
STANDARDS COMMITTEE, 29.09.14

Present:-

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

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

Community Committee Member:- Mr David Clay.

Also Present: Iwan Evans (Monitoring Officer), Sion Huws (Senior Solicitor) and Eirian Roberts (Members Support and Scrutiny Officer).

Iwan Evans was welcomed to the meeting following his appointment to the post of Monitoring Officer.

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 committee meetings held on 30 June, 14 July and 29 July as a true record.

Matter arising from the minutes of 14 July, 2014

Item 2 – Complaints against Councillor Christopher O’Neal, Gwynedd Council

In response to an enquiry, it was noted that a letter had been sent to the Adjudication Panel for Wales asking them to confirm whether the appeal was submitted in this case.

Matter arising from the minutes of 29 July, 2014

Item 2 – A complaint against Councillor Nancy Clarke, Tywyn Town Council

In response to an enquiry, it was noted that in this case, an appeal had not yet been submitted to the Adjudication Panel for Wales.

3. AN UPDATE ON RESTRUCTURING THE LEGAL SERVICES

Submitted - verbal update from the Monitoring Officer on the recent changes to the service. He explained that he began in his post of Monitoring Officer on 1 September, and that Rhun ap Gareth, Senior Solicitor had been appointed to the post of Deputy Monitoring Officer. Sion Huws, Senior Solicitor, would continue to work on propriety matters and support the Standards Committee. The new Team, which was getting started with its work programme, included the Legal, Elections, Coroner and Propriety Services.

RESOLVED to note the information.

4. APPLICATION FOR DISPENSATION BY COUNCILLOR MIKE STEVENS

Submitted – the Monitoring Officer's report asking the committee to consider the application by Councillor Mike Stevens, Tywyn Town Council, who was also the Chairman of the Tywyn Chamber of Tourism and Commerce (CTC), for general dispensation to speak and vote at meetings of the Town Council if an issue involving the CTC's banner were to arise.

During the discussion:-

- It was noted that the application concerned putting up one flag only and that it was not a matter of huge significance from the public interest standpoint.
- Some members noted their concern that this was a theoretical application and that it was not clear in what context the matter would arise, if at all. On the other hand, others noted that it was better for members to submit an application if they foresaw a matter arising as it could be difficult to convene the committee to discuss an application at short notice.
- It was suggested to allow the councillor to speak but not to vote, in the Town Council meetings, based on the fact that the Councillor was chairman of the CTC and that the voice of the CTC needed to be heard as it could be a beneficial addition to the Town Council's discussion should this specific matter arise.
- Due to the fact that circumstances could change, but so that the Town Council could implement their plans for 2015, it was suggested to restrict the dispensation for a period of 18 months (until the Annual Meeting of the Town Council in May 2016).

RESOLVED to approve the application for dispensation for Councillor Mike Stevens to speak, but not vote, in Tywyn Town Council meetings if a discussion arose involving what flag should be flown on the CTC pole on Tywyn promenade from now until the Annual Meeting of the Town Council in May 2016.

5. WORK PROGRAMME

Submitted – the report of the Monitoring Officer reporting on the work programme and on adaptations that need the committee's consideration.

Further to the content of the report, the Monitoring Officer noted:-

- That the Annual Report of the Adjudication Panel for Wales was not yet to hand.
- It was suggested to contact Community Councils in the first place to see what their needs were in terms of support, by reporting on the response to the January meeting.
- It was noted that not all training offered attracted support and the Monitoring Officer suggested that it would be beneficial to discuss the requirements and the best way of presenting training packages.

RESOLVED to adapt the work programme to include the following items on the agenda for 26 January, 2015:-

- **Annual Report of the Adjudication Panel for Wales**
- **Community Council's needs in terms of support**
- **Identify an alternative system for offering training**

6. ALLEGATIONS AGAINST MEMBERS

Submitted – For information, the report of the Monitoring Officer on formal complaints made against members.

It was noted that the decision in number 2.1 Case 201300346 needed to be corrected to read as follows:-

“Decision

The member should receive a reprimand, delete the video clip and the post from his Facebook page at once and receive training on the Behavioural Code and all of the Council’s protocols relating to the behaviour of councillors.”

Further to the content of the report, it was noted that papers were expected from the Ombudsman concerning number 2.8 Case 201402810

RESOLVED to note the report.

7. THE OMBUDSMAN’S ANNUAL REPORT 2013/14

Submitted – the report of the Monitoring Officer appending a copy of those parts of the Ombudsman's Annual Report 2013/14 relevant to code of conduct complaints.

The Monitoring Officer had noted that the message on page 16 of the report was very central, and that it suggested that the local resolution arrangements across Wales had an effect of fewer complaints being referred to the Ombudsman.

The importance of reporting back to this committee on cases that were dealt with locally was emphasised.

RESOLVED to note the report.

8. WEBCASTING

Submitted – the Monitoring Officer's report appending the Head of Democratic Services' report to the Democratic Services Committee on 9 September involving the webcasting developments. The committee were asked for their comments on the subject.

The Senior Manager of the Corporate Commissioning Service expanded on the content of the report and the appended guidelines for councillors about webcasting.

During the discussion:-

- It was suggested that the hearings of the Standards Committees would be interesting to webcast. The Monitoring Officer noted that broadcasting hearings was a different matter to broadcasting the Council’s standard committees as the dynamic of quasi-judicial meetings were different to that of general committees.
- It was suggested that it would be beneficial if the independent members on the Standards Committee received an invitation to the training session for all the Council’s members on the webcasting arrangement.

Members of the committee were invited to note points that should be focused on in the training.

RESOLVED

(a) To submit the following observations on the subject:-

- That members had to consider how something looks, rather than the actual situation.
 - That it is possible that webcasting could resolve a dispute and that it could also be evidence in a case of an allegation of breaking the Behavioural Code or behaving contrary to Gwynedd Standard principles.
 - That webcasting helps to train the public about democracy.
- (b) To invite independent members of the Standards Committee to the training session (on the afternoon of 26 November) for all of the Council's members on the webcasting arrangements.
- (c) To ask the Senior Manager of the Corporate Commissioning Service to discuss the considerations involved with webcasting quasi-judicial committees with the Monitoring Officer and the Senior Solicitor.

The meeting commenced at 11.00am and concluded at 12.15pm