have the Charter and as Cardiff has the largest development going on there needed to be a structure in place.

RESOLVED: To

- i) note the contents of the report;
- ii) agree that the Monitoring Officer look further at the issue in conjunction with Planning officers

18 : MEMBERS' GIFTS AND HOSPITALITY REGISTER

Members were advised that the report was provided for regular update to committee and for monitoring purposes.

It was noted that occasionally there was blanket approval given for ongoing work undertaken by officers.

In relation to the RAG status it was noted that Members like this format as it is transparent.

A discussion took place about the number of Lord Mayor entries and officers explained that every entry over £25 was included so there were often many entries for functions and events. It was further explained that this was introduced after an Audit recommendation.

RESOLVED: To note the information supplied at Appendix B on the registration of Members' hospitality, gifts and other benefits during the period from 17th September 2015 to 30th September 2016.

19 : MEMBERS' CODE OF CONDUCT COMPLAINTS - QUARTER 2: 2016/17

Members were advised that this report was for information. The number of complaints overall had decreased, there had been two complaints resolved and one was active.

Dr Downe considered it would be useful to receive the casebook which is produced quarterly by the Public Services Ombudsman.

It was noted that the Monitoring Officer could carry out early interventions with Community Councils and that the Chairs and Clerks of Community Councils could be invited along to Standards and Ethics meetings.

RESOLVED: To note the contents of the report.

20 : MEMBER INDUCTION AND DEVELOPMENT

Members were advised that Member Induction sets the tone for the future administration; it was important to respond to Members' needs and there was a need to be agile as there was a short time scale between when new Members are elected and when the Member induction happens.

It was considered that this had been a good piece of work, and that the competency framework could match with the training and be included in the Induction.

A discussion on competencies took place and it was noted that it was important to have personal discussions with individual back bench Members to see what help they needed to undertake their roles, as happens with Cabinet and with Chairs of Scrutiny, Planning and Licensing. It was considered that this could be available to Standards and Ethics Members too, particularly in relation to Hearings where training should take place immediately before a hearing to be fresh.

It was noted that it would be useful for Standards and Ethics Members to attend the Code of Conduct training session after the election and contribute to the session.

RESOLVED: To

- i. note that a refresh of the Member Development Strategy in collaboration with the Member Steering Group and the Officer Project Group is to be completed for sign off by the Democratic Services Committee and the Standards & Ethics Committee by March 2017;
- ii. receive and note the 2016/17 Member Development Programme booklet as attached to the report;
- iii. receive the essential Member Induction Curriculum prepared by the WLGA and identify any additional local training requirements that the Committee would wish to see in the programme.

21 : OBSERVATIONS OF COMMITTEE MEETINGS

Members were provided with a pro-forma entitled 'Feedback on Observations of Council and Committee Meetings' and asked to provide their comments.

It was considered that at Council the Public Question should be available; Officers explained that the question is available online and linked to the appropriate item in the webcast.

Members were concerned by some behaviour they witnessed at Council meetings and also considered that the meetings went on for too long. Further observations included bad acoustics in the chamber, the timing of the break, Councillors talking over each other, disrespect for the Chair and Councillors leaving the meeting early.

Officers stated that some key things had happened over the last 12 months, there used to be a break where all Councillors from all parties would have refreshments together, this naturally allowed an element of self regulation to happen. Currently all councillors go to separate group rooms and issues can escalate.

The Monitoring Officer stated that as well as being challenged by her, it was important for party groups to challenge individuals; this was something that was considered important for the Member Induction.

22 : DATE OF NEXT MEETING.

The next meeting of the Standards and Ethics Committee is scheduled for 1 February 2017 at 4.30pm in Committee Room 4 County Hall Cardiff.