`\STANDARDS COMMITTEE

DECISION NOTICE

PSOW Case reference:	202405940 & 202407229
Subject Member:	Councillor Arwel Roberts
Relevant authority:	Rhuddlan Town Council
Complainant:	Mr. Robert Williams
Hearing date:	8th October 2026
Decision date:	16th October 2026

1. Introduction

The Standards Committee considered the report that the Public Services Ombudsman for Wales issued under section 69 of the Local Government Act 2000 for case number 202405940 & 202407229, concerning alleged breaches of the statutory Code of Conduct by Councillor Arwel Roberts of Rhuddlan Town Council.

The complaint concerned Councillor Roberts' participation in decisions relating to a proposal by Rhuddlan Football Club to use and develop the Admiral's Playing Field, situated next to his home.

The Committee's power to determine the matter arises under section 73 of the Local Government Act 2000 and regulation 7 of the Local Government Investigations (Functions of Monitoring Officers and Standards Committees) (Wales) Regulations 2001.

The Ombudsman referred the following alleged breaches:

Code provision	Issue
6(1)(a)	Members must not conduct themselves in a manner which could reasonably be regarded as bringing their office or authority into disrepute.
8(a)	Members must when participating in meetings or reaching decisions regarding the business of their authority, do so on the basis of the merits of the circumstances involved and in the public interest having regard to any relevant advice provided by their authority's officers.

12(1)	Where Members have a personal interest in any business of their authority, they also have a prejudicial interest in that business if the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice their judgement of the public interest
14(1)(a)	Where Members have a prejudicial interest in any business of their authority they must, unless they have obtained a dispensation from their authority's standards committee withdraw from the room, chamber or place where a meeting considering the business is being held.
14(1)(c)	Where Members have a prejudicial interest in any business of their authority they must, unless they have obtained a dispensation from their authority's standards committee, not seek to influence a decision about that business.
14(1)(e)	Where Members have a prejudicial interest in any business of their authority they must, unless they have obtained a dispensation from their authority's standards committee, not make any oral representations in respect of that business or immediately cease to make such oral representations when the prejudicial interest becomes apparent.

2. Documents and Evidence Considered

2.1 The Ombudsman's investigation report dated 26th March 2026, including its appendices and evidence bundle.

2.2 The Ombudsman's published summary of case 202405940 & 202407229.

2.3 The audio recording and transcript of the Rhuddlan Town Council meeting held on 14th March 2024.

2.4 Written and oral representations from the Ombudsman.

2.5 Written and oral representations by Councillor Roberts.

2.6 The Adjudication Panel for Wales Sanctions Guidance, if sanction was considered.

3. Summary of Facts

3.1 On 23rd January 2024, Rhuddlan Football Club asked Rhuddlan Town Council to consider developing grassroots football facilities and moving its adult team from its current pitch (Pengwern) to the Admiral's Playing

Field. This was discussed at the Rhuddlan Town Council meeting on 8th February 2024.

3.2 The Town Council had eleven members; three members (including Councillor Roberts) lived next to the Admiral's Playing Field. One of the members living next to the field was also a close relative of the Mayor of the Town Council at the time.

3.3 At the 8th February 2024 meeting, Councillor Roberts declared a personal interest because his home was close to the proposed changing rooms and abstained from the vote at that meeting.

3.4 The Council agreed in principle to Rhuddlan Football Club use of the field by 5 votes to 4, subject to a more detailed proposal.

3.5 After the 8th February 2024 meeting, Councillor Roberts asked the Monitoring Officer via email dated 9th February 2024, for clarification regarding the Code of Conduct and personal and prejudicial interests.

3.6 The Monitoring Officer subsequently advised on the 11th February 2024 that an interest affecting a councillor's property or enjoyment could be personal; and that the member should then ask themselves if 'a member of the public with knowledge of the facts would reasonably regard your interest as being so significant that it would prejudice your judgement of the public interest'; the Monitoring Officer advised that if the answer to that question is yes, then the member should declare that, leave the meeting and not participate or vote. The Monitoring Officer advised that this decision was a judgement that was for each member to take.

3.7 The Mayor subsequently sought to have the 8th February 2024 decision, to allow Rhuddlan Football Club use of the field in principle, reconsidered.

3.8 A Special Motion was circulated to six Council members who had agreed to support it, stating that the February decision had been made too hastily.

3.9 Six councillors supported the special motion, including Councillor Roberts and the other two councillors living next to the field.

3.10 The Rhuddlan Football Club's request to use the Admiral's Playing Field was then brought back to the 14th March 2024 Rhuddlan Town Council meeting. At that meeting, Councillor Roberts declared a personal interest because he lived next to the field.

3.11 Other councillors questioned whether members living close to the field should be allowed to participate and to vote on the matter.

3.12 In response to those questions, the Mayor stated that there had been five declarations of interest that were all 'private' and that they had been assured by the Monitoring Officer that they could participate and vote.

