

STANDARDS COMMITTEE 17/06/19

Present:

Elected Members: Councillors Anne Lloyd Jones, Beth Lawton and Dewi Roberts.

Independent Members: Mr Aled Jones, Miss Margaret E. Jones (Vice-chair chairing) and Mr David Wareing.

Community Committee Member: Mr Richard Parry Hughes

Also in Attendance: Iwan Evans (Monitoring Officer), Siôn Huws (Senior Solicitor - Corporate) and Eirian Roberts (Member Support Officer).

Since four elected members and three independent members were present at the beginning of the meeting, Councillor Beth Lawton agreed to observe only, in order to ensure a quorum.

1. APOLOGIES

An apology for absence was received from Dr Einir Young (Chair).

2. DECLARATION OF PERSONAL INTEREST

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

3. URGENT ITEMS

No urgent matters were raised.

4. MINUTES

The Chair signed the minutes of the previous meeting of this committee held on 18 March, 2019 as a true record.

5. THE STANDARDS COMMITTEE'S ANNUAL REPORT 2018-19

Submitted - the draft of the committee's annual report for 2018-2019. The committee's observations and approval of the document were invited.

Members were asked to check their biographies and to contact the Senior Solicitor - Corporate with any amendments / updates.

RESOLVED

- (a) To approve the annual report to be submitted to the Full Council on 18 July, subject to changing the reference to 2016-2017 in the English version in the main heading on page 15 to read '2018-2019'.
- (b) Authorise the Monitoring Officer to complete the forewords, in consultation with the Chair.

6. APPLICATION FOR DISPENSATION

Submitted - the report of the Monitoring Officer requesting that the committee consider and decide on an application by Councillor W. Gareth Roberts, a member of the Aberdaron

ward on Gwynedd Council, for a dispensation relating to the proposed scheme to create electricity near Bardsey Island, which was in his ward, where he was also a tenant farmer.

The Senior Solicitor - Corporate explained:

- Should the scheme be realised, the Councillor would benefit in the sense that there would be an electricity supply available to him on Bardsey Island. This created an interest because a decision on the scheme either way would impact his personal interest. The interest was also a prejudicial one.
- The Councillor wished to take part in the local discussions due to his knowledge as a local member, but also as someone who had unique knowledge and experience of Bardsey Island. He also wished to have the right to speak as a local member, but not to vote, when the scheme was presented to this Council.

On this point, Councillor Dewi Roberts declared a personal interest in the item as he was a member of the Bardsey Island Trust and had been Vice-chair of the Bardsey Island Council. He was of the opinion that it was a prejudicial interest, and he withdrew from the meeting during the discussion on the item.

The committee was asked to weigh up the public interest in preventing the Councillor from taking part in the discussions due to the interest, against the public interest, in allowing him to take part due to his unique knowledge and experience of Bardsey Island. The Committee was also asked to consider the practicality of asking another member to step into the role of the local member in this context.

During the discussion on the application, the following observations were noted:

- The Councillor would not benefit financially from the scheme.
- As the Councillor already used electricity on the island, the scheme would not mean any more to him than changing the core supply.
- That the wording of the Councillor's application for a dispensation suggested that he had a definite view in favour of the arrival of an electricity supply on the island. Despite that, it was possible that others might have reasons for opposing the development and that view needed to be heard in any discussions also.
- That the scheme's advantage to the Councillor as a tenant was clear, as having an electricity supply on the island would facilitate things for him.
- That the Councillor could talk on the matter as a private landowner and that he could ask an adjacent member to represent him in his role as a local member.

RESOLVED to refuse the application by Councillor W. Gareth Roberts for a dispensation to take part as a member of Gwynedd Council in the local discussions and to speak when the scheme to create electricity near Bardsey Island came before this Council, on the following grounds:

- (a) That the committee was of the opinion that the connection between the Councillor and the scheme and his tenancy on Bardsey Island, and also given the content of his application form for dispensation, meant that it would be difficult for him to represent the interest of the general public as he had already come to a conclusion on this matter, and that his connection to this matter was too close and too great.
- (b) That he would have a voice on the matter in his role as a private landowner in any case.
- (c) In terms of talking on the matter in general, it is not considered that this matter means that another member cannot step into the role of the local member in this context.

7. SELF-EVALUATION AND WORK PROGRAMME

Submitted - the report of the Monitoring Officer inviting the committee to:

- hold a self-evaluation of the committee's work and output during 2018-19; and
- consider the draft work programme for 2019-20.

