

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

STANDARDS COMMITTEE

Minutes of the special meeting of the Standards Committee held at The Pavilions, Cambrian Park, Clydach Vale on Monday, 13 April 2015 at 3.00 p.m.

PRESENT

Independent Members

Mrs.A.Jones
Mr.M.Jehu, MBE

County Borough Councillors

C.Davies
G.Stacey

Officers in Attendance

Mr.C.B.Jones – Deputy Monitoring Officer
Mr.A.Wilkins – Head of Legal - Democratic and Corporate

Ombudsman's Representative

Mr.E.Pritchard

32 CHAIR FOR THE MEETING

In the absence of the Chair (Mr.G.Smith), the Vice-Chair (Mrs.A.Jones) took the Chair for the meeting.

33 APOLOGIES FOR ABSENCE

Apologies for absence were received from Mr.G.Smith and Community Councillor R.Butler.

34 DECLARATIONS OF INTEREST

In accordance with the Code of Conduct, County Borough Councillor G.Stacey declared a personal interest in respect of Agenda Item No.3 – Consideration of Representations and Final Determination of a Report Prepared by the Public Service Ombudsman for Wales under Section 71(2)(c) of the Local Government Act 2000 (Ref: 201304589) – “I am a member of the Development Control Committee”.

35 EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED that the press and public be excluded from the meeting under Section 100A(4) of the Local Government Act 1972 (as amended) for the next item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 13 of Part 4 of Schedule 12A of the Act.

REPORT OF THE MONITORING OFFICER CONTAINING EXEMPT INFORMATION

36 CONSIDERATION OF REPRESENTATIONS AND FINAL DETERMINATION OF A REPORT PREPARED BY THE PUBLIC SERVICES OMBUDSMAN FOR WALES UNDER SECTION 71(2)(C) OF THE LOCAL GOVERNMENT ACT 2000 (REF 201304589)

Pursuant to Minute No.23 (Standards Committee, 13 February 2015) the Committee met to consider representations of County Borough Councillor K.Privett in respect of the findings of the investigation and any allegation that he had failed or may have failed to comply with the Members' Code of Conduct as contained in a report of the Public Services Ombudsman undertaken under Section 69 of the Local Government Act 2000.

The investigation had arisen following a complaint being submitted to the Ombudsman by a member of the public. The complaint related to a meeting of the Development Control Committee held on 12 December 2012 which the complainant had attended to object to a planning application. The complainant alleged that at that meeting, County Borough Councillor Privett made false and unsubstantiated comments about his character which had no bearing on the planning application. The alleged comments by Councillor Privett about the complainant had been investigated by the Ombudsman and were confirmed as untrue.

The Chairman firstly outlined the procedures to be followed at the meeting and invited the Deputy Monitoring Officer to present the Monitoring Officer's report.

In presenting the report, the Deputy Monitoring Officer reported that the Standards Committee had to determine whether or not County Borough Councillor Privett, who was present at today's meeting to put forward his oral representations on the Ombudsman's findings, had failed to comply with the Council's adopted Members' Code of Conduct.

The Deputy Monitoring Officer stated that following the investigation undertaken by the Ombudsman, the Ombudsman found that breaches may have occurred under paragraphs 4(b) and 6(1)(a) of the Code of

Conduct and the Ombudsman's representative was present at the meeting to respond to any questions put to him regarding the investigation undertaken.

If the Committee decided that there was evidence of failure to comply, the sanctions that could be considered were listed in the report.

The Deputy Monitoring Officer further stated that County Borough Councillor K.Privett had, prior to the meeting, provided the Monitoring Officer with copies of two written witness statements. He informed the Committee Members that owing to the contents of these statements, they would need to make a ruling on their admissibility, prior to proceeding with the hearing.

At this point in the proceedings, the Committee agreed to exclude County Borough Councillor K.Privett and the Ombudsman's representative from the meeting in order to consider, in private session, the relevance of the witness statements provided by Councillor Privett to the case.

Following its deliberations, the Standards Committee unanimously agreed that the contents of the two witness statements provided by County Borough Councillor Privett were not material to the matter before them and would not be considered at this point in the hearing.

County Borough Councillor K.Privett and the Ombudsman's representative were then invited back into the meeting and informed of the Standards Committee decision regarding the witness statements.

The Chairman then invited the Ombudsman's representative to outline the findings of the Ombudsman's investigation and his conclusions. The Ombudsman's representative then responded to questions raised by both Committee Members and County Borough Councillor Privett.

The Committee then received the representations of County Borough Councillor Privett on the findings of the Ombudsman. County Borough Councillor Privett also responded to questions posed by Committee Members and the Ombudsman's representative.

The Standards Committee Members then agreed that they had sufficient evidence to come to a conclusion in this matter and in accordance with adopted procedures, then retired into private session to deliberate and come to a conclusion on whether County Borough Councillor Privett had failed to comply with the Code of Conduct.

At 4.28 p.m. the meeting reconvened and the Chairman announced:

“That having considered all the reports and facts before us, the Standards Committee Members agree with the conclusions set out in paragraph 32 of the Ombudsman’s Report that County Borough Councillor Privett has breached the Code of Conduct by:-

- 4(b) – not treating others with respect and consideration
- 6(1)(a) – conducting himself in a manner which could reasonably be regarded as bringing his office into disrepute.

When considering sanction, the Standards Committee notes that County Borough Councillor Privett continues to not acknowledge the seriousness of the matters that had been complained about and as a result of the two breaches of the Code, the Standards Committee has unanimously **resolved** that County Borough Councillor K.Privett be suspended for a period of four months.”

The Chairman then thanked everyone for their attendance and closed the meeting.

**A.JONES
CHAIR**

The meeting terminated at 4.30 p.m.