

NOTICE OF DECISION

TRIBUNAL REFERENCE NUMBER: APW/001/2023-24/CT

RESPONDENT: Former Councillor Donald Jenkins

RELEVANT AUTHORITY: St. Harmon Community Council

1. A Case Tribunal convened by the President of the Adjudication Panel for Wales ('APW') has considered a reference in respect of the above Respondent.
2. The APW received a referral and Report from the Public Services Ombudsman for Wales ('the PSOW') dated 31 March 2023 in relation to an allegation made against the Respondent.
3. The Case Tribunal determined its adjudication on the papers only, at a meeting conducted on 4 July 2023, by means of remote attendance technology.
4. The Case Tribunal found by unanimous decision that the Respondent had failed to comply with the Relevant Authority's Code of Conduct by providing misleading information to Audit Wales in relation to a bus shelter refurbishment tender notice and as to whether an amended annual return and governance statement was approved by the Relevant Authority's council meeting in June 2019.

5. The Case Tribunal considered that this conduct could reasonably be regarded as bringing the Respondent's office and Relevant Authority into disrepute in breach of Paragraph 6(1)(a) of the Code of Conduct. It also decided that the conduct involved using or attempting to use the Respondent's position to improperly avoid a disadvantage for himself in breach of Paragraph 7(a) of the Code of Conduct.
6. The Case Tribunal decided by unanimous decision that the Respondent should be disqualified for **15 months** from being or becoming a member of the Relevant Authority or of any other relevant authority within the meaning of the Local Government Act 2000, with effect from the date of this notice.
7. The Relevant Authority and its Standards Committee are notified accordingly.
8. The Respondent has the right to seek the leave of the High Court to appeal the above decision.
9. The Reasoned Decision report will be published on the APW website in due course.

Signed..... Date 4 July 2023

Ms C Jones, Chairperson of the Case Tribunal

Mr H E Jones, Case Tribunal Member

Mr D Morris, Case Tribunal Member