

**Minutes of a Remote Meeting of St Harmon Community Council held on Wednesday  
24<sup>th</sup> November, 2021**

**Present:** Cllr S Lewis, L McPhee, D Lowde, M Williams

**Apologies:** Cllr J Bennion, P Hunt

Prior to the appointment of Chair, the Clerk reminded members that this is a full meeting of the Community Council and can be held in open session with the exception of confidential matters which must be either contractual, personnel related or legal matters. All members of public were asked to mute their microphones throughout the meeting.

**SH 187/21**     **Declarations of Interests**

None.

**SH 188/21**     **Appointment of Chair for Meeting**

Cllr Lewis nominated Cllr Lowde as chair for this meeting.

**Resolved:** to appoint Cllr Lowde as chair.

The Chair welcomed everyone to the meeting.

**SH 189/21**     **Correspondence**

**a) Mr R Mason – Audit Wales Report & Public Meeting**

The Clerk read out this email.

“I would ask that this E mailed letter be brought to the attention of the full council at the next meeting November 24<sup>th</sup> since I feel the content bears great relationship to the subject of that meeting.

As you will have noticed I attended both the public meeting on 3<sup>rd</sup> November and the regular SHCC meeting on November 4<sup>th</sup>. I listened very carefully to all the letters sent in by members of the community to both meetings. Without fail all were very critical of the actions of Cllr Jenkins and in many cases demanded his resignation from the council. The council decided by a majority vote to refer Cllr Jenkins to the Ombudsman for investigation into potential breaches of the Code of Conduct.

I am not sure what this means for the continued membership of Cllr Jenkins to SHCC but I note that he chaired the meeting on November 4<sup>th</sup>. If it is the case that he continues to be a member of SHCC until the Ombudsman have completed their deliberations that is just NOT acceptable. His continued presence given the damning evidence contained in the 64 page Audit report is an insult to the community.

The Council should consider carefully before proceeding with making a complaint about Cllr Jenkins to the Ombudsman. He may well be looking forward to trying to wriggle out of all or some of the findings as we heard his wife and the vice chair tried to do during the November 3<sup>rd</sup> meeting. If in any way the findings are ultimately diluted by the findings of the Ombudsman then I am sure he will feel he has won the day. That cannot be let to happen. SHCC should insist he resigns forthwith by passing a motion of no confidence in him. In this way the community can feel relieved he is gone and move on to elect councilors who have their interests truly at heart.

There is also the matter of the defence of Cllr Jenkins by Cllr Bennion. She has supported Cllr Jenkins through all the events contained in the Audit report. To my knowledge at no time has she cast her vote against him or even spoken against what he has proposed. She now has the temerity to speak in his defence and calls the Audit report and community letters a “witchhunt” This seriously brings into question her judgement and therefore ability to serve our community. She too should be asked to resign forthwith.”

Members asked the Clerk for advice on this.

The Clerk advised those present that the council does not have the legal power to remove the Chair from office. A vote for the office of Chair and Vice is taken at the Annual Meeting of the council held in May annually.

**b) Audit Wales – Amendment to Report**

The Clerk read out the following email.

**The following email was received from David Rees of Audit Wales:**

“Thank you for your email of 5<sup>th</sup> November 2021 regarding the Council meeting held on 3<sup>rd</sup> November 2021. I note from the draft minutes of the meeting that a typographical error was identified in paragraph 257 of our published report. The paragraph referred to Councillor Sheila Jenkins as being the now Chair of the Council, when this was not the case. This error was introduced inadvertently when the report was being prepared for publication. We were fully aware that Councillor Sheila Jenkins has never been the Chair of the Council.

The error has no bearing on the findings and conclusions set out in the report and does not negatively reflect on any individual associated with the Council. Nevertheless I would like to apologise that the error was not identified and corrected prior to publication.

When I became aware of the error, I asked our Publishing Team to correct paragraph 257 in the published report on our website, and this has now been done: [Inadequacies in Governance, Financial Management and Internal Control Arrangements – St Harmon](#)

[Community Council \(audit.wales\)](http://audit.wales) I have attached a copy of the amended report for your information. I would be grateful if you could inform the members of the Council that we have acknowledged and apologised for the error in paragraph 257 and have corrected the text accordingly”

Members were grateful to receive this email and notification of the amendment.

**c) Cllr D Jenkins – Resignation from the office of Chair**

The Clerk reported she had received written notification of Cllr Donald Jenkins of his retirement from the office of Chair on 22<sup>nd</sup> November 2021. The election of the new council Chair will be placed on the agenda for 2<sup>nd</sup> December 2021.

Members noted this.

**SH 190/21 Resolution – Confidential Matters**

Resolved that the public be excluded from the meeting for the following items of business in accordance with the Public Bodies (Admissions to Meetings) Act 1960 as there would be disclosure to them of confidential information relating to contractual, legal and personnel content.

**SH 181/21 Confidential Matters (Legal, Personnel, Contractual)**

**a) Code of Conduct Complaint – Cllr D Jenkins**

Members discussed the Audit Wales Public Interest Report and worked through this document matching up elements of the Members Code of Conduct, highlighting perceived breaches and agreeing on the content of the complaint to the Public Services Ombudsman.

The Chair proposed that a recorded vote be taken on any subsequent proposals within this agenda item. This was agreed unanimously.

**Resolved:** to take a recorded vote on further proposals.

**Resolved:** to submit a complaint on behalf of St Harmon Community Council (as a corporate body) against Cllr Donald Jenkins to the Public Services Ombudsman for breaches in the Members Code of Conduct relating to the Audit Wales report. Cllr Lewis, Cllr Lowde, Cllr McPhee and Cllr Williams voted in favour of this proposal. The Clerk was instructed to complete and submit the complaint on behalf of the council.

**b) Code of Conduct Complaint – Former Cllr S Jenkins**

The Clerk reminded members of the recent resignation of Cllr S Jenkins.

**Resolved:** it was resolved unanimously to make a report to the Public Services Ombudsman against former Cllr S Jenkins.

Members discussed the Audit Wales Public Interest Report and worked through this document matching up elements of the Members Code of Conduct, highlighting perceived breaches. Members also considered the minutes of the meeting held on 1<sup>st</sup> April 2021 and 3<sup>rd</sup> November 2021 and agreed on the content of the complaint to the Public Services Ombudsman.

The Chair proposed that a recorded vote be taken on any subsequent proposals within this agenda item. This was agreed unanimously.

**Resolved:** to take a recorded vote on further proposals.

**Resolved:** to submit a complaint on behalf of St Harmon Community council (as a corporate body) against former Cllr S Jenkins to the Public Services Ombudsman for breaches in the Members Code of Conduct and for her attendance and participation in the meeting on 1<sup>st</sup> April 2021 when the draft Audit Wales Report was discussed and for attending and participating in the discussions at the meeting held on 3<sup>rd</sup> November 2021.

Cllr Lewis, Cllr Lowde, Cllr McPhee and Cllr Williams voted in favour of this proposal. The Clerk was instructed to complete and submit the complaint on behalf of the council.