

STANDARDS COMMITTEE

Minutes of a meeting of the Standards Committee held in Conference Room 1A, County Hall, Wynnstay Road, Ruthin on Friday 26 February 2010 at 10am.

PRESENT

Mr C B Halliday (Chair), Councillor G A Green, Councillor H LI Jones, Ms M E Medley, Mr G F Roberts and Mrs P White

ALSO PRESENT

Councillor J Bellis, Monitoring Officer (IKH) and Scrutiny Support Officer (RhE)

APOLOGIES

Councillor D A Thomas

777 URGENT MATTERS

There were no urgent matters submitted for the Committee's consideration.

778 MINUTES

RESOLVED that the minutes of the Standards Committee meeting held on 15 January 2010 be confirmed as a correct record.

Matters Arising – Item 2 – Minutes

In response to a query the Monitoring Officer advised that as the community councillor whom the Committee had recently suspended from office for a specific period of time had appealed to the Adjudication Panel for Wales against the Committee's decision, the suspension would not come into effect until such time as the Panel had considered and determined the appeal. In the meantime the councillor concerned was permitted to attend Council meetings.

779 ATTENDANCE AT MEETINGS

The Chair, Vice-Chair and Councillor H LI Jones advised that they had attended some of the training sessions held for town and community council members. They all confirmed that the sessions at which they had been present were well attended and well received.

The Monitoring Officer undertook to pass members observations and their appreciation of the events on to the Corporate Governance Solicitor, Ms Lisa Jones, who had facilitated the events.

With regards to the new Guidance for the Code of Conduct the Monitoring Officer advised that it was his intention, once the new Guidance had been published, to attend cluster meetings with a view to briefing town and community council representatives on the Code and the Guidance. To date no indication had been given on when the new guidance was likely to be published.

780 DISPENSATIONS

The Monitoring Officer introduced his report and appendices (previously circulated) which presented requests from St. Asaph town councillors and Rhyl town councillors for dispensations to be granted in respect of discussions relating to matters detailed in the report and the associated appendices.

The Committee considered the dispensation requests from St. Asaph town councillors first. Eleven councillors, out of the entire town council membership of 14 councillors, had applied for dispensations that would permit them to participate and vote on town council business. The 11 town councillors were of the view that they had what was defined in legislation as prejudicial interests in town council matters due to their membership of one or more of the following organisations: Afon Elwy

Environment Group, St. Asaph Community Association and/or St. Asaph Community Support and Tidy Towns Group. These prejudicial interests meant that the councillors concerned were required to withdraw from Council business when it was discussing any matters that had a direct or indirect impact on any of these groups. Consequently, the Council could on some occasions be taking decisions with fewer than half of its members present and eligible to vote, this was particularly true where councillors were members of the St. Asaph Community Support and Tidy Towns Group. With regards to the Afon Elwy Environment Group and the Community Association, the Committee agreed with the Monitoring Officer's advice that the town councillors' membership of these groups were common to the interests of other community residents, therefore permitting them to participate in town council business which was of interest to, or impacted on, these Groups should not damage public confidence in the councillors or the Town Council. It was confirmed that any dispensations granted would only be valid until the next town council elections in 2012

RESOLVED – to:

- (a) *grant dispensations to the following members of St. Asaph Town Council, Councillors W L Cowie, Mrs D G Hodgkinson, Mrs E J Powell, Mrs B J Rust and D I Roberts, who were also members of the Afon Elwy Environment Group, to participate in Council business on the grounds that their interests were such that their participation in the business to which the interests relate would not damage public confidence in the conduct of the relevant authority's business, and that the interests were common to the members and a significant proportion of the general public;*
- (b) *grant dispensations to the following members of St. Asaph Town Council, Councillors Mrs D G Hodgkinson, Mrs E J Powell, Mrs B J Rust, D Owens, J J Vaughan and D A Thomas, who were also members of the St. Asaph Community Association, to participate in Council business on the grounds that their interests were such that their participation in the business to which the interests relate would not damage public confidence in the conduct of the relevant authority's business, and that the interests were common to the members and a significant proportion of the general public;*
- (c) *grant dispensations to the following members of St. Asaph Town Council, Councillors W L Cowie, Mrs D G Hodgkinson, Mrs E J Powell, Mrs B J Rust, D I Roberts, D Owens, J J Vaughan, R H Gumm, N J H J Shorter and P Scott, who were also members of the St. Asaph Community Support and Tidy Towns Group, to participate in Council business on the grounds that no fewer than half of the members of the relevant authority or of a committee of the authority (as the case may be) by which the business is to be considered have an interest which relates to that business;*