3.13 The Monitoring Officer's written advice did not express any conclusion as to whether any individual member had a personal or prejudicial interest. Rather, it set out the applicable process and objective test that each member was required to apply to their own circumstances in order to determine the nature and extent of any interest and the consequential steps required under the Code of Conduct.

3.14 Councillor Roberts offered to read the Monitoring Officer's email advice regarding personal and prejudicial interests, but the Mayor did not allow this and moved directly to the vote.

3.15 The Council voted 6-4 to refuse Rhuddlan Football Club's request. The six councillors supporting refusal were the same six who had backed the special motion, including Councillor Roberts and the other two councillors living next to the field.

3.16 Members were told that the matter was closed for six months.

4. Decision

The Committee determined that Councillor Roberts breached the Code of Conduct as set out in the Public Services Ombudsman for Wales Investigation Report.

Although Councillor Roberts declared a personal interest at the 8th February 2024 meeting and abstained from voting, he did fail to declare a prejudicial interest. He also failed to declare a prejudicial interest at the 14th March 2024 meeting which led to a failure to take proper account of the public interest and the actions thereafter in relation to the decision on Rhuddlan Football Club's proposal for their use and development of Admiral's Playing Field.

Specifically, the Committee determined that Councillor Roberts had failed to comply with the following paragraphs of the Code of Conduct:

Provision	Outcome	Committee finding / reason
6(1)(a)	BREACH	Failure to declare a prejudicial interest that has brought the Council into disrepute.
14(1)(a)	BREACH	Failure to withdraw from the meeting on 8th February 2024, and 14th March 2024 when he had a prejudicial interest.
14(1)(c)	BREACH	Seeking to influence the decision despite the prejudicial interest at the meeting on 8th February 2024, by supporting the Special Motion and at the meeting on 14th March 2024
14(1)(e)	BREACH	Making oral representations at the meeting on 14th March 2024, despite the prejudicial interest.

Consideration was given to paragraph 8(a) (pre-determination). Councillor Roberts said that he went into the 8th February meeting with an open mind and claimed that he had not decided which way to vote until listening to the discussion at the March meeting. When he wrote to the Monitoring Officer for advice, Councillor Roberts included asking whether the matter could be brought back to the March meeting and "could I vote against it please?" which indicated that his mind was made up prior to the March meeting.

However, the Standards Committee agreed with the Ombudsman's decision on this, as the serious failure to declare a prejudicial interest in the 8th February meeting and onwards is the primary breach from which all else stems. If Councillor Roberts had

declared a prejudicial interest, he would have left the room and not contributed at all at the February meeting; declared a prejudicial interest and not supported or been involved in the special motion; and if the matter had been brought back to the March meeting, he would also have left the room, therefore not contributed in any way and not voted.

5. Reasons for Decision

5.1 Personal and prejudicial interest

The Committee carefully considered the nature and extent of Councillor Roberts' connection to the matter under consideration and whether he had a personal interest and if so, whether he also had a prejudicial interest.

Consideration included the following:

- the location and proximity of Councillor Roberts' property to the Admiral's Playing Field
- the location and proximity of Councillor Roberts' property to the Admiral's Playing Field access lane and car park
- it having been established that previously proposed changing rooms could affect drainage at Councillor Roberts' property
- the potential for increased parking in the vicinity of Councillor Roberts' property

Taken together, the Committee was satisfied that these factors created a clear personal interest in the matter.

The Committee then applied the objective test for prejudicial interest. It concluded that a reasonable member of the public, having knowledge of the relevant facts,

would regard the interest as sufficiently significant that it was likely to prejudice Councillor Roberts' judgement of the public interest.

In reaching this conclusion, the Committee emphasised that the test is not whether Councillor Roberts believed he could act impartially, but whether an informed observer would reasonably perceive there to be a risk that his judgement could be influenced by his personal connection to the matter. The Committee therefore found that Councillor Roberts' personal interest was also a prejudicial interest.

5.2 Meeting on 8th February 2024

During the meeting, Councillor Roberts declared a personal interest and abstained from the vote which he said was because he considered that some members would think he had a conflict of interest. He remained in the room and contributed to the discussion during that item and agreed that he said "they're not tapping into my drains" at that meeting. However, as the Committee concluded that the interest was both personal and prejudicial, the Committee determined that he should also have declared a prejudicial interest at the meeting on 8th February 2024.

Because the interest was prejudicial, Councillor Roberts should have withdrawn fully from the 8th February 2024 meeting and taken no part in the consideration of the issue. By contributing to the discussion, this created a public perception that the decision-making process had not been conducted with the necessary objectivity and independence required by the code.

However, the Committee does acknowledge that Councillor Roberts did abstain from the vote.

5.3 Monitoring Officer's advice

The day after the meeting (9th February 2024), Councillor Roberts wrote to the Monitoring Officer (by email) to ask for advice regarding personal and prejudicial interests. The Monitoring Officer replied on 11th February 2024, setting out the basis for an individual member to make a judgement regarding a personal interest, and the

question that they should then ask themselves regarding whether it was also a prejudicial interest.

