

<b>MEETING:</b>	<b>Standards Committee</b>
<b>DATE:</b>	<b>08 December 2021</b>
<b>TITLE:</b>	<b>Allegation of a breach of the Code of Conduct referred to the Standards Committee by the Public Services Ombudsman for Wales</b>
<b>AUTHOR:</b>	<b>Senior Solicitor (Corporate)</b>
<b>ACTION:</b>	<b>To decide on a complaint against Councillor Michael Stevens of a breach of Tywyn Town Council's Code of Conduct for Member</b>

## **Background**

1. Following a complaint that Councillor Mike Stevens had breached the code of conduct for members of Tywyn Town Council, the Public Services Ombudsman for Wales decided to conduct an investigation. The Ombudsman concluded that the matter should be referred to the Monitoring Officer for consideration by the Standards Committee.
2. On 07/07/21 the Committee, in accordance with the Local Government Investigations (Functions of Monitoring Officers and Standards Committees) (Wales) Regulations 2001 ("the Regulations"), decided that Councillor Stevens should be given the opportunity to make representations, either orally or in writing in respect of the findings of the investigation and any allegation that he or she has failed, or may have failed, to comply with the authority's code of conduct.
3. The procedure for dealing with allegations made against members and referred to the Committee can be found in [Appendix A](#) to this report.
4. The Ombudsman has produced a report on his investigation. Members will find this report attached as [Appendix B](#), together with further correspondence from the member and the Ombudsman ([Appendix C](#)) and also a list of the witnesses that the parties wish to call ([Appendix Ch](#)). (These appendices are not made public in accordance with the provisions of the Local Government (Standards Committees, Investigations, Dispensations and Referral) (Wales) (Amendment) Regulations 2016 (which amended the Standards Committees (Wales) Regulations 2001)
5. Should the Committee be required to consider whether or not to impose a sanction it will have regard to the Sanctions Guidance produced by the Adjudication Panel for Wales, a copy of which is attached as [Appendix D](#) to this report.

## **Recommendations**

6. That the Committee consider the complaint against Cllr. Stevens. The Regulations (reg.9) provide that, after hearing any representations, the Committee must come to one of the following decisions:

(a) that there is no evidence of any failure to comply with the authority's code of conduct and that therefore no action needs to be taken in respect of the matters which are the subject of the investigation;

(b) that the member has failed to comply with the authority's code of conduct but that no action needs to be taken in respect of that failure;

(c ) that the member of the authority has failed to comply with the authority's code of conduct and should be censured, or

(d) that the member of the authority has failed to comply with the authority's code of conduct and should be suspended or partially suspended from being a member of that authority for a period not exceeding six months