

Y PWYLLGOR SAFONAU
20/09/2021

PANEL DYFARNU CYMRU – Y CYNGHORYDD DAVID POOLE

Yr argymhellion / penderfyniadau allweddol sydd eu hangen:

Nodi'r penderfyniad a wnaed gan y panel

Y Rhesymau:

Mae penderfyniadau'r panel yn darparu arweiniad defnyddiol a phwyntiau dysgu

Angen ymgynghori â'r Pwyllgor Craffu perthnasol Amherthnasol

Angen i'r Cabinet wneud penderfyniad Amh.

Angen penderfyniad gan y Cyngor AMHERTHNASOL

YR AELOD CABINET SY'N GYFRIFOL AM Y PORTFFOLIO:- Y Cyngorydd Emlyn Dole - Arweinydd

Y Gyfarwyddiaeth:

Enw Pennaeth y Gwasanaeth:

Linda Rees Jones

Awdur yr Adroddiad:

Robert Edgecombe

Swyddi:

Pennaeth Gweinyddiaeth a'r Gyfraith

Rheolwr y Gwasanaethau Cyfreithiol

Ffôn:

Cyfeiriadau e-bost:
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**EXECUTIVE SUMMARY
STANDARDS COMMITTEE
20/09/2021**

ADJUDICATION PANEL FOR WALES – CLLR DAVID POOLE

On the 28th June 2021 the Adjudication Panel (APW) considered the case of Councillor David Poole of Caerphilly County Borough Council.

The allegations were that Councillor Poole had breached Caerphilly County Borough Council's Code of Conduct in that he had;

- (i) Used his position to secure an advantage by deciding to buy shares in a company, IQE plc, on the basis of confidential information that he had received through his position as a Councillor at a meeting on 8 October 2018 (alleged breach of paragraph 7 (a) of the Code) and thereby brought the Authority and his office as a member into disrepute (alleged breach of paragraph 6 (1)(a) of the Code);
- (ii) Failed to disclose a personal interest and/or withdraw from a meeting on 18 February 2019 when a matter in which he had a prejudicial interest was being discussed, namely financial dealings with that same company (alleged breaches of paragraphs 11 (1) and 14 (1) of the Code)

At the time of the alleged breaches Councillor Poole was the leader of the Council. In that role he received confidential reports relating to and attended meetings of the Cardiff Capital Region City Deal Cabinet and the alleged breaches related to that aspect of his role.

Following the sale of the shares in IQE plc Councillor Poole resigned as leader of the Council and referred himself to the Ombudsman for investigation.

The APW decided that Councillor Poole should be suspended from acting as a member of the authority as follows;

- In respect of his breaches of paragraphs 6 and 7 of the Code, a period of five months;
- In respect of his breaches of paragraphs 11 and 14 of the code, a period of two months concurrently.

The APW also made a recommendation to the Monitoring Officer regarding the need for members to be reminded of the duty to register their interests when they arise and not just annually.

DETAILED REPORT ATTACHED?

YES

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report:

Signed: *LRJones*

Administration and Law

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
NONE	NONE	NONE	NONE	NONE	NONE	NONE

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: *LRJones*

Head of Administration and Law

1. **Scrutiny Committee** – not applicable
2. **Local Member(s)** - not applicable
3. **Community / Town Council** - it is suggested that such consultation take place
4. **Relevant Partners** - not applicable
5. **Staff Side Representatives and other Organisations** - not applicable

EXECUTIVE BOARD PORTFOLIO HOLDER(S) AWARE/CONSULTED

NO

Section 100D Local Government Act, 1972 – Access to Information List of Background Papers used in the preparation of this report:

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Legal Services file	DPSC-190	County Hall, Carmarthen