The Committee acknowledged that Councillor Roberts actively sought the Monitoring Officer's advice regarding members' personal and prejudicial interest. However, the Committee concluded that as an experienced member, Councillor Roberts failed to interpret the advice given correctly and determined that he only had a personal interest.

The Committee also considered that Councillor Roberts twice attempted to share the Monitoring Officer's advice during the meeting on 14th March 2024. This indicated that he had given due consideration to the advice; however, it did not alter the Committee's finding that he had interpreted it incorrectly.

As a result, Councillor Roberts continued to seek to influence the Rhuddlan Town Council decision regarding Admiral's Playing Field through supporting the Special Motion, and by only declaring a personal interest and fully participating and voting at the March 2024 meeting.

5.4 The special motion

After the 8th February 2024 meeting, Councillor Roberts signed a special motion that was submitted to the clerk by six Rhuddlan Town Council members meaning that the Rhuddlan Football Club item for the use and development of Admiral's Playing Field would be bought back to the 14th March 2024 meeting. Councillor Roberts did not declare a personal or prejudicial interest when he supported the special motion.

The Committee found that Councillor Roberts should have declared a personal and prejudicial interest and neither supported nor been involved with the special motion at all.

5.5 Meeting on 14th March 2024

The Committee acknowledged that Councillor Roberts declared a personal interest at the 14th March 2024 meeting. However, it found that the declaration did not go far enough because the interest was also prejudicial in nature.

Having determined that a prejudicial interest existed, the Committee concluded that Councillor Roberts should have withdrawn from the 14th March 2024 meeting immediately after declaring the interest and should not have remained in the room whilst the matter was considered.

Councillor Roberts did offer to read out the advice that he had had from the Monitoring Officer which he said he had in front of him: The Mayor, however did not allow it and moved to the vote; Councillor Roberts said that he was disappointed that he was not able to read out the advice as he believed it would help others understand ‘our’ situation and why [for him] it was a personal interest only ‘on my part anyway’.

While the Committee acknowledged that Councillor Roberts had offered to read out the advice in the meeting, he did have that advice in front of him and still maintained that he had a personal but not a prejudicial interest.

Councillor Roberts’ actions created a significant risk of undermining public confidence that Council decisions are being taken objectively, transparently and in the public interest rather than being influenced by members’ private interests.

6 Sanction

In determining the appropriate sanction, the Committee followed the five-step process as set out in the Adjudication Panel for Wales’ Sanctions Guidance.

6.1 Seriousness of the breach

The Committee considered the failure to properly disclose and manage a prejudicial interest to be a serious breach of the Code and would cause significant negative reputational damage to Rhuddlan Town Council.

The Committee considered that Councillor Roberts' actions of abstaining from the vote at the meeting in February and subsequently seeking advice from the Monitoring Officer, showed that Councillor Roberts had given due consideration to the level of interest that he had in the matter. However, as an experienced member, the Committee determined that Councillor Roberts was culpable for failing to declare a prejudicial interest at both meetings. This meant that he participated in and voted on a matter in which he should not have had any involvement.

There have been no previously recorded breaches of the Code of Conduct by Councillor Roberts.

6.2 Choosing the potential sanction

The Committee considered all available sanctions, beginning with those having the least impact. It concluded that taking no action would not adequately reflect the seriousness of the breaches. It also concluded that a censure would be insufficient, having regard to the nature of the conduct and the apparent lack of understanding of its seriousness. Councillor Roberts has had training on the Code and agrees that he is familiar with it, but he has continued to and does continue to express the view that he did not breach the Code.

The Committee determined that suspension was the appropriate and proportionate sanction. In particular, it took account of its findings that Councillor Roberts' conduct undermined public confidence in the integrity, openness and impartiality of the Council's decision-making process.

6.3 Mitigating and aggravating factors

In determining the length of the suspension, the Committee gave due consideration to the following mitigating and aggravating factors:

Mitigating factors

- A previous record of good service, significantly taking forward and contributing to a wide range of community initiatives and projects
- The Standards Committee recognised that Councillor Roberts did appear initially to attempt to act in good faith by declaring a personal interest at the February 2024 meeting, and subsequently asking for advice from the Monitoring Officer
- Co-operation with the Investigating Officer even though the interview was not in Councillor Roberts' preferred language
- Stated preparedness to attend future training
- Compliance with the Code since the events giving rise to the adjudication

Aggravating factors

- Long experience as a Town and County Councillor that has included being mayor and chair over the years; on that basis the Committee would have expected a better understanding and associated application of the Code
- Exploitation of a position of trust
- Lack of understanding or acceptance of the misconduct
- Recklessly misinterpreting the advice of the Monitoring Officer
- Action that has brought the Council into disrepute

The Committee determined that Councillor Roberts should be suspended for two months from Rhuddlan Town Council. It also strongly recommended that, following the end of the suspension period, he undertakes further training on the Code.