

STANDARDS COMMITTEE

Minutes of a meeting of the Standards Committee held in the Committee Room, Ty Nant, Prestatyn on Friday, 24th September, 2010 at 10.00 a.m.

PRESENT

Mr C.B. Halliday (Chair), Councillors G.A. Green, H.L.I. Jones and Ms M.E. Medley and Ms P. White.

ALSO PRESENT

The Monitoring Officer and Administrative Officer (C.I. Williams).

APOLOGIES

Councillor D.A. Thomas and Mr G.F. Roberts.

1. URGENT MATTERS

In accordance with the requirements of Section 100B(4) of the Local Government Act 1972, the Chair declared that he intended to include for discussion the following matter requiring urgent attention:-

Committee Membership – The Committee were informed by the Monitoring Officer that Councillor D.A. Thomas had submitted his resignation from Standards Committee as he had been unable to attend scheduled meetings of the Committee.

The Monitoring Officer explained that County Council would be informed of Councillor Thomas's resignation and suggested that consideration might be given, by Council, to appointing one of the nominees who had submitted an application at the time of Councillor Thomas's appointment.

RESOLVED – *that the position be noted.*

2. MINUTES

The Minutes of the Standards Committee held on Friday, 16th July, 2010 were submitted.

Matters arising:-

3. Attendance at Meetings – In response to issues raised by Councillor G.A. Green regarding the inclusion of an item 'Declaration of Interests' on Agenda's, the Monitoring Officer explained that Committee Members would be afforded the opportunity to declare an interest under the Agenda Item 'Declaration of Interests'

and a further opportunity when considering the specific agenda item in question, in the event of them being absent at the commencement of the meeting. He also highlighted the importance of the need for a training programme and greater interaction between County, Town and Community Councils. Reference was also made to information received from the Cardiff Council, Standards Committee and the opportunity to acquire further information at the Standards Conference to be held in Cardiff.

In response to a suggestion put forward by Councillor G.A. Green, it was agreed that the matter of including Declarations of Interest at Town and Community Councils be pursued by the Monitoring Officer.

The Chair thanked the officers for the high standard of the minutes produced in respect of the Standards Committee.

RESOLVED – *that, subject to the above, the Minutes be received and approved as a correct record.*

3. DECLARATIONS OF INTEREST

RESOLVED – *that*

no Members declared any personal or prejudicial interests in any business identified to be considered at this meeting, and

4. ATTENDANCE AT MEETINGS

The Committee were informed that there were no written reports relating to the attendance by Members of the Standards Committee at County, Town or Community Council meetings.

RESOLVED – *that the position be noted.*

5. DISPENSATIONS

A copy of a report by the Monitoring Officer, to consider a request from Rhyl Town Council Members to amend the level for dispensation granted to those Members who had an interest in the Clwyd Coast Credit Union from £500, as approved by the Standards Committee on 29th May 2009, to £3,000, had been circulated with the papers for the meeting.

The Monitoring Officer explained that the request had been supported by the Clerk of the Town Council who had reported that the Credit Union was a highly successful non profit making financial co-operative run for the benefit of its members and the local community. The Co-operative made applications to the Town Council for funding under the Council's Annual Grant Scheme, and one third of the Town Councillors and/or their families were members of the co-operative and supported

the organisation by depositing monies or receiving support from the organisation. As a result Rhyl Town Council Members had, quite properly, declared an interest when the grant application had been considered. This had led to the Town Council's meetings becoming inquorate and consideration of applications having to be deferred.

It had been suggested by the Monitoring Officer that dispensation could be granted under paragraphs (d) or (e) of paragraph 2 of the Standards Committees (Grant of Dispensations) (Wales) 2001 at Appendix 1 to this report.

At the time of the Committee's previous decision the Public Service Ombudsman's Guidance on the Code of Conduct had not been published. The Committee had however been influenced by the new provision introduced into the 2008 Code of Conduct that provided an automatic dispensation for Members appointed to outside bodies where the grant funding awarded did not exceed £500. The Committee considered that this threshold could reasonably be applied to a situation in which Members had a personal and prejudicial interest and thus the dispensation had been granted.

