

Minutes



Liaison Meeting with Community Councils

Date: 16 February 2023

Time: 6.00 pm

Present: Elizabeth Bryant (Head of Law and Standards (Chair), Leanne Rowlands (Democratic and Electoral Services Manager), Pamela Tasker (Governance Support Officer), Cath Davies (Marshfield), Mandy George (Llanwern), Councillor Yvonne Forsey (Rogerstone West), Councillor Bev Davies (Rogerstone East), Councillor John Reynolds (Rogerstone West).

1 Apologies

Patricia Appleton Graig Community Council

2 Minutes of the previous meeting: 20 October 2022

The Minutes of the previous meeting were held as a true record.

3 The Role of the Standards Committee

The Community Council Representatives received a presentation from the Democratic and Electoral Services Manager.

Main Points:

- On the Standards Committee there are 5 independent members, an independent Chair, 3 Councillor members, and 1 community council representative.
- The Chair leads the Committee, in its role of promoting and maintaining high standards of conduct by Councillors and co-opted members.
- The Committee ensures thoroughness and objectivity, receiving and responding to professional advice on the Code of Conduct.
- Another of its roles is to provide confident and effective management of meetings to facilitate inclusivity, participation and clear decision making.
- The Local Government and Elections (Wales) Act 2021 had been amended to extend the functions of the Standards Committee in the way it operated with a duty to now monitor the group leader's compliance, with requests for the group leaders to come back to committee with a report regarding their provision of advice and training.
- The Standards Committee also had a duty to provide an annual report.
- The role of the Monitoring Officer/Deputy Monitoring Officer was to advise the Standards Committee, ensuring compliance with statutory requirements, resolution of 'low level complaints' as well as investigating complaints referred by the Ombudsman.
- The Public Services Ombudsman for Wales investigates all formal complaints of breaches of the Code with any serious breaches to be reported back to the Standards Committee or Case Tribunal of Adjudication Panel for Wales.

- Members sanctioned can appeal and the Committee can suspend a Member for a year, or they could be disqualified for up to 5 years.

Questions:

Councillor Reynolds asked whether the Standards Committee met on a regular basis. It was confirmed that the Standards Committee met every 2 months, and the Chair of the Standards Committee was to be invited to a future Community Councils Liaison Meeting to discuss the work that the Standards Committee had completed in the last 12 months. A representative from the Community Councils, Mr John Davies also sat on the Standards Committee.

4 the Role of the Community Councils

The Democratic and Electoral Services Manager presented this item to the Community Council Representatives.

Main Points:

- There were 735 community councils in Wales with 94% of land area and represented communities of between 200 people to 50,000 residents and are a link between principal councils and community councils.
- Community and town councillors are elected (or sometimes co-opted) to represent the views of local people.
- In England they're called Town Councils.
- Community Councils were established under the Local Government Act 1972. The Wales provision was amended by the Local Government (Wales) Act 1994 and the Local Government (Wales) Measure 2011 with the most recent in 2021.
- The main source of funding for community councils is the funds raised through what is referred to as a precept (a charge) to council tax under section 41 of the **Local Government Finance Act 1992**.
- The Local Government Act 2000 introduced a new standards regime for community councils. Under the Local Government Act 2000, the Welsh Ministers may by order specify the principles that are to govern the conduct of members of community councils and may issue a model Code of Conduct that members must observe.
- The Roles and Responsibilities of the Community Councils include:
 - Supporting their Communities to have a voice,
 - Planning
- Parks, playing fields and open spaces.
- Raise resources for the community.
 - The Community Council must appoint a Chair, appoint officers and appoint a responsible financial officer which can be the Clerk.
 - The internal auditor also holds an Annual Meeting of the Council.

The Duties include:

- Obligations under the Data Protection Act 1998 to publish the register of interests.
- To comply with general law.

- Holding regular hybrid meetings which are open to the public and provide sufficient advance notice of the meetings being held.
- To consider the impact of their decisions on reducing crime and disorder in their area.
- To provide allotments if the council considers that there is demand for them from local residents and it is reasonable to do so.
- having regard to conserving biodiversity in carrying out their functions.
- having a website that is accessible to the public.

