

The investigation of a complaint  
against Councillor Louise Wride of  
Llandovery Town Council

A report by the  
Public Services Ombudsman for Wales  
Case: 202100012

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## Introduction

Report by the Public Services Ombudsman for Wales on the investigation of a complaint made against Councillor Louise Wride of Llandovery Town Council, of a breach of the Council's statutory Code of Conduct for members.

This report is issued under section 69 of the Local Government Act 2000.

## Summary

The Ombudsman received a complaint that a Member (“the Member”) of Llandovery Town Council (“the Council”) had breached the Code of Conduct. The Member had been convicted of drug driving and indicated in a newspaper that she did not intend to stand down as Mayor.

The investigation considered whether the Member failed to comply with paragraph 6(1)(a) of the Code of Conduct in that members must not conduct themselves in a manner which could reasonably be regarded as bringing their office or authority into disrepute.

The Ombudsman considered the Member’s conviction and that her sentence fell short of automatic disqualification as outlined in Section 80A of the Local Government Act 1972. The Ombudsman also considered the account provided by the Member.

The Ombudsman considered whether further action was needed in the public interest and the overriding purpose of the ethical standards regime in Wales, which is to uphold standards of conduct in public life and maintain confidence in local democracy. The Ombudsman was of the view that the Member’s conviction and the press coverage that followed which referred to the Council, the Member’s membership of the Council and her position as Mayor, could be regarded a conduct that was capable of bringing her Council and/or her office as a councillor into disrepute and was suggestive of a breach of paragraph 6(1)(a) of the Code of Conduct.

The report on the investigation was referred to the Monitoring Officer of Carmarthenshire County Council for consideration by its Standards Committee.

## The Complaint

1. On 6 April **2021** my office received a complaint from Mr Bryan O'Leary that Councillor Louise Wride, the Mayor ("the Member"), had failed to observe the Code of Conduct for members of Llandovery Town Council ("the Council"). It was alleged that Councillor Wride had been convicted of drug driving and indicated in a newspaper that she did not intend to stand down as Mayor. A copy of the complaint is attached at Appendix 1.

## Legal background

2. As required by Part III of the Local Government Act 2000 ("the Act"), the Council has adopted a Code of Conduct for members which incorporates the provisions of a Model Code contained in an order made by the Welsh Ministers. A copy of that Code is at Appendix 2. Council Members are required to sign an undertaking that, in performing their functions, they will observe the Council's Code of Conduct. Councillor Wride gave such an undertaking on 16 May **2019**. A copy of that declaration is attached at Appendix 3.
3. Paragraph 2(1) of the Code of Conduct states that the Code of Conduct must be observed when conducting the business of the authority, when acting, or claiming to act, in the role of member or as a representative of the authority and at all times and in any capacity in respect of conduct identified in paragraphs 6(1)(a).
4. Section 69 of the Act provides the authority for my investigation and the production of this report.
5. My predecessor issued guidance for members of local authorities in Wales on the Model Code of Conduct ("the Guidance"). I include at Appendix 9 extracts of the Guidance which are relevant to this complaint. The Guidance says that conduct which leads to a criminal conviction may bring a member's authority into disrepute, even if the behaviour happens in a member's private life.

## Relevant legislation

6. Section 5A(1)(a) and (2) of the Road Traffic Act 1988<sup>1</sup> states that a person is guilty of driving or being in charge of a motor vehicle with a concentration of specified controlled drug above the specified limit if they drive, or attempt to drive, a motor vehicle on a road or other public place with the proportion of the drug in their blood or urine exceeding the specified limit for that drug.

7. Section 80 of the Local Government Act 1972 provides that a person shall be disqualified from being a member of a local authority if, since their election, they have been convicted of a criminal offence and have been sentenced to imprisonment for a period of not less than 3 months.

## My investigation

8. Having considered the complaint as made, my predecessor concluded that it was appropriate to investigate whether Councillor Wride had failed to comply with the following provision of the Code of Conduct:

- 6(1)(a) – Members must not conduct themselves in a manner which could reasonably be regarded as bringing their office or authority into disrepute.

9. Councillor Wride was informed of the intended investigation on 10 May 2021 (Appendix 4).

10. During the investigation, my Investigation Officer obtained copies of relevant documents from the Council (Appendix 5), Carmarthenshire County Council (Appendix 6), Dyfed-Powys Police (“the Police”) (Appendix 7) and Llanelli Magistrates Court (“the Court”) (Appendix 8).

11. The Clerk confirmed that Councillor Wride had not attended any Code of Conduct training (Appendix 5).

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<sup>1</sup> Road Traffic Act 1988 ([legislation.gov.uk](https://legislation.gov.uk))

12. The evidence found by my investigation was put to Councillor Wride, enabling her to review that evidence before responding to the questions put to her when interviewed on 7 March **2022** (transcript available at Appendix 10).

13. I have given Councillor Wride the opportunity to comment on a draft of this report which included my provisional views and finding.

