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## STANDARDS COMMITTEE, 30.06.14

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**Present:-**

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

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

**Community Committee Member:-** Mr David Clay.

**Also Present:** Sion Huws (Compliance and Language Manager) and Eirian Roberts (Member Support and Scrutiny Officer).

**Apology:** Ms Linda Byrne (Independent Member).

At the start of the meeting, the Compliance and Language Manager referred to the resignation of Councillor Charles Wyn Jones from the Standards Committee, and it was agreed to send him a word of gratitude for his valuable contribution to the committee's work over a number of years. In line with the procedure, the full Council would appoint his successor.

Councillor Michael Sol Owen was congratulated on being elected Mayor of Pwllheli.

### 1. DECLARATION OF PERSONAL INTEREST

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

### 2. URGENT MATTER – HEARINGS OF THE STANDARDS COMMITTEE

This item was not included on the agenda; however, the Chairman agreed that it could be discussed as an urgent item under Section 100B(4)(b) of the Local Government Act 1972 as it was intended to conduct hearings on two cases during July.

The Compliance and Language Manager noted that the item would be discussed as an exempt item at the end of the meeting.

### 3. MINUTES

The Chairman signed the minutes of the meetings of this committee held on 7 April and 12 June, 2014 as a true record.

Matter arising from the minutes of 12 June, 2014

Item 4 – The Report of the Ombudsman for Public Services in Wales on an Investigation into a Complaint against Councillor 'B'

A member noted her disappointment that the second hearing would not be held in Dolgellau, as the majority of the members wished. The Compliance and Language Manager replied that the committee could decide to meet anywhere, but he was not of the opinion that Room 2 or the Chamber in Dolgellau were suitable for conducting a hearing.

#### 4. ANNUAL REPORT OF THE STANDARDS COMMITTEE 2013/14

Submitted – the report of the Monitoring Officer enclosing a draft of the committee's annual report for the period from 1 April 2013 up until 31 March 2014. The Committee's observations and approval of the document were invited.

The Compliance and Language Manager noted that the Chair and Vice-chair had already submitted corrections to their personal profiles, and some members referred to other minor corrections, namely:-

- Einir Young – “*Einir is Director of Sustainability at Bangor University, ...*”
- Councillor David Clay – “*He has also finished serving as the chair of Meirionnydd Area Committee for One Voice Wales.*”
- Councillor Michael Sol Owen – “*He is currently the Chair of the Gwynedd Council Planning Committee ...*”

#### RESOLVED

- (a) To approve the contents of the report, subject to correcting the personal profiles as noted.
- (b) To circulate the report through the Council's website (and to tweet when it went on-line), Rhaeadr, Newyddion Gwynedd, Siop Gwynedd and the libraries.

#### 5. REVIEWING THE PROCEDURE FOR STANDARDS COMMITTEE HEARINGS

Submitted – the report of the Compliance and Language Manager inviting the committee to submit observations on the process of conducting hearings and the current procedure.

**RESOLVED to approve the procedure, including references to the additional matters noted below:-**

- **Ensure equipment / apparatus beforehand for submitting video evidence.**
- **Keep the option of holding a short preliminary meeting to establish the procedure.**
- **Inform the members when the papers would be made public.**
- **Prepare a simple summary of the order of the hearing.**

#### 6. THE OMBUDSMAN'S REGISTER OF CASES

Submitted for information – the first two editions of the Ombudsman's Cases Register.

**RESOLVED to note the report.**

#### 7. ALLEGATIONS AGAINST MEMBERS

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

**RESOLVED to note the report.**

#### 8. NORTH WALES STANDARDS COMMITTEES FORUM

Submitted for information – the minutes of the meeting of the Forum held on 29 April, 2014.

The Chair noted that the next meeting of the Forum would be held in Anglesey County Council on 29 September, which was the same date as this committee. It was agreed to begin the Standards Committee at 10.00am, so that the Chair and Vice-chair could attend the forum afterwards.

Referring to the forum's decision to write to the Ombudsman asking him to consider the possibility of developing an instruction on sanctions to be used specifically by the Standards Committee, the Compliance and Language Manager noted that a response had been received from the Ombudsman stating that it would be inappropriate for him to do so as it would not be within his statutory powers.

**RESOLVED to note the report.**

## **9. 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. This paragraph applied because it concerns the deliberations of the Standards Committee in reaching a decision on a matter referred to it. It was believed that the information should not be disclosed due to the possibility of any publicity about the case prejudicing the councillors' situation prior to any hearings. Consequently, the public interest in maintaining the exemption outweighed the public interest in disclosing the information.**

## **10. URGENT MATTER – HEARINGS OF THE STANDARDS COMMITTEE**

The Compliance and Language Manager presented an update on both cases.

### **(A) REPORT BY THE PUBLIC SERVICES OMBUDSMAN FOR WALES ON AN INVESTIGATION INTO COMPLAINTS AGAINST COUNCILLOR 'A'**

#### **RESOLVED**

- (a) As the Ombudsman's Investigating Officer could not be in Caernarfon by 9.30am on 14th July and had asked to move the meeting to 11.00am, that the Compliance and Language Manager contacts her to ask if it is practical for her to be there by 10.00am or 10.30am at the latest, and to agree a time with the Chair should there be a problem.**
- (b) That the members meet half an hour beforehand for a preliminary meeting to set out the procedure.**
- (c) If the case cannot be dealt with in one day, that the hearing proceeds to the second day.**
- (ch) That whoever members are available on the day attend the hearing.**
- (d) To check that the member who is the subject of the investigation has received the questionnaire sent to him via registered mail, and to remind him of the need to complete the questionnaire as soon as possible.**

### **(B) REPORT BY THE PUBLIC SERVICES OMBUDSMAN FOR WALES ON AN INVESTIGATION INTO COMPLAINTS AGAINST COUNCILLOR 'B'**

#### **RESOLVED**

- (a) To move the hearing to the back-up date, namely 29 July, so that the Ombudsman's Investigating Officer could be present.**
- (b) To commence the hearing at 10.30am, with the members convening at 10.00 for the preliminary meeting to set out the procedure.**

The meeting commenced at 11.00am and concluded at 12.30pm.