The Role of Councillors include:

- To attend community council meetings when summoned to do so.
- To prepare for meetings by studying the agenda and making sure you are properly informed about issues to be discussed, take part in meetings and form objective judgements based on what is best for the community and then to abide by majority decisions.
- ensure, with other councillors, that the council is properly managed.
- acting on behalf of the whole electorate equally.
- to maintain proper standards of behaviour as an elected representative of the people.
- Councillors have 3 main components: Decision making, monitoring, and getting involved locally. This can depend on what community councils want to achieve.

Councillors are bound by a Code of Conduct which outlines what behaviour and conduct is expected of them at all times in their role as a Councillor.

The key principles of the Code include:

- Equality, Impartiality, Treating others with respect, acting in the public interest, being open to the scrutiny of the public as well as leading others by example and being a positive role model for others.
- If there are any breaches of the Code of Conduct for elected members, it can be considered by the Ombudsman.
- The Nolan Principles provide a code of conduct to promote the highest possible standards based on Honesty, Selflessness, Openness, Integrity, Duty to Uphold the Law, Accountability and Leadership and these draw on the 7 Principles of Public Life first set out in 1995.

The Principles offered a sound basis for Members conduct in office and Members were encouraged to have regard to them at all times.

A key part of this was council liaison and the support role provided by the Democratic Services Team.

The Community Councils were provided with the Democratic Services Team email address: democratic.services@newport.gov.uk which was always manned in office hours and the team could provide support and guidance.

Helpful links were provided at the end of the presentation including the link for One Voice Wales who provided guides and tools on their website, the link for the Code of Conduct for Community Councillors on the Public Services Ombudsman website as well as the Assessment of community and town councils in Wales.

Action:

The slides of both presentations to be sent to Community Council Clerks by the Governance Support Officer.

5 Protection of Officers carrying out their public duty

The Wentlooge Representative stated that the previous Chair of Wentlooge had been dealing with fly tipping on their land.

The Marshfield Representative explained that the new landowner in the area of Wentlooge had put a gate across the right of way on a path. The issue went to Planning and Environmental Decisions Wales (PEDW) and the Planning Inspector to make a decision. It was alleged that the particular landowner of the community had threatened the Chair, and at the last Wentlooge community meeting where the Landowner in question attended the meeting was difficult, and it was a difficult meeting to govern. The Chair of Wentlooge had received threats and had damage done to this property and did not receive support from Police.

It was discussed that Police did not usually attend community councils in person, which was unfortunate, however Police did support police surgeries.

Community Council representatives discussed whether Police should be called in those situations where community council meetings become fractious as community councils received no training to deal with those kinds of situations. It was stated that this situation was putting people off joining a Community Council. Community Councils tried to engage with the public to try to encourage more people to join community councils. However, if people felt they were being threatened they would not join.

The Democratic and Electoral Services Manager agreed that it was a challenging situation but there were good support aids available through WLGA. It was discussed that guidance could be provided to community councils at a future meeting and a Police representative could maybe attend a future community council meeting.

The Marshfield representative stated that community councils needed to engage with Police and get the message through that as Community Councillors they were in the public realm and could be at risk also.

The Marshfield Representative stated that another Councillor C.Roberts had been at the meeting mentioned and found it quite intimidating.

The Democratic and Electoral Services Manager stated that there could be discussions with Marshfield and Wentlooge Community Councils outside the meeting on this issue.

It was discussed that the previous Chair of Wentlooge Community Councils was a very active chair, and these incidents could make it more difficult to get people to join community councils and hard to keep them.

The Marshfield Representative stated that city councillors were even more vulnerable with no control over who comes into a public community council meeting.

The Democratic and Electoral Services Manager stated that the nature of the community council roles was about engaging in the community. WLGA guidance will be presented to Community Councils for the next meeting.

Councillor Reynolds stated that what the Marshfield Representatives had described was upsetting and it did put people off joining community councils and his community council meeting received nothing in terms of those level of threats, but he had been present at previous meetings where people had been passionate in their views.

Councillor Reynolds also stated that the big difference with a public meeting in community councils was that people could attend and could become involved in the meeting and contribute to the meeting and asked where the line stopped with public

participation as it was hard to control at times. However, engagement with Police in a positive way was important.

