
STANDARDS COMMITTEE 18/04/16

Present:-

Elected member:- Councillor 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), Vera Jones (Democratic Services Manager) and Eirian Roberts (Member Support Officer).

Apology:- Councillor Lesley Day.

Mr Aled Jones was welcomed to his first meeting of the Standards Committee.

Councillor Lesley Day was wished a speedy recovery following her recent surgery.

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 committee meeting held on 25 January 2016, as a true record.

3. 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 Tywyn Town Council in relation to discussions by a caravan site management committee which the Town Council owned, namely Ynysmaengwyn Camping and Caravan Park, as they had prejudicial interests due to their links with other nearby caravan sites.

Details were given on both applications individually, namely:-

- An application from Councillor Richard Vaughan, for permission to speak only.
- An application from Councillor Anne Lloyd Jones, for permission to speak and vote.

An application by Councillor Richard Vaughan

The Senior Solicitor further noted:-

- That the applicant could use his experience of running a similar business to provide advice and information to Ynysmaengwyn Caravan Site's Management Committee.
- That Ynysmaengwyn's site manager and his wife also attended the meetings.
- It was a matter for the committee to balance the importance of the Code of Conduct against the member's contribution to the Management Committee.

Following a discussion:-

RESOLVED to refuse the application for a dispensation on the following grounds:-

- Whilst accepting that the member had knowledge and expertise that would be relevant and useful to the work of the Ynysmaengwyn Caravan Park Management Committee, he was able to provide this expertise because he also ran a similar commercial caravan park nearby. The interest was therefore a very substantial one, and the risk of damaging the public's confidence was correspondingly high. The Committee was not of the opinion that the knowledge and advice that he could offer was so specialised or unique that it could not be obtained from other sources.

Councillor Anne Lloyd Jones' Application

The Senior Solicitor further noted:-

- As the applicant did not run a site with the same type of requirements or on the same scale as Ynysmaengwyn Camping and Caravan Park (a licensed site for Caravan Club members only), she was not in a situation to offer the same level of expertise to Ynysmaengwyn Camping and Caravan Site Management Committee.
- That he understood that the member was active with Mid Wales Tourism and could provide relevant feedback from this body to the Management Committee.
- It was a matter for the committee to balance the importance of the Code of Conduct against the member's contribution to the Management Committee.

Following a discussion:-

RESOLVED to refuse the application for a dispensation on the following grounds:-

- There was no evidence that the member had unique or specialist expertise or knowledge that would be of such benefit to the work of the Ynysmaengwyn Caravan Park Management Committee so as to justify allowing her to participate in its deliberations. The Standards Committee were therefore of the opinion that public confidence would be damaged if she was allowed a dispensation in this case.

4. SELF-ASSESSMENT AND WORK PROGRAMME

Submitted - the report of the Monitoring Officer asking the committee to hold an assessment of the Committee's work and output during 2015-16 and to consider a draft work programme for 2016-17.

Members were asked to consider the functions listed in the first column of the self-assessment and to note which assessment they believed was relevant to them using the following categories:-

Category 1 – Evidence that the committee is fully meeting the requirements.

Category 2 – Evidence that the committee meets the basic requirements, but can do more to fully comply.

Category 3 – No evidence that the committee is meeting the requirements.

The committee was also invited to add to the 'Evidence' and 'Further Action' columns and it was explained that any suggestions for further action would be fed through to the committee's future work programmes.

