
STANDARDS COMMITTEE 23/01/17

Present:-

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

Independent Members:- Ms Jacqueline Hughes, Mr Aled Jones, Miss Margaret Jones, Mr David Wareing and Dr Einir Young (Chair)

Community Committee Member:- Mr David Clay.

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

1. DECLARATION OF PERSONAL INTEREST

No declarations of interest were received from any members present.

2. MINUTES

The Chair signed the minutes of the previous meeting of this committee held on 3 October 2016, as a true record.

Referring to item 3 in the minutes, Preparations for the Local Government Elections 2017, the Monitoring Officer noted that he and the Senior Solicitor had recently attended a series of awareness raising meetings for prospective candidates and had given a short presentation on the Members Code of Conduct.

3. APPLICATIONS FOR DISPENSATION

Submitted –

- (1) The Monitoring Officer requested that the committee consider and determine applications by Councillor Dilwyn Morgan, Gwynedd Council Member for Y Bala, for a dispensation relating to the educational re-organisation of the catchment area of Ysgol y Berwyn, Y Bala.
- (2) A further request was received by Councillor Elwyn Edwards, Gwynedd Council Member for Llandderfel, after the report had been prepared, for a dispensation relating to the same matter.

Before considering the requests, the Monitoring Officer gave an outline of the school organisation process in the catchment.

(1) Application by Councillor Dilwyn Morgan

The Monitoring Officer noted that:-

- The Councillor had an interest in the matter because his grandson was a pupil at Ysgol Bro Tegid.
- The Councillor had also noted on his form that he was a Governor at Ysgol y Berwyn, but that this would not prevent him taking part in discussions as the Code of Conduct gave specific permission for governors appointed by the Council to take part, except when applications for permissions (such as planning) are being discussed.

- The Councillor had requested a general dispensation, because of his role as a local member, to participate in any meeting where he was invited to express the views and opinions of his electorate.
- The Councillor did not believe that his participation would damage public confidence.

Reference was made to previous decisions in similar cases where members with an interest had been granted dispensations to take part in only the local discussions, and it was suggested that the precedent that had already been set should be adhered to so that the committee was consistent in its decisions.

RESOLVED to approve the application for dispensation for Councillor Dilwyn Morgan to speak, but not to vote at Council-sponsored meetings about the reorganisation of schools in the Ysgol y Berwyn catchment, Bala, which are held in the area. However, he would not be allowed to speak, or be present or vote in any meeting of the Council, Cabinet or any of his committees; and he is required, at every meeting in which he participates, to clearly state that he has received a dispensation, and explain the exact nature of the restraints on him, and that this is noted in the minutes of such meetings.

(2) Application by Councillor Elwyn Edwards

The Monitoring Officer noted that:-

- The Councillor had an interest in the matter because his grandsons and granddaughter were pupils at Ysgol y Berwyn.
- The Councillor was given a dispensation in November 2009 to contribute to the Catchment Review Panel discussions; but, because the nature of the local discussions had changed since then, the recommendation was to update that dispensation to reflect the current situation.
- The Councillor's existing application specifically requested a dispensation to sign a petition calling for the new Berwyn Lifelong Learning School to be given community status and to gather names for it.

In considering the matter, it was noted that this was an application to act as a member of the Council, where the Gwynedd Council Members Code of Conduct applied. It was also noted that the application contained little information regarding the exact nature of the action. The committee was of the view that arranging a petition to be submitted by a member of Gwynedd Council to the Cabinet could represent an attempt to influence the decision to be made about the school.

The committee acknowledged the importance of members' input into local discussions of this nature, and had approved dispensations to enable them to take part in local discussions and meetings, despite having prejudicial interests. However, the committee was of the view that presenting a petition directly to those who were making the decision in this manner went beyond what they would be willing to approve. Public confidence in the process would be harmed if members with prejudicial interests were given the opportunity to try to influence in this manner.

The signing of the petition was a matter which the committee felt could fall within the same category of influence, but was of the view that signing the petition in this context would not be likely to harm public confidence in the process.

RESOLVED

- (a) **To approve the application for dispensation for Councillor Elwyn Edwards to speak, but not to vote at Council-sponsored meetings about the reorganisation**

of schools in the Ysgol y Berwyn catchment, Bala, which are held in the area. However, he would not be allowed to speak, or be present or vote at any meeting of the Council, Cabinet or any of his committees; and he is required, at every meeting in which he participates, to clearly state that he has received a dispensation, and explain the exact nature of the restraints on him, and that this is noted in the minutes of such meetings.

- (b) To refuse a dispensation for the Councillor to arrange the petition as the committee was of the view that arranging a petition to be submitted by a member of Gwynedd Council to the Cabinet could represent an attempt to influence the decision to be made about the school and public confidence in the process would be harmed if a member with a prejudicial interest was given the opportunity to try to influence in this manner.
- (c) To grant a dispensation for the Councillor to sign the petition as the committee was of the view that signing the petition in this context would not be likely to harm public confidence in the process.

The Monitoring Officer noted that he intended to hold a discussion with both councillors about their individual rights as a result of the above decisions.

4. MEMBERSHIP OF THE STANDARDS COMMITTEE FOLLOWING THE 2017 LOCAL GOVERNMENT ELECTIONS

Submitted – the report of the Monitoring Officer requesting the committee's opinion on the proposed arrangement for appointing elected members and community committee members to the Standards Committee following the 2017 Local Government elections.

The Senior Solicitor noted that he intended to write directly to all community and town councils before the elections in May, so that they could consider the matter at their first meetings following the elections. Additionally, he intended to make all Members of Gwynedd Council aware of the need to appoint a new community committee member to the Standards Committee and asked that they relay the message to their community and town councils.

RESOLVED to approve the proposed process.

5. NORTH WALES STANDARDS COMMITTEES FORUM

Submitted – the report of the Monitoring Officer detailing the role, remit and arrangements of the North Wales Standards Committee Forum and a request for members' opinions on the development of the forum.

The Monitoring Officer noted that a request submitted to extend the forum to include the Powys and Ceredigion Councils' Standards Committees had been positively received by the other counties in North Wales.

The Chair noted the importance of ensuring that each meeting of the forum should be for a particular purpose and that outcomes were delivered.

Members were reminded of their right to refer any matter to the forum for discussion.

RESOLVED to state that this committee supports the application to extend the North Wales Standards Committee Forum to include the Powys and Ceredigion Councils' Standards Committees.

6. REGISTER OF MEMBERS' INTERESTS

Submitted, for information – the report of the Monitoring Officer on the preparatory work for compliance with the requirement to publish the Interests Register in an electronic format, so that each member's declarations could be viewed through their personal pages on the Council's website.

The importance of ensuring that any new Council member elected in May was fully aware of the stated arrangement was emphasised, and that this would be included in the first induction sessions on the Behavioural Code.

The Senior Solicitor stated that the preparatory work for publishing the register in an electronic format had highlighted the need to improve the form and content of the declaration of personal interest forms.

It was noted, if town and community councils were also required to publish their registers of interest electronically, that the Monitoring Officer should inform them of this when writing to them to invite nominations to this committee.

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.

The meeting commenced at 11.00 am and concluded at 12.05 pm

CHAIRMAN