

STANDARDS COMMITTEE 5/10/15

Present:

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

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

Community Committee Member: Mr David Clay.

Also Present: Iwan Evans (Monitoring Officer), Siôn Huws (Senior Solicitor), Dewi Morgan (Senior Manager – Revenue and Risk) and Eirian Roberts (Members Support and Scrutiny Officer).

Apology: Councillor Lesley Day.

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 29 June, 2015 as a true record.

3. THE COMMITTEE'S MEMBERSHIP

With sadness, the Monitoring Officer noted that medical confirmation was awaited regarding Linda Byrne's situation and that it therefore appeared that there would be an empty seat on the committee. He would make a statement and arrange for that to be formalised in the coming weeks and he would advertise for a new independent member on the committee in due course.

4. APPLICATIONS FOR DISPENSATION

Submitted – the report of the Monitoring Officer requesting that the committee considered and made a decision on two applications for dispensation from members of Bethesda Community Council in relation to discussions regarding the transfer of local halls from the ownership of Gwynedd Council to the ownership of the Community Council (or other community body).

Details were given on the applications individually, namely:-

- An application from Councillor Godfrey Northam, who was the Committee Chairman of Canolfan Rachub and a member of the Committee of Canolfan Cefnfaes, for permission to speak only when the matter would be discussed.

- An application from Councillor Walter Watkin Williams, who was a member of the Committee of Canolfan Cefnfaes, for permission to speak and vote when the matter would be discussed.

The Monitoring Officer noted further:-

- That neither of the members had been appointed on the committees in question by the Community Council.
- That the Standards Committee was entitled to grant a dispensation provided that the situation fell under one (or more) of the grounds listed in the relevant regulations and that there was no reason to believe that the two applications in question did not meet the final ground on the list, namely *"the business relates to the finances or property of a voluntary organisation of whose management committee or board I am a member and I have no other interest."*
- That the fact that the applications met this ground did not mean that the dispensation would be granted automatically and the committee had to consider whether or not there was a public interest from allowing the members to participate, despite the fact that the Code of Conduct made provisions that they should not be able to do so.
- That it was unclear in both cases why these two specific members needed to speak on the matter. Councillor Northam felt that he had to participate in order to ensure that the Community Council fully understood the situation regarding the village hall; however, someone else could explain that. Councillor Northam had also noted on his form that 4 out of 13 members on the Community Council had to declare an interest in the matter; however, that would not affect quorum.
- Should these applications be approved then the committee would have to approve other similar applications in the future, and without any information regarding why the need to speak justified the granting of a dispensation, it was difficult to know what precedent was being created.

The members agreed with the observations of the Monitoring Officer and noted that the information was patchy and vague and that the committee was unaware of the exact reasons why these applications had been submitted.

It was noted further that this committee could be inundated with similar applications as many community councils were currently discussing the transfer of assets and it was suggested that it would be beneficial to prepare an advice note for the clerks that provided an outline of the expectations. The Monitoring Officer replied that a series of courses for clerks and community council members were commencing that night and that this matter could be raised there.

RESOLVED to refuse both applications for a dispensation based on the lack of information.

5. GWYNEDD COUNCIL'S GOVERNANCE FRAMEWORK

Submitted - the report of the Senior Manager - Revenue and Risk explaining:-

- How the Governance Framework had been developed;
- The procedure for reviewing the framework and reporting on the results;

- The role of the Standards Committee within the framework.

Members raised questions regarding the Integrated Well-being, Health and Social Care Act. The Senior Manager responded to those questions and explained that the new requirements introduced by the Act would be considered in the context of the Governance Framework, but that it was not expected for many new elements to be added as the Framework had been designed to encompass all Council activities.

RESOLVED to approve the report and welcome the progress in the Standards Committee's efficiency score.

6. ALLEGATIONS AGAINST MEMBERS

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

Further to the report, the Senior Solicitor noted that the Ombudsman had now decided not to investigate complaint 2.3 of Case 201503255, and therefore, he was unaware of any complaint made against Gwynedd councillors that was currently open.

RESOLVED to note the report.

7. THE OMBUDSMAN'S ANNUAL REPORT 2014/15

Submitted for information – the report of the Monitoring Officer appending a copy of those parts of the Ombudsman's Annual Report 2014-15 relevant to code of conduct complaints.

The Ombudsman's intention to take a firmer stance in future when referring back 'lowest level' complaints to monitoring officers to be dealt with locally, was welcomed.

RESOLVED to note the report.

8. OBSERVING MEETINGS

Independent members were invited to provide feedback following their experience of observing the meetings of Gwynedd Council or town/community councils.

A member noted that no list of community council meetings was available anywhere. The Senior Solicitor replied and noted that the Council had a list of the community councils' clerks and that they had to be contacted individually. It was also suggested that the members could observe the webcasts of Gwynedd Council meetings.

Miss Margaret Jones submitted feedback after she had observed a meeting of Llanystumdwy Community Council and she noted:-

- That the Community Council met in various locations, which was to be welcomed in terms of being inclusive and considerate of the entire community.

- That there was a good range of people from the community in attendance, with the age-range between 20 and 80, and that women were present.
- That the clerk was very effective, explained everything and followed everything up.
- That the meeting was organised and very comprehensive.
- That the agenda was varied, with 12 items, including one exempt item, being considered.
- That the clerk had informed members about the training provided for them by the Monitoring Officer.
- That the Community Council reported monthly to the *papur bro* and that this was a good way of raising awareness of the Community Council's activity.

Some associated matters were discussed, namely:-

- The role of a member who witnessed a breach in the Code of Conduct. The Monitoring Officer noted that a member could ask the clerk to give guidance on the matter or contact him as the Standards Committee had a duty to promote high standards of conduct in this Council and in the community and town councils. However, it was emphasised that it was a member's own responsibility to adhere to the Code.
- Public access to Council meetings. The Monitoring Officer replied noting that there was no procedure in place for the purpose of preventing public access; however, both practically and in terms of health and safety, it was not possible to have a situation where the Council's buildings were completely open.

The meeting commenced at 11.00am and concluded at 12.05pm.