The Committee then proceeded to consider Councillor J B Bellis' request for dispensations for himself and fellow Rhyl town councillors Mrs P M Jones, M C Espley and Mrs W Mullen-James, who were also members of the Management Committee of the Rhyl Community Association. The dispensation requests in this case, detailed in Appendix 2 to the report, related specifically to discussions between the Association and the Town Council in relation to the Management Agreement for the Ty Newydd Community Centre. The Monitoring Officer drew the Committee's attention to paragraph 4.1 of his report which explained the complexity of each individual's prejudicial interests in this matter. However, the balance of the interests were similar and the grounds for the requests were to ensure that residents and users of the Community Centre were adequately represented in decisions relating to its future. Councillor Bellis was invited to present his and the other named town councillors' case.

In his address to the Committee Councillor Bellis explained that he was not a Town Council representative on the Rhyl Community Association. Councillor Bellis was a town councillor for the ward in which the Community Centre was located, a trustee of the Association and, since 2009, had been the Association's secretary. Councillor Bellis explained that the dispensation requests related to those Town Councillors who were also members of the Association's Management Committee to permit them to participate in any discussions relating to the Management Agreement for the Ty Newydd Community Centre. He proceeded to explain that if the named members were not granted a dispensation for this purpose there was a risk that local residents' views and concerns in respect of the Community Centre's future would not be properly represented due to the fact that their elected representatives would be prohibited from any discussions on the matter.

In response to members' questions Councillor Bellis explained that Rhyl Town Council comprised of 10 council wards and each council ward had an option to have representatives on the Rhyl Community Association. The Association, a registered charity, was responsible for managing Rhyl's three community centres, therefore other town councillors who represented the wards where the other two community centres were located could potentially be faced with a similar situation in future to that currently faced by the councillors who had requested the dispensations with regards to the Management Agreement of the Ty Newydd Community Centre. Committee members acknowledged that the requests under consideration at the meeting related to those town councillors who were members of the Management Committee of the Ty Newydd Community Centre, specifically in relation to the discussions on the Management Agreement of the Community Centre. However, in granting the requested dispensations the Committee was of the view that as all town councillors had been elected to represent the interests of their communities it would be appropriate to extend the dispensation to all Town Council appointees on the Rhyl Community Association in relation to discussions relating to the management of the community centres. The Committee therefore:

RESOLVED – to:

- (a) *grant a dispensations to Rhyl Town Councillors, Mrs P M Jones, M C Espley and Mrs W Mullen-James to participate in any discussions relating to the Management Agreement of the Ty Newydd Community Centre, Rhyl on the grounds that the nature of the named members' interests was such that their participation in the business to which the interest relate would not damage public confidence in the conduct of the relevant authority's business;*
- (b) *to grant Councillor J B Bellis a dispensation to participate in any discussions relating to the Management Agreement of the Ty Newydd Community Centre, Rhyl on the grounds that his participation in the business to which the interest relates was justified by his particular role or expertise; and*
- (c) *to grant a general dispensation to all Rhyl Town Councillors who serve on the Rhyl Community Association to participate in any discussions relating to the management of the Community Centres with which the Association was involved on the grounds that the nature of the named members' interests is such that their participation in the business to which the interests relate would not damage public confidence in the conduct of the relevant authority's business as it appears to be in the interests of the inhabitants of the area of the relevant authority that the disability to participate should be removed provided that written notice of the grant of dispensation was given to the National Assembly for Wales within seven days in such manner as it may specify.*

781 URGENT ITEMS

No items.

782 DATE OF NEXT MEETING

The date of the next meeting was confirmed as 9 April 2010 at 10 a.m. in Tŷ Nant, Prestatyn.

Mrs P White tendered her apologies in advance for the above meeting.

PART II

No items.

Meeting concluded at 10.45am.
