
STANDARDS COMMITTEE, 01.07.13

Present:-

Elected Members:- Councillors Charles Wyn Jones and Eryl Jones-Williams.

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

Community Committee Member:- Mr David Clay.

Also Present: Dilys Phillips (Monitoring Officer), Sion Huws (Compliance and Language Manager) and Eirian Roberts (Member Support and Scrutiny Officer).

Apologies:- Councillor Michael Sol Owen; Ms Linda Byrne and Dr Einir Young (Independent Members).

1. DECLARATION OF PERSONAL INTEREST

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

2. MINUTES

The Chairman signed the minutes of the previous meeting of this committee held on 28 January, 2013 as a true record.

For information for members, the Monitoring Officer noted:-

- That the full Council had adopted the Protocol for Gifts and Hospitality for Members and had included it as part of its Constitution in May.
- That no response had been received from Carl Sargeant AM, the Minister for Local Government and Communities at the time, to the letter expressing the discontent of this committee that his letter regarding the Welsh Government Ethical Framework had been received in English only. A letter had been sent to the Ombudsman some time ago and a response had been received from him in February recognising the fact that he should have sent his correspondence bilingually and he had apologised for the situation.

3. APPLICATION FOR DISPENSATION BY COUNCILLOR MIKE STEVENS

Submitted – an application for dispensation by Councillor Mike Stevens to participate in a discussion, at the Town Council, regarding the Tywyn Chamber of Tourism and Commerce.

The Compliance and Language Manager explained:-

- That the Town Council provided an annual grant to the Chamber; however, this year it wished to discuss the matter further prior to making a decision because of developments within the Chamber over the last year.

- That the Councillor had declared a prejudicial interest as he was the Chairman of the Chamber. He was eager to attend the meeting in order to provide information and answer the Town Council's questions and he had asked for permission to speak and vote on the matter.

Further background information received from the member was submitted.

The Compliance and Language Manager explained further:-

- That the Standards Committee was entitled to allow dispensation if the situation fell within one (or more) of the situations listed in the relevant regulations.
- That the Councillor had noted that he was applying for the dispensation under paragraph (h), providing -
“the business which is to be considered relates to the finances or property of a voluntary organisation of whose management committee or board the member is a member otherwise than a representative of the relevant authority and the member has no other interest in that business provided that any dispensation shall not extend to participation in any vote with respect to that business.”
- That he had also noted paragraph (e) - *“the interest is common to the member and a significant proportion of the general public.”*
- That paragraph (f) – *“the participation of the member in the business to which the interest relates is justified by the member's particular role or expertise”* was also very relevant in this case.
- That the Ombudsman's guidelines on the Code of Conduct (September 2012) noted the following in relation to dispensations (page 26) -
“The standards committee will need to balance the public interest in preventing members with prejudicial interests from taking part in decisions, against the public interest in decisions being taken by a reasonably representative group of members of the authority.”

During the subsequent discussion on the application, the view was expressed that the Councillor should be able to remain in the meeting to explain the situation and answer the questions of the Town Council, but that he should not be able to vote as he had an obvious interest in the matter.

RESOLVED

- To grant the application for dispensation for the Councillor to speak, but not to vote, at the Town Council meeting and the preceding Finance Committee.**
- To note that the grounds for the decision is paragraph (f) in the regulations, namely, the member's expertise.**
- That the reports on applications for dispensations should include further information from now on.**

4. STANDARDS COMMITTEE 2012/13 ANNUAL REPORT

Submitted – the report of the Monitoring Officer appending a draft of the committee's annual report for the period from 1 April 2012 up to 31 March 2013.

RESOLVED

- To approve the content of the report, but to amend the appendix to refer to the actual work programme of the committee for the year rather than the proposed work programme.**

- (b) To distribute the report electronically for all members of the Council who have an I-pad, with paper copies for the rest of the members and town and community council clerks.
- (c) To place the report on the Council's website, with paper copies in the libraries.
- (ch) To include a short article in Newyddion Gwynedd, drawing attention to the fact that the annual report has been published.

5. FEEDBACK FROM THE STANDARDS CONFERENCE

Submitted – the report of the Monitoring Officer presenting feedback from the Standards Conference held in Llandudno on 19 April 2013 and the committee was invited to make any observations on the timing and arrangements of the conference for the future.

A copy of the conference's materials was distributed to those members who had not attended the conference.

The Monitoring Officer was thanked for her part in coordinating the arrangements for the conference.

The following observations were submitted:-

- That the seminars in the afternoon were slightly rushed, but that everything else had been excellent.
- That it was a shame that so few attendees wished to discuss through the medium of Welsh.
- That it was important that the observations noted on the feedback forms were taken into account when the conferences were arranged in the future. In response, the Monitoring Officer noted that all monitoring officers in Wales received a copy of the observations so that they were available for whoever would be arranging the conferences in the future. It was also noted that it was intended to prepare a short guide for organisers.

RESOLVED to note the report.

6. WORK PROGRAMME

Submitted – the report of the Monitoring Officer presenting the draft work programme for 2013/14 and requesting the committee to approve the document.

The principle of going to observe the meetings of town and community councils, along with the nature of those visits, was discussed. It was explained that there was a difference between attending so that individual members could learn from the experience and attending formally in order to influence conduct.

RESOLVED

(a) To agree on the following work programme:-

30 September 2013

- Annual Report of the Adjudication Panel for Wales
- Allegations against members
- Meet the Political Group Leaders
- Social Media Protocol
- Training

27 January, 2014

- **Gifts and Hospitality Register (including some community councils)**
- **Elected members register of interests (including some community councils)**
- **Resolution procedure and Gwynedd Standard**
- **Allegations against members**
- **North Wales Standards Committee Forum**

7 April, 2014

- **Meet with the Chairman and Vice-chairman of the Democratic Services Committee**
 - **Procedure for dispensation applications**
 - **Self-assessment of the committee's work**
 - **Allegations against members**
 - **Committee's Work Programme**
- (b) **That the meetings of town and community councils should not be visited formally at present, but that any members are free to attend as individuals in order to educate themselves.**

7. ALLEGATIONS AGAINST MEMBERS

Submitted for information – the report of the Monitoring Officer notifying the Committee members of the developments, since her last report, in terms of allegations against members.

RESOLVED to note the report.

8. NORTH WALES STANDARDS COMMITTEES FORUM

Submitted for information – the minutes of the Forum meeting held on 20 May 2013.

The Chairman of this committee was congratulated on being appointed as Vice-chairman of the Forum.

It was noted that the Forum minutes were getting shorter and members supported the comment noted in them that a discussion was required regarding the frequency of the meetings.

RESOLVED to note the contents of the minutes.

9. THE OMBUDSMAN'S ANNUAL REPORT 2012/13

Submitted for information – the report of the Monitoring Officer appending a copy of those parts of the Ombudsman's Annual Report 2012/13 relevant to code of conduct complaints.

RESOLVED to note the report.

The meeting commenced at 11.00am and concluded at 12.25pm.