RESOLVED

(a) To adopt the following as the committee's self-assessment of its work (*additions to the document in italic and underlined*):-

FUNCTION	ASSESSMENT (1/2/3)	Evidence	Further Action
Promote and maintain a high standard of conduct amongst members	<u>1</u>	<p>The Chair and Vice-chair had attended the North Wales Standards Forum to share experiences with other standards committees.</p> <p>Some members had attended committees, Full Council, Cabinet and Town and Community Council meetings as observers.</p>	<p>Continue to attend and support</p> <p>Continue to support, including the use of web casting</p>
Assist the members to adhere to the Code of Conduct	<u>1</u>	<p>Arrange Training for members of Town and Community Councils</p> <p>Arrange Training for Council members</p>	Consider feedback on Training and a new programme
Advise the Council regarding adopting or amending the Code of Conduct	<u>1</u>	<p>Arrangement had been made to circulate amended guidance on the Code of Conduct from the Ombudsman to all Council Members</p> <p>Observations had been submitted on elements of the Local Government Bill (Wales) 2015</p>	Review the latest amendments to the Code
Monitor the operation of the Code of Conduct	<u>1</u>	<p>Receive regular reports on allegations against members</p> <p>Receive the annual reports of the Ombudsman and the Adjudication Panel for Wales.</p> <p>Receive annual reports in relation to the register of interests and declarations made.</p> <p>Receive annual reports on the register of interests and hospitality.</p>	<p>Continue to monitor the consideration of alternative methods of receiving information.</p> <p>Consider the amendments to the Code of Conduct and how to share the changes.</p>
Advise, train or	<u>1</u>	Members attended the	New Training

arrange training for members on matters relating to the Code of Conduct		standards conference in Cardiff and reported back. Arrange Training for members of Town and Community Councils Arrange Training for Council members	Programme
Grant dispensation to members	<u>1</u>	Two applications for dispensations were handled, from members of Town and Community Councils. Conduct and overview of the system to ensure consistency and propriety.	
Deal with reports of case tribunals and any reports from the Monitoring Officer on matters referred by the Ombudsman	<u>1</u>	One hearing was held during 2015-16	
Authorise the Monitoring Officer to pay allowances to persons assisting with an investigation	<u>(Nothing to measure)</u>	No occasion to pay such an allowance had arisen	
Exercise the above functions in relation to community councils	<u>2</u>	A training session for community council clerks had been held in October 2013 The Committee's annual report had been sent to all community councils. The opinion of community councils had been sought on training based on the Code and good governance. Subsequent training had been held in four centres.	Alternative Training programme. It was, however, necessary to produce a model local resolution procedure for use by community councils.

(b) to include a footnote to the self-assessment including some statistics on attendance at the training and stating, bearing in mind that as members did not have to attend the Standards Committee was of the view that it had achieved its requirements successfully in assisting members to adhere to the Code of Conduct, and that councillors should take the training more seriously.

(c) To approve the following work programme for 2016/17:-

27 June 2016

- Annual Report
- Allegations against members
- Review the arrangements for members to attend committees and community councils - lessons learnt. (*Members were asked to consider, between now and June, how to do this.*)

3 October 2016

- The Ombudsman's Annual Report
- Allegations against members
- Local Resolution Procedure for Community Councils
- Protocols review

23 January 2017

- Gifts and hospitality register
- Declaration of Interests Register
- Adjudication Panel's Annual Report
- Allegations against members

27 March 2017

- Self-Assessment and Work Programme
- Training
- Preparation for the 2017 election - raise town and community clerks' awareness of expectations upon them regarding the provision of information to prospective councillors about the requirements of the Code of Conduct.

5. AMENDMENTS TO THE MODEL CODE OF CONDUCT

Submitted - the report of the Monitoring Officer asking the committee to note amendments to some key elements of the existing Code of Conduct, following the introduction of the Local Authorities (Model Code of Conduct) (Wales) (Amendment) Order 2016 on 1 April 2016. The committee was also requested to consider the implications of the changes for town and community councils.

It was explained that the full Council would be required to adopt the amended Code of Conduct.

RESOLVED

- (a) To note the amendments to the Members' Code of Conduct.**
- (b) To write to community and town council clerks to draw their attention to the amendments and the actions required in response.**

6. REGISTER OF MEMBERS' INTERESTS

Submitted – the report of the Monitoring Officer, noting that it was now mandatory for the Council to publish the Register of Members' Interests electronically and providing an update on the process.

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 12.10 pm

CHAIRMAN