The Marshfield Representative stated that Police sent apologies for a previous community councils meeting and at a previous Police Surgery the sergeant stated that he didn't want to continue doing surgeries as he felt PCSO time was better spent elsewhere. It was felt by the Marshfield Representative that the Marshfield ward had the biggest population, and it was important to have this police surgery and it had changed from a monthly meeting to every other month.

Councillor Reynolds commented on Police always attending full Council where Police speak at the start of Council and Police Matters were always item 3 on the Agenda. The Head of Law and Standards suggested that the issue of Police attending community councils could be raised with the elected member of the ward and it could then be raised at the Police forum at Police Questions in Council.

The Head of Democratic and Electoral Services commented on how each community council dealt with public participation in meetings. The Marshfield Representative stated that Peterstone was near a large community so this was a problem for them, but other councils did not have the same issues. The Head of Democratic and Electoral Services stated that an approach that worked in one area may not work in another due to demographics and geography.

Councillor Forsey stated that there was quite good police engagement in Rogerstone and Police attendance at community meetings were quite regular, but it had slipped to every other month. In the area there was regular police updates provided to the city councillors with meetings for Shaftsbury, Rogerstone, and Bettws with 3 meetings taking place so far.

The Marshfield Representative stated that the Newport West policing team had 8 PCSO's but was not sure how many areas they covered. When PCSO's did attend Community Council meetings they say they were not Police Officers so could not help but did promise police updates back, but they have had no feedback. Feedback received back had been patchy with phone numbers provided but with instructions to only call in an emergency. There had been problems with vandals in the village hall and it was easy to report on Facebook, but Police did have limited resources.

Councillor Davies stated that Rogerstone had monthly police meetings and noted that it was a good idea to see their city councillor receive more information from Police to see what they could do in the area. The community council have had 3 monthly meetings which have been very good, and they have not had the same incidents as Marshfield.

The Head of Law and Standards stated that an officer from the Health and Safety Team could be invited to a future meeting to assist in completing risk assessments for Community Councils. It was discussed that there were actions that community councils could take if meetings became difficult such as calling a meeting to an end if a troublesome person attended. Other options could be looked at and a risk assessment was a good place to start.

The Marshfield Representative stated that the room the community councils took place in was a difficult room to get out of if someone was violent and there was no escape route with there being only one exit which was worrying in those incidents.

Actions:

- The Wentlooge and Marshfield community councils would be contacted to discuss issues in their wards.
- Information and guides on personal safety to be shared with community councils.
- Community Councillors to raise the issue of Police attending Community Council meetings with the elected member of the ward which the potential for the issue to be raised at the Police forum at Police Questions in Council.
- Invite Police to attend the next meeting of community councils.
- Look at Newport specific guidance and support and request each community council to see how they invite the public to their meetings.
- Risk assessments to be completed for each council and invite health and safety team to the next meeting.

6 Date of the Next Meeting

A request has been made for Planning Aid Wales to hold an engagement session with Community Councils to consult them on the Local Development Plan. The public consultation started on the 25th January 2023. It was hoped this would be organised before the 8 March so a date would be finalised in due course.

The date of the next meeting would also be finalised in due course with a reminder for community councils that the Liaison meeting was now hybrid and community council representatives could attend remotely or in person.

The Community Councils were reminded of the Democratic Services email address of democratic.services@newport.gov.uk if they needed any assistance. The Head of Law and Standards also provided her email address of

Elizabeth.Bryant@newport.gov.uk

Agenda items for the next meeting included:

- Health and Safety officer and Police representative to attend the Community Liaison meeting.
- The Chair of Standards to attend the next meeting.

At the next meeting the Annual Report that Community Councils had to complete would be discussed. This was a new document this year that community councils had to produce which was part of the legislation under the Local Government Act. There would be a review of this at the next meeting as well as a discussion as to the content of the report and the level of detail required.

One Voice Wales provided a guide for the Local Government Act which went into detail and a briefing would be put together for community councils for the next meeting. The link is as follows:

[The Local Government and Elections \(Wales\) Act Statutory Guidance for Town and Community Councils](#)

7 Live Event

The meeting terminated at Time Not Specified