## Events

14. Councillor Wride was stopped by Police on 25 October **2020** (Appendix 7) when driving a vehicle. A road-side drug test was conducted which provided a positive indication for cannabis. Councillor Wride was detained and provided 2 samples of blood for analysis. Forensic analysis of the blood sampled showed that the concentration of Delta-9-Tetrahydrocannabinol (the primary psychoactive constituent of cannabis) was in excess of the specified legal limit.

15. On 25 March **2021** Councillor Wride pleaded guilty to an offence under Section 5A(1)(a) and (2) of the Road Traffic Act 1988 (Appendix 8). She was fined £120, ordered to pay a surcharge to fund victim services (£34) and to pay costs to the Crown Prosecution Service (£85). Councillor Wride was also disqualified from holding or obtaining a driving licence for 12 months. She reported her conviction to the Council on 29 March (Appendix 5).

16. The Clerk contacted the Monitoring Officer of Carmarthenshire County Council on 29 March for advice in relation to whether Councillor Wride should step down following her conviction (Appendix 6 – page 58). The Monitoring Officer said that Councillor Wride would not be automatically disqualified from office but that members may ask her to step down as Mayor and Chair of the Council. The Clerk circulated the advice to all Council members for consideration.

17. In an article in the South Wales Guardian on 31 March (Appendix 6 – page 63), Councillor Wride said that she had no intention of standing down and planned to see out her term as Mayor. It was reported that Councillor Wride at the

time of the offence. The article attracted a number of comments from members of the public reflecting some concern about the impact of Councillor Wride's conduct on her reputation and on her role as an elected member (Appendix 6 – page 64). The Complainant shared the article on Facebook and commented "How can you let this person stay as Mayor as she has been convicted of drug driving, she is supposed to be [words missing] and a roll [sic] model for all in Llandovery" (Appendix 6 – page 62).

18. Councillor Wride stepped down as Mayor on 1 April (Appendix 5).

### **What Councillor Wride said**

19. When interviewed, Councillor Wride said that she was elected as a member of the Council in May 2017. She was elected as Mayor in 2019. She said that she thought that she had attended training on the Code of Conduct when first elected as a member but was not certain.

20. Councillor Wride said that she was stopped by Police at random on 25 October 2020 while driving home from shopping in Carmarthen. She said that she was not driving erratically at the time. She said that she had smoked a cannabis joint about 2 days before being stopped. She added that :

22. Councillor Wride explained that she was released from custody without knowing whether she was going to be charged for an offence and therefore did not consider what impact her arrest would have on her office or authority. She said that she received a letter in the post about 4 months later which summonsed her to court.

23. Councillor Wride said that she "probably didn't think too much at the time" about the impact of being summonsed to court on her office or authority as she had other things going on.



24. Councillor Wride said that she didn't really know if she considered the impact of pleading guilty on her office or authority as she had a "hundred other things to worry about". She said that she was worried about the impact on her role as a Councillor, but she was more worried about the impact on her 2 children.

25. Councillor Wride said that she told the Clerk about the situation just after she had been to court in March 2021. She said she told him that she would stand down as Mayor and quit the Council as she did not want to embarrass them all. She explained that the Clerk told her that, as she had not been imprisoned for a period of 12 weeks or more, and that he had spoken to the other Councillors who did not want her to leave, there was no need for her to step down. Councillor Wride said that all the other Councillors did not want her to stand down as she did such a good job in the town, and they did not want to lose her from the Council. She, therefore, decided to remain as Mayor as she only had a month left of her term.

26. Councillor Wride acknowledged that there had been some local press coverage of her court case. She said that she had been approached by the press, but she had not spoken to them. She denied providing the press with the quotes used in the newspaper article. She said that the press coverage made her feel ashamed and anxious.

27. Councillor Wride said that she did not consider that the press coverage impacted her office or authority, particularly not with the other Councillors being very supportive of her, and the public, who were also very supportive of her.

28. Councillor Wride said that her decision to stand down as Mayor was as a result of the press coverage. She said that she did not want to embarrass the Council and for people to think that she was brazen or just didn't care, because she did care.

29. Councillor Wride said that she remained as a member because she plans to live in Llandovery for the rest of her life, she joined the Council because she knew that her children would be growing up in the town, and

she wanted to help the town out. She explained that she is also part of other community groups, is the Chair of Parks and Playgrounds, and is involved in the WI.

30. Councillor Wride said she considered that if she had received her conviction before she was an elected member then this would not have been an issue. She said that she was unsure whether her conviction brought her office or authority into disrepute.

31. Councillor Wride said that, with hindsight, she would not have smoked the cannabis.

She said that she would not change the way that she dealt with the matter if she were to be in the same situation again.

32. In commenting on the draft report (Appendix 11), Councillor Wride said that she had served her punishment. She said that she had served her community throughout the investigation and had started a new term as a member of the Council. She said that she had been open and honest throughout the investigation and attended each meeting requested. She said that she works as a volunteer on the Council and her work is highly thought of in the town. Councillor Wride also said that her fellow councillors have given her their support.