RESOLVED

(a) To adopt the following as the committee's self-evaluation of its performance in 2018-19:

FUNCTION	ASSESSMENT (1/2/3/4)	Evidence	Further Action
Promote and maintain a high standard of conduct amongst members	1	<p>The Chair and Vice-chair have attended the North Wales Standards Forum to share experiences with other standards committees.</p> <p>A series of induction courses were held for members along with in-depth courses based on the WLGA template.</p> <p>Review Gifts and Hospitality and Officer-Member Contact Protocols. Offer amendments to the Member-Officer Contact Protocol, which was adopted by the Council in July 2018.</p> <p>Submit the Annual Report to the Full Council.</p> <p>Approve the guidelines on declaring an interest and member contact when using the Council's services in their private life. They had been circulated to members.</p>	Continue to attend and support
Assist the members to adhere to the Code of Conduct	1	The Monitoring Officer and his team provide advice and guidance at meetings, and on a one-to-one basis for members.	Hold a discussion for Council members

		The Standards Committee has adopted declaration guidelines, and on how to deal with private circumstances.	
Advise the Council regarding adopting or amending the Code of Conduct	N/A	No opportunities had arisen to amend the Code.	
Monitor the implementation of the Code of Conduct	1	Receive regular reports on allegations against members Receive the annual reports of the Ombudsman and the Adjudication Panel for Wales.	Continue to monitor the consideration of alternative methods of receiving information. Receive regular reports from the Ombudsman's Code of Conduct Casebook. Receive annual reports on the register of interests and hospitality.
Advise, train or arrange training for members on matters relating to the Code of Conduct	3	Support an induction programme for the new Council.	New training for Council members that are about to start.
Grant dispensation to members	1	The dispensations procedure was reviewed, and the submission process by the applicant was adopted, and the quality of the information submitted was improved.	
Deal with reports of case tribunals and any reports from the Monitoring Officer on matters referred by the Ombudsman	N/A	The need for hearings did not arise during the year	

Authorise the Monitoring Officer to pay allowances to persons assisting with an investigation	N/A	No occasion to pay such an allowance had arisen	
Exercise the above functions in relation to community councils	3	The Monitoring Officer and his team provide advice and guidance to councillors, clerks and members. Adopt a training pilot on the Code of Conduct. A session has been included to pilot the content of the course.	Arrange a new training programme. Need to proceed with implementing the pilot.

(b) Approve the following work programme for 2019/20:

17 June, 2019

**Annual Report
Allegations against members
The Ombudsman's Casebook**

4 November, 2019

**Gifts and Hospitality Register
Declaration of Interests Register
The Ombudsman's Annual Report
Allegations against members**

27 January, 2020

**Adjudication Panel's Annual Report
Allegations against members
A report on Ethics Standards in outsourcing and collaboration arrangements.**

8. REPORT OF THE COMMITTEE ON STANDARDS IN PUBLIC LIFE

Submitted - the report of the Monitoring Officer inviting the committee to discuss matters noted in the report of the Committee on Standards in Public Life on the findings of its review of the existing arrangements' effectiveness for standards in Local Government in England.

It was noted that although the review was only in relation to implementing the standards system in England, the report and its recommendations would be of interest to members of the Standards Committee.

Attention was drawn to some of the report's main messages in a number of various fields, including the declarations of interest, allegations of misconduct, bullying, the role of officers,

corporate arrangements, leadership and culture along with outsourcing and collaboration arrangements. It was suggested that the committee could come back to some of these matters in future.

RESOLVED to accept the report.

9. OMBUDSMAN'S CODE OF CONDUCT CASEBOOK

Submitted - the report of the Monitoring Officer inviting the committee to discuss matters noted in the Ombudsman's Code of Conduct Casebook - Edition 20.

During the discussion, it was noted that:

- The first case in the Case Summaries outlined the importance of retaining the evidence.
- That receiving an overview of what was happening in other places was a good way of identifying problems across north Wales.

RESOLVED to accept the report.

10. ALLEGATIONS AGAINST MEMBERS

Submitted, for information, the report of the Senior Solicitor (Corporate) presenting information about the Ombudsman's decisions on formal complaints against members.

RESOLVED to accept the report.

The meeting commenced at 11.00 am and concluded at 12.20 pm

CHAIRMAN