
STANDARDS COMMITTEE, 02.07.12

Present: -

Elected Members:- Councillors Charles Wyn Jones, Eryl Jones-Williams and Michael Sol Owen.

Independent Members:- Mr Gwilym Ellis Evans (Chairman), Ms Linda Byrne, Miss Margaret E.Jones and Mr Sam Soysa.

Community Committee Member:- Mr David Clay.

Also Present: Dilys Phillips (Monitoring Officer), Siôn Huws (Propriety Officer) and Eirian Roberts (Members Support and Scrutiny Officer).

Apology: Mr Gwyn Williams (Independent Member).

1. ELECTION OF CHAIRMAN

RESOLVED to elect Mr Gwilym Ellis Evans as chairman of this committee for whichever is the shortest of the following periods (a) to the end of the term of the current Council or (b) until his term of office comes to an end.

The Chairman welcomed the new members of the committee.

2. ELECTION OF VICE-CHAIRMAN

RESOLVED to elect Mr Sam Soysa as vice-chairman of this committee for whichever is the shortest of the following periods (a) to the end of the term of the current Council or (b) until his term of office comes to an end.

3. DECLARATION OF PERSONAL INTEREST

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

4. MINUTES

The Chairman signed the minutes of the previous meeting of this committee, held on 18 April, 2012, as a true record.

5. AN INTRODUCTION TO THE WORK OF THE COMMITTEE

The members received an introduction to the work of the committee by the Monitoring Officer.

An information pack was circulated to the members that included the following documents:-

- A document which explained the committee's terms of reference;

- A copy of the Code of Conduct for Members;
- A leaflet summarising those interests that the councillors were required to declare;
- The Gwynedd Standard;
- The Public Services Ombudsman for Wales Guidelines on the Code of Conduct (which were about to be amended).

The Monitoring Officer explained the contents of the various documents and gave more details on the role and functions of the committee.

She suggested that a work programme should be drawn up in the next meeting of the committee based on the issues the members wished to look at over the next five years and she asked the members to submit their ideas either during that meeting or between that time and the end of summer.

She also noted that the two new independent members were welcome to have a chat with her to go through the Code of Conduct in detail.

The Propriety Officer then gave more details on two aspects of the committee's work, namely considering applications for dispensation and complaints against members.

The Monitoring Officer also referred to the role of the North Wales Standard Committees Chairpersons and Vice-chairpersons Forum.

A member emphasised that all community and town council clerks should receive training on the Code of Conduct. In response the Monitoring Officer noted that she would discuss this with the Society of Town and Community Clerks and would report back at the next meeting.

Mr David Clay was congratulated on being appointed Chairman of Unllais Cymru in Meirionnydd.

6. EXCLUSION OF PRESS AND PUBLIC

RESOLVED to exclude the press and public from the meeting during the discussion on the following item because of the likely disclosure of exempt information as defined in paragraph 18C, Part 4, Schedule 12A of the Local Government Act 1972. It is noted that this paragraph applies because it concerns the deliberations of the Standards Committee in reaching a decision on a matter referred to it. It is believed that the information should not be disclosed so that the councillor is not prejudiced by any possible publicity of the case before any hearing. Consequently, the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

7. REPORT BY THE PUBLIC SERVICES OMBUDSMAN FOR WALES ON AN INVESTIGATION INTO A COMPLAINT AGAINST COUNCILLOR 'A' OF GWYNEDD COUNCIL

Submitted – the report of the Monitoring Officer asking the committee to consider the Ombudsman's report and to reach a decision in accordance with the requirements of the relevant regulations.

Councillor Charles Wyn Jones asked whether or not he should declare an interest in this item as the mother of the complainant was a close friend of his. He confirmed that he did not know the complainant himself. The Monitoring Officer advised him that his connection

with the complainant was distant enough so as not to be an interest. However, she added that the question of interest was more likely to be raised in the context of the fact that the member was a member of the same political group as the complainant rather than the fact that he was a close friend of his mother, but a member's connection with a specific group did not prevent him from considering applications that were submitted before the committee. Therefore, he did not believe that there was an interest in this case but the member was required to reach his own conclusions on the matter.

Reference was made to the need to amend two errors in the papers, namely:-

(1) Appendix 1 – Procedure for Hearings – Stage 2 of the hearing – Deciding whether the Member has breached the Code of Conduct

It was noted that the third bullet point under the heading “*General Rules of Procedure*” should be corrected to read:-

- The Committee will decide factual *evidence* on the balance of probabilities.

(2) Appendix E – A letter noting the Ombudsman’s intention to investigate the complaint.

It was noted that the Welsh version of the letter was dated 17 August, 2011 and the English version was dated 9 August. The Propriety Officer agreed to check which date was correct.

RESOLVED

- (a) **That there is evidence of failure to comply with the Authority’s Code of Conduct and that they should proceed to call a special meeting of the Standards Committee to consider and decide on the matter and to authorise the officers to make the necessary arrangements.**
- (b) **That any person who is the subject of the investigation should be given the opportunity to make representations, either orally or in writing in respect of the findings of the investigation and any allegation that he or she has failed, or may have failed, to comply with the relevant authority’s code of conduct.**
- (c) **That an officer places the relevant papers in the hand of the person who is the subject of the investigation.**
- (ch) **That they shall look for a date during September for the hearing, but should this not be possible, the hearing shall be held on 1 October, namely the date that was earmarked for the Standards Committee’s next usual meeting.**
- (d) **To invite the Ombudsman to the hearing, although it is not necessary for him to attend.**

The meeting commenced at 11.00am and concluded at 12.20pm