
STANDARDS COMMITTEE 12 October, 2009

PRESENT: ELECTED MEMBERS: Councillor Margaret Griffith

INDEPENDENT MEMBERS: Mr John Pollard (Chairman), Mr Gwilym Ellis-Evans, Mr Malcolm Jones and Mr Sam Soysa.

COMMUNITY COMMITTEE MEMBER: Mr David Clay

ALSO PRESENT: Siôn Huws (Propriety Officer) and Ioan Hughes (Committee Officer).

APOLOGIES: Councillors Keith Greenly-Jones and Stephen Churchman. An apology was also received from the Monitoring Officer who was attending another meeting at Dolgellau.

1. DECLARATION OF PERSONAL INTEREST

No declarations of personal interest were received from any member present.

2. MINUTES

The Chairman signed the minutes of the previous meeting of this Committee held on 23 June 2009, as a true record.

3. MATTERS ARISING FROM THE MINUTES

Reference was made to the Member-Officer Relations Protocol and it was confirmed that the amended Protocol had been adopted by the full Council.

RESOLVED to accept the information.

4. APPLICATION FOR DISPENSATION BY COUNCILLOR JOHN PUGHE ROBERTS

The report of the Monitoring Officer was submitted by the Propriety Officer, referring to the application by Councillor John Pughe Roberts for a dispensation to allow him to participate in discussions involving the Council's schools organisation plan.

It was explained that Councillor Roberts was an elected member of Gwynedd Council, representing Corris/Mawddwy. The dispensation would be relevant when discussions affecting Ysgol Dinas Mawddwy would be held, where his sister's children were pupils.

Members were reminded that this Committee had decided to establish guidelines for considering applications relating to Schools Organisation Plans.

According to the guidelines “*a husband or wife, children, brother or sister would amount to too close a connection to allow dispensation in terms of a specific school, since it would be difficult for the public to gain confidence in the way a decision would be reached.*”

Reference was made to the decision of this Committee in May 2009, when similar applications had been made by three councillors. At that time it was decided to allow dispensation for the three members to participate in the discussions held by the Catchment Area Review Panel but to refuse dispensation for them to vote should a situation arise of taking a vote. They were refused dispensation to participate in discussions or to vote on the matter in any of the Council’s committees or the full Council.

Some members of the Standards Committee were of the opinion that the latest application should be dealt with in the same way. They expressed concern that there was a danger that the Committee would extend the boundaries of the guidelines.

In response, other members emphasised that the applications considered in May referred to children of two Councillors and the wife of another. They did not believe that the current application fell into the same category because the application was based on the connection with the children of the applicant’s sister.

A member expressed concern that establishing boundaries that were too strict could lead to all important decisions being made by a small percentage of the Council’s membership.

Members agreed that the applicant had left some of the questions in the application form unanswered and it was emphasised that this should be avoided in future.

RESOLVED:

- i) **To allow dispensation for the member to participate in discussions and to vote on matters considered by the Catchment Area Review Panel and by committees of the Council and the full Council;**
- ii) **Steps are to be taken to ensure that every applicant in future completes the application form in full by answering all the questions.**

5. ALLEGATIONS MADE AGAINST MEMBERS

i) Decisions

The report of the Monitoring Officer was submitted by the Propriety Officer, for information.

From the perspective of decisions, reference was made to the case of a member of Barmouth Town Council that had been referred by the Ombudsman to the Adjudication Panel for Wales for a decision. Following

the hearing, the Case Tribunal had decided that the Councillor should be disqualified for a period of twelve months from being or becoming a member of Barmouth Town Council or any other 'relevant authority'.

A copy of the full decision of the Tribunal was circulated to members. It was noted that the date noted in the English version of the adjudication was 2001, rather than 2008.

In response to the decision, the Chairman noted that the Standards Committee could have dealt with the case and such an experience could have been useful for members.

As a consequence of the Tribunal's decision, members of this committee referred to the need to ensure that training was available regularly for members of Town and Community Councils. It was suggested that a copy of the Tribunal's decision should be sent to all the county's Town and Community Councils. It was further noted that the information could be submitted electronically.

It was agreed that the Propriety Officer and the Monitoring Officer should consider how training could be provided and introduced to members of Town and Community Councils and to report back to this Committee.

Outstanding Allegations

Officers were aware of two complaints on which the Ombudsman had not decided whether to investigate the complaints and another where he had now decided to hold an investigation.

In response to an enquiry, the Propriety Officer explained that it would not be appropriate to submit further information on these matters at present.

RESOLVED to accept the information and a report is to be prepared on the possible methods of presenting training for members of Town and Community Councils.

6. MEMBERSHIP

It was confirmed that the Consultative Panel had decided to appoint Mr Gwyn Williams as an additional independent member of the Standards Committee.

Mr Williams had already stated his willingness to accept the offer and the recommendation of the Panel would be submitted to the full Council on 22 October 2009 for a decision.

RESOLVED to accept the information.

CHAIRMAN