### **Undisputed facts**

33. Councillor Wride was acting in her personal capacity when she was stopped by Police on 25 October 2020.

34. Councillor Wride pleaded guilty to a charge of driving with the concentration of Delta-9-Tetrahydrocannabinol in her blood sample above the specified limit, contrary to Section 5A(1)(a) and (2) of the Road Traffic Act 1988.

35. Councillor Wride was fined £120, ordered to pay a surcharge to fund victim services and to pay costs to the Crown Prosecution Service. She was also disqualified for holding or obtaining a driving licence for 12 months.

36. Councillor Wride reported her conviction to the Council on 29 March, 5 months after the incident and 4 days after her guilty plea.

37. Councillor Wride's conviction attracted local press coverage which identified Councillor Wride as the Mayor to the Council. The article prompted comments from members of the public which reflected some local concern about her conviction when she was also a member of the Council. The Complainant also noted publicly his view that Councillor Wride should be a role model for others and his concern that her conviction was not the example that she should be setting in her role as Mayor.

38. Councillor Wride stood down as Mayor after press coverage of her conviction; she remained a member of the Council.

39. There are no disputed facts.

## Conclusions

40. Councillor Wride was acting in her personal capacity when she was stopped by Police on 25 October 2020. Councillor Wride pleaded guilty to a charge of driving with the concentration of Delta-9-Tetrahydrocannabinol in her blood sample above the specified limit, contrary to Section 5A(1)(a) and (2) of the Road Traffic Act 1988. She received a fine, was ordered to pay a surcharge to fund victim services and costs and was disqualified from holding or obtaining a driving licence for 12 months. This sentence fell short of the automatic disqualification as outlined in Section 80A of the Local Government Act 1972.

41. Councillor Wride did not resign after her arrest, neither did she resign after her conviction. Councillor Wride did not refer herself to my office and only sought advice from the Clerk after her conviction. I note that at the time of her arrest, and in the months that followed, Councillor Wride said that she did not consider the impact of her arrest and conviction on her office and/or authority

42. The Clerk sought advice from the Monitoring Officer and was advised that Councillor Wride would not be automatically disqualified from office but that members may ask her to step down as Mayor and Chair of the Council. There was no requirement for Councillor Wride to stand down from her public role and she had the support of her fellow Councillors to remain in post.

43. Councillor Wride stood down as Mayor following local publicity due to the shame and anxiety the publicity caused, and that she did not want to embarrass the Council or for people to think she was brazen and did not care.

44. When investigating complaints and deciding whether further action is needed in the public interest, I must consider the public interest and the overriding purpose of the ethical standards regime in Wales, which is to uphold standards of conduct in public life and maintain confidence in local democracy.

45. Caselaw on the application of the Code of Conduct for members in Wales has established that for a breach of the “disrepute” provision to be found, a member’s conduct must impact upon their Council’s reputation and/or the role of elected member and go beyond affecting their personal reputation. The Complainant considered that, in her role, Councillor Wride’s conviction was not the example she should set others. In view of this, and the local press coverage that her conviction attracted, which identified her as the Mayor and led to a number of comments of concern from members of the public, I consider that Councillor Wride’s actions are suggestive of a breach of paragraph 6(1)(a) and she may have brought her office and authority into disrepute.

46. I have considered Councillor Wride’s personal circumstances at the time of her arrest and the months that followed which resulted in her office and authority not being at the forefront of her mind. I also note that Councillor Wride stood down as Mayor following the adverse publicity, showing some insight into the impact of her conduct on her office and the authority and its reputation. However, although the conduct complained about occurred in Councillor Wride’s personal capacity, I am of the view that her conviction and the press coverage that followed which referred to the

Council, Councillor Wride's membership of the Council and her position as Mayor, may have brought her Council and/or her office as a councillor into disrepute and is suggestive of a breach of paragraph 6(1)(a) of the Code of Conduct.

## Finding

47. My finding under section 69 of the Local Government Act 2000 is that my report on this investigation should be referred to the Monitoring Officer of Carmarthenshire County Council for consideration by its Standards Committee.

*M.M. Morris.*

**Michelle Morris**  
Ombudsman

25 July 2022

## Appendix

Appendix 1	The complaint
Appendix 2	Code of Conduct – Guidance document provided by Council
Appendix 3	Declaration of acceptance of office
Appendix 4	Investigation start letter
Appendix 5	Information received from Clerk
Appendix 6	Information received from Monitoring Officer
Appendix 7	Information received from the Police
Appendix 8	Information received from the Court
Appendix 9	Extracts of my Guidance
Appendix 10	Transcript of Member interview



Public Services Ombudsman for Wales  
1 Ffordd yr Hen Gae  
Pencoed  
CF35 5LJ

Tel: 01656 641150

Fax: 01656 641199

Email: [ask@ombudsman-wales.org.uk](mailto:ask@ombudsman-wales.org.uk)

Follow us on Twitter: [@OmbudsmanWales](https://twitter.com/OmbudsmanWales)