The Monitoring Officer confirmed that the Ombudsman had now published his guidance and it was clear that if the request to the amendment was granted it would need to apply both to those Town Councillors who were Members of the Credit Union, by virtue of having been appointed by the Town Council, and those who were Members in a private capacity. It was explained that for this reason the recommendation contained in the report had been divided into two parts. However, in this instance the second recommendation did not apply as there were no Members of Rhyl Town Council who were solely the Council's appointees to the Clwyd Coast Credit Union.

At the request of the Monitoring Officer, Rhyl Town Council had given consideration to what would be an appropriate level with the objective being to balance out the various interests which included support for organisations providing community benefit, recognising the proper involvement of Local Members in organisations supporting the community, openness and transparency arising from the recording of interest coupled with a separate regime to provide dispensations and the need to enable Councils to deal with their business in a timely manner.

Supporting information provided by Rhyl Town Council's Town Clerk, this incorporated the Town Council's operation of a Grant Scheme which dealt with applications invited for any purpose from organisations benefiting Rhyl. Details of Grants awarded to the Credit Union since 2001 had also been included in the report, and it was explained that in addition to the Grant application the Council frequently had to determine non financial items relating to the Credit Union.

Members of the Committee were informed that any dispensation granted would run only to the next Local Government elections in May, 2012, when it would be open for Rhyl Town Council Members to make a fresh request having regard to the circumstances then prevailing.

A number of questions and concerns were put forward by Members of the Committee regarding the request to amend the level for dispensation granted to those Members who had an interest in the Clwyd Coast Credit Union from £500 to £3000. Councillor G. Green expressed concern that the granting of the dispensation from £500 to £3000 would constitute a significant increase in levels involved.

The Monitoring Officer highlighted the need to consider at what level in the Credit Union prejudicial interests might intervene, and the importance of balancing all factors and analysing all the categories relevant to the request to amend the level for dispensation.

Having given the matter careful consideration Councillor G. Green proposed that the request to amend the level of dispensation should not be granted and should remain at £500, this was seconded by Ms P. White. An amendment to the proposal was put forward by Ms M. Medley to amend the level of dispensation from £500 to £1000, however, the amendment was not seconded.

Following further discussion, it was:-

RESOLVED –*that the Standards Committee do not amend the dispensation for those Members of Rhyl Town Council who had an investment (either debit or credit) with the Clwyd Coast Credit Union from £500, as resolved on 29th May, 2009.*

6. STANDARDS CONFERENCE IN WALES

A copy of the programme for the 2010 Conference (copy enclosed) to be held in Cardiff on the 14th October, 2010, had been circulated with the papers for the meeting and Members were requested to note the proposed attendances.

The Committee agreed that the Chairman, Ms P. White, the Monitoring Officer and Councillor G.A. Green, if available, attend the Standards Conference in Wales to be held in Cardiff on the 14th October, 2010. It was also agreed that the representative Members of the Standards Committee attend the following Workshop Sessions:-

Workshop – Session One

Code of Conduct Guidance – Ms P. White
Town & Community Council Issues – Councillor G.A. Green and Monitoring Officer
Standards & Ethics Committee Hearings –Chairman

Workshop – Session Two

Code of Conduct Guidance – Ms P. White
Engaging with new Social Media – Councillor G.A. Green
Standards & Ethics Committee Hearings – Chairman and Monitoring Officer

RESOLVED –*that the Chairman, Ms P. White, the Monitoring Officer and Councillor G.A. Green, if available, attend the Standards Conference in Wales on the 14th October, 2010.*

The Monitoring Officer referred to the next meeting of the Standards Committee scheduled to be held on the 5th November, 2010. Members of the Committee agreed that in the event of there being a lack of business for consideration by the Committee the meeting be cancelled.

Meeting ended at 